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Ordinance # 86-2

INTRODUCTION

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ARTICLE I

SHORT TITLE

Section 101. SHORT TITLE

These regulations shall be known and may be cited as "The Fannett Township Subdivision and Land Development Ordinance."

ARTICLE II

PURPOSE, AUTHORITY, APPLICATION AND INTERPRETATION

Section 201. PURPOSE OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

The purpose of this subdivision and land development ordinance is to provide for harmonious development of the township by:

1. Ensuring the orderly and efficient integration of subdivisions into the development of Fannett Township.
2. Ensuring sites suitable for building purposes and human habitation.
3. Ensuring conformance of subdivision plans with public improvement plans.
4. Ensuring coordination of public improvement plans and programs.
5. Ensuring the protection of water resources and drainageways.
6. Ensuring the efficient movement of traffic.
7. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.
8. Ensuring the greater health, safety, and welfare of the citizens of Fannett Township.
9. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
10. Ensuring the orderly and efficient integration of commercial and industrial subdivisions in Fannett Township.

Section 202. AUTHORITY

The Planning Commission is hereby designated by the Township Supervisors as the agency having authority to review for the Fannett Township all Pre-Application Plans and Data and Preliminary Plats as required herein.

The Commission is further designated as the agency which shall review and make recommendations on all Final Plats as required herein, prior to action on same by the Township Supervisors.

Section 203. APPLICATION OF REGULATIONS

1. No subdivision or land development of any lot, tract, or parcel of land located in Fannett Township shall be effected; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until a final subdivision plat has been approved by the Township Supervisors and publicly recorded in the manner prescribed herein; nor otherwise except in strict accordance with the provisions of this ordinance.
2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision plat has been approved by the Township Supervisors and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.
3. Unit or condominium subdivision of real property is included within the meaning of the subdivision as defined herein and must comply with the subdivision regulations except for lot requirements under Section 504, 1 and 3 - (a through c) provided such subdivision is served by a public or common sewage collection and treatment system. Such compliance shall include, but not be limited to, the filing of preliminary and final plats, the dedication and improvement of right-of-way, roads, streets and the payment of fees and charges as established by the Township Supervisors.

Preliminary and final plats shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit and improvements to public right-of-way.

Unit or condominium subdivisions are, as they apply to use and density requirements, setbacks, parking and other features, to be indicated on the subdivision plans.

Section 204. INTERPRETATION

The provisions of this ordinance shall be considered minimum requirements for the promotion of public health, safety, comfort, convenience and general welfare. Where provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, restriction, or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of this Ordinance shall be controlling. Where the provisions of a statute, other ordinance, resolution, or regulation imposes greater restrictions than this Ordinance, the provisions of such statute, resolution, ordinance, or regulation shall be controlling.

ARTICLE III

DEFINITIONS

Section 301.

The following words and phrases, as used in this Ordinance, shall have the meaning hereby ascribed thereto, unless the context clearly indicates a different meaning.

As used in this Ordinance, words in the singular include the plural and those in the plural include the singular. The word "Person" includes a Corporation, unincorporated association and partnership, as well as an individual. The word "Building" includes any structure and shall be construed as if followed by the phrase "or part thereof". The word "Street" includes avenue, boulevard, court, expressway, highway, lane, arterial and road. The word "Watercourse" includes channel, creek, ditch, drain, dry run, spring and stream. The word "May" is permissive; the words "shall" and "will" are mandatory, subject to the provisions in the following document:

1. ALLEY (or SERVICE DRIVE): A minor right-of-way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.
2. APPLICANT: (SEE DEVELOPER AND SUBDIVIDER): A landowner or developer, as hereinafter defined, who has filed an application for the subdivision or development of a tract of land, including his heirs, successors, and assigns.
3. APPLICATION FOR DEVELOPMENT: Every application, whether preliminary or final, required to be filed and approved prior to start of construction of development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan, or for approval of a development plan.

4. BLOCK: Shall not exceed fifteen hundred (1500') feet in length and shall be of sufficient depth to permit two (2) tiers of lots, except as otherwise provided for herein.
5. TOWNSHIP SUPERVISORS: (Supervisors): The Supervisors of the Township of Fannett, Franklin County.
6. BUILDING LINE: A line parallel to the front, side or rear lot line set so as to provide the required yard.
7. BUILDING SETBACK LINE (setback): The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way, and the line defining side and rear yards, where required.
8. CAPPED SEWERS: A sewer requirement for those areas to be served later by public sewer.
9. CARTWAY OR ROADWAY: The portion of a highway including shoulders for vehicular use.
10. CHAIRMAN: The Chairman of the Fannett Township Planning Commission.
11. CLEAR-SIGHT TRIANGLE: An area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the street center lines.
12. COOPERATIVE: Ownership in common with others of a parcel of land and of a building or buildings thereon which would normally be used by all the occupants, together with individual rights of occupancy of a particular unit or apartment in such building or buildings or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property and where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.
13. COMMISSION: The Fannett Township Planning Commission.
14. COMMON ELEMENTS: Means and includes:
 - (a) The land on which the building is located and portions of the building which are not included in a unit;
 - (b) The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of the building;
 - (c) The yards, parking area and driveways;

- (d) Portions of the land and building used exclusively for the management, operation or maintenance of the common elements;
 - (e) Installation of all central services and utilities;
 - (f) All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
 - (g) Such other facilities as are designated as common elements.
15. COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designated and intended for the use or enjoyment of residents, not including streets, off-street parking areas set aside for public facilities. Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.
16. CONDOMINIUM: Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property.
17. CROSS-WALK: A right-of-way, publicly or privately owned intended to furnish access for pedestrians.
18. 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.
19. DEVELOPER: (SEE APPLICANT AND SUBDIVIDER): Any landowner, agent or tenant with permission of such landowner, who makes or cause to be made a subdivision of land or land development.
20. DEVELOPMENT PLAN: The provisions for the development of a tract of land, including a subdivision plat, all covenants relating to use, location and bulk or buildings and other structures, intensity of use or density of development, street, ways and parking facilities, common open-space and public facilities. The phrase "Provisions of the development plan" when used in this ordinance shall mean written and graphic materials referred to in this definition.

21. DRIVEWAY: A minor vehicular cartway providing access between a street and a parking area or garage within a lot or property.
22. DWELLING: A building designed for residential purposes and used as living quarters for one or more persons.
23. DWELLING UNIT: One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one (1) family or a single person.
24. DWELLING, SINGLE FAMILY, DETACHED: A building used by one (1) family, having one (1) dwelling unit, and having two (2) side yards.
25. DWELLING, SINGLE FAMILY, SEMI-DETACHED: A building used by one (1) family, having one (1) side yard, and one (1) party wall in common with another building.
26. DWELLING, SINGLE FAMILY, ATTACHED (ROW) (TOWN HOUSE): A building used by one (1) family, and having two (2) party walls in common with other buildings.
27. DWELLING, TWO FAMILY, DETACHED: A building used by two (2) families, with one dwelling unit arranged over the other having two (2) side yards.
28. DWELLING, TWO FAMILY, SEMI-DETACHED: A building used by two (2) families, with one dwelling unit arranged over the other, having one (1) side yard, and having one (1) party wall in common with another building.
29. DWELLING, MULTI-FAMILY: A building used by three (3) or more families living independently of each other and their own cooking, including apartment houses.
30. DWELLING, GARDEN APARTMENT: A two (2) story multi-family dwelling containing one (1) story dwelling unit, under one ownership.
31. EASEMENT, UTILITY: A right-of-way granted for the limited use of land for public or quasi-public purposes.

32. ENGINEER: A registered professional engineer designated by the Township Supervisors to perform the duties of an engineer as herein specified.
33. ENGINEERING SPECIFICATIONS: The Engineering Specifications of the Township regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.
34. FLOODPLAINS AND FLOODING: Defined by the United States Water Resources Council as areas adjoining rivers, streams, or water-courses, which in the past have been covered by floodwaters, or can be reasonably expected to be covered in the future. Both time frames are important.

A floodplain can be divided into two parts:

....The floodway is the area closest to the water, and most likely to be flooded frequently. It is usually considered a high hazard area.

....A flood prone area lies beyond the floodway. Flood prone areas are designated by their probability of being flooded; a one hundred year floodplain includes the floodway, and a floodprone land adjacent to it, which has a one percent probability of being flooded each year, and a one hundred percent probability of being flooded within one hundred years. (Of course, these are only probabilities; one hundred year floods could occur in successive years).

35. FUTURE RIGHT-OF-WAY: (1) Right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads. (2) A right-of-way established to provide future access to or through undeveloped land.
36. GOVERNING BODY: The Township Supervisors of Fannett Township, Franklin County, Pennsylvania.
37. HALF OR PARTIAL STREET: A street, generally parallel with and adjacent to a property line, having a lesser right-of-way width than required for improvement and used as a street in accordance with the Ordinance.
38. IMPROVED PUBLIC STREET: Any street for which the Township has maintenance responsibility and which is paved with an approved hardtop surface.
39. IMPROVEMENTS: A - Those physical additions, installations, and changes required to render land suitable for the use intended, including grading, paving, curbing, street lights, and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, driveways, culverts, and street shade trees.

IMPROVEMENTS: B - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

40. INTERIOR WALK: A right-of-way for pedestrian use extending from a street into a block or across a block to another street.
41. LAND DEVELOPMENT (SEE SUBDIVISION): (1) The improvement of a lot, tract, or parcel of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, building groups or other features; (2) A division of land into lots for the purpose of conveying such lots singly or in groups to any person, partnership or corporation for the purpose of the erection of buildings by such person, partnership or corporation.
42. LAND MARKS: A prominent feature of landscape, as a tree, waterway, scenic point, etc.
43. LANDOWNER: The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee having a remaining term of not less than forty years, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this ordinance.
44. (a) LOT: A plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer, or improvement.
- (b) LOT OF GRADIENT: No lot shall have a slope measured from the building setback line to the rear property line in excess of 30 percent unless the proposed structure is architecturally justified to the Commission and Township Supervisors.
45. LOT, REVERSE FRONTAGE: A lot extending between, and having frontage on; an arterial street and minor street, and with vehicular access solely from the latter.
46. LOT, THROUGH OR DOUBLE FRONTAGE: A lot with front and rear street frontage.
47. LOT AREA: The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street rights-of-way but including the area of any easement.

48. MARGINAL ACCESS STREET: Minor streets, parallel and adjacent to major traffic streets which provide access to abutting properties and control of intersections with the major traffic street.
49. MINOR SUBDIVISION: The subdivision of a single lot, tract, or parcel of land into two (2) lots, tracts, or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, streets easement, easements of access or need therefore.
50. MOBILEHOME: Means a transportable, single family dwelling intended for permanent occupancy, office of place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations.
51. MOBILE HOME LOT: A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.
52. MOBILEHOME PARK: A parcel of land under ownership which will be planned and improved for the placement of mobilehomes for nontransient use, consisting of two or more mobilehome lots.
53. PERSON: Any individual or group of individuals partnership or corporation.
54. PLAN, CONSTRUCTION IMPROVEMENT: A plan prepared by a registered engineer showing the construction details of streets, drains, sewers, bridges, culverts, and other improvements as required by this Ordinance.
55. PLAN, OFFICIAL: The Comprehensive Plan and/or Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right-of-Way Plan and/or Official Map or other such Plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the municipality in which the subdivision is located.

56. PLAN, SKETCH: An informal plan, not necessarily to exact scale indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision.
57. PLANNING COMMISSION: Fannett Township Planning Commission.
58. PLAT, FINAL: A complete and exact subdivision plan prepared for official recording as required by statute.
59. PLAT, PRELIMINARY: A tentative subdivision plan, in less detail than the final plat, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plat.
60. PROFILE LINE: Means the profile of the center line of the finished surface of the street, which shall be midway between the sidelines of the street.
61. PUBLIC GROUNDS: (1) Parks, playgrounds, and other public areas, and (2) Sites for schools, sewage treatment, refuse disposal, other publicly owned or operated facilities.
62. PUBLIC NOTICE: Notice given not more than thirty days and not less than fourteen days in advance of any public hearing required by this ordinance. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.
63. RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which has its own motive power or is mounted on or drawn by another vehicle, (including Camping Trailer, Motor Home, Travel Trailer and Truck Camper).
64. RECREATIONAL VEHICLE PARK OR CAMP GROUND: A parcel of land under single ownership which has been planned and improved for the placement of recreational vehicles or camping equipment for temporary living quarters, for recreational camping or travel use, on recreational vehicle or camp ground lots rented for such use, thereby constituting a "land development".

65. RECREATIONAL VEHICLE PARK OR CAMP GROUND LOT: A parcel of land abutting a street or private road occupied by one recreational vehicle or camping equipment for temporary living quarters, for recreational, camping, or travel use, together with such open space as is required under the provisions of this ordinance having not less than the minimum area and width required by this ordinance for a recreational vehicle park or camp ground lot (Article V. Section 504, 3-d).
66. RESERVE STRIP: A narrow parcel of ground separating a street from other adjacent properties.
67. RESIDENT PROPERTY OWNER: Any individual maintaining a voting address in the township, within one thousand (1,000) feet of the proposed subdivision, owning real estate in his own or joint names. A Tenancy in Common or any other means of joint ownership shall be considered as an individual; however, the signature of any single joint owner shall be considered as binding the others.
68. RE-SUBDIVISION: Any subdivision or transfer of land, laid out on a plan which has been approved by the Township Supervisors which changes or proposes to change property lines and/or public right-of-way not in strict accordance with approved plan.
69. REVERSE FRONTAGE LOT: A lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter.
70. RIGHT-OF-WAY, STREET: A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.
71. 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.
72. SEDIMENTATION: The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment".
73. SEPTIC TANK: A watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.

74. SETBACK (BUILDING SETBACK LINE): The line within a property defining the required minimum distance between any enclosed structure and the ultimate adjacent right-of-way, and the line defining side and rear yards where required.
75. SEWAGE DISPOSAL SYSTEM (on site): Any structure designed to eliminate sanitary sewage within the boundaries of the lot.
76. SEWAGE DISPOSAL SYSTEM (PUBLIC): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.
77. SEWAGE ENFORCEMENT OFFICER: Person appointed by the Township Supervisors and Certified by the Department of Environmental Resources who issues and reviews permit applications and conducts such investigations and inspections as are necessary to implement the Pennsylvania Sewage Facilities Act.
78. SIGHT DISTANCE: The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.
79. SLOPE: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.
80. SOIL SITE INVESTIGATION: A field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-site sewage disposal.
81. SOIL STABILIZATION: Chemical or structural treatment designed to increase or maintain the stability of a mass of soil.
82. STREET: A public right-of-way which affords primary vehicular pedestrian access to abutting properties, including street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.
83. MAJOR STREETS:
- (a) ARTERIAL STREET: A major street intended to carry fast or heavy traffic, including highways that provide traffic connections between larger villages, major development nodes, and major traffic generators on an intermunicipal basis, where the average length is usually five (5) miles or greater.

- (b) COLLECTOR STREET: A major street intended to carry moderately heavy traffic (200 to 800 ADT) and provide traffic connections between minor streets and arterials. They may serve as a traffic corridor connecting small villages and developments, minor traffic generators, shopping points, and employment nodes.
- (c) LIMITED ACCESS HIGHWAY: A major street or highway which carries large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.
84. MINOR STREET: A street used primarily for access to abutting properties. They connect farms, individual residences, and commercial properties to higher classes of the road system.
85. CUL-DE-SAC: A street intersecting another street at one end terminating at the other end in a vehicular turnaround.
86. MARGINAL ACCESS STREET: A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.
87. SHOULDERS (Street): The portion of the street, contiguous to cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of the pavement.
88. SUBDIVIDER (SEE APPLICANT AND DEVELOPER): The owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or development under the terms of this ordinance.
89. SUBDIVISION: (see land development) The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted. Said exempted parcels may contain one single family dwelling and necessary out buildings in addition to any agricultural uses.
90. STORM WATER MANAGEMENT PLAN - A plan showing all present and proposed grades and facilities for the conveyance of storm water run-off.

91. STORM WATER FACILITY: Any ditch, gutter, culvert, storm sewer, swale, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.
92. SURVEYOR: A licensed surveyor.
93. SWALE: A low lying stretch of land characterized as a depression used to carry surface water runoff.
94. THROUGH LOT: A lot which abuts a street on two or more opposing or non-adjacent sides.
95. TILE DISPOSAL FIELD: A system of open jointed or perforated pipes laid in the upper strata of the soil for absorption.
96. TOP SOIL: Surface soils and subsurface soils which presumable are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the A Horizon.
97. TOWNSHIP: The Township of Fannett, Franklin County, Pennsylvania.
98. UNDEVELOPED LAND: Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.
99. "UNIT": Means a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.
100. WATER FACILITY: Any water works, water supply works, water distribution system, or part thereof designed, intended or constructed to provide or distribute potable water.
101. WATERCOURSE: A stream of water, river, brook, creek, or a channel or ditch for water whether natural or man-made.

ARTICLE IV

PLAT REQUIREMENTS AND PROCESSING PROCEDURES

Section 401.

Whenever a subdivision of land or land development is desired to be effected in Fannett Township, Franklin County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed, and processed with the Commission and Township Supervisors according to the requirements of this Subdivision and Land Development Ordinance except as follows:

1. Where five lots or less are proposed to be subdivided from a tract of land or where land is being transferred to be combined with an existing lot, the Township Supervisors may waive the Preliminary Plat requirements, provided such proposal is on an existing street, no new streets are involved, and no previous subdivision has occurred on said tract. In such cases the applicant shall submit a Final Plat to be processed as required under Sections 406 and 407 of this Ordinance.

Section 402. PRE-APPLICATION CONFERENCE PROCEDURE

1. Prior to proceeding with preliminary plan or with steps to acquire land or subdivide, the subdivider should familiarize himself with these subdivision regulations and may, if he so desires, consult with the Planning Commission concerning; site suitability, development demand, accessibility, public facilities and utilities, and local, state, and county regulations.

It is suggested that prior to consultation with the Planning Commission, the subdivider prepare a sketch plan of his proposed development. Such a sketch plan may generally show as follows:

- (a) Proposed name of the subdivision or land development.
- (b) The name of the applicant.
- (c) The name of the registered owner.
- (d) North point, scale and date.
- (e) Tract boundaries, with bearings and distances if available.
- (f) The approximate location of water courses, springs, ponds, caves, sink holes (filled or open), tree masses, rock outcrops, existing buildings, existing sanitary sewers, storm water inlets, storm water facilities, water mains, utility easements, fire hydrants, railroads, existing or confirmed streets.
- (g) Topography of the site as may be available. Such topography can be obtained from USGS data.

- (h) Proposed layouts of streets, lots, erosion and sedimentation control measures and other features.
2. Application for a pre-application conference shall be made to the Township Secretary fifteen (15) days prior to the regular meeting of the Township Planning Commission. Submission of a sketch plan or any pre-application materials shall not constitute a formal filing of a subdivision plan.
 3. The Fannett Township Planning Commission shall review the pre-application plans and data at its next regular meeting. The Commission shall note its action on a copy of the plans or provide a letter of review which shall be returned to the subdivider.
 4. At this stage, the Commission shall so inform the applicant if his tract is located in a flood plain as designated by the Special Flood Hazard Identification Map of HUD in which case the following regulations shall apply:
 - (a) The applicant shall prepare a contour map of the proposed area with such contour intervals as the Developer's Engineer shall determine to be necessary and shall prepare plans for drainage or for flood control devices or plans to raise the level of land above the flood plains, satisfactory to the Township Engineer whenever the Township Engineer shall consider that such are necessary. No plat shall be approved for which the Developer's Engineer finds that drainage or flood control protection is necessary until the Township Engineer shall approve the plans for drainage, flood control, or for raising the level of land above the flood plain.
 - (b) Land Subject to Flooding -- Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger of health, life or property, or aggravate erosion or flood hazard. Such land within the subdivision of land development shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
 - (c) Adequate Building Site -- To insure that residents will have sufficient flood-free land upon which to build a house, the Commission may require elevations and flood profiles. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.
 - (d) Street Elevation -- The Township Supervisors shall not approve streets subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas by flooding.

Section 404.

PRELIMINARY PLATS: PROCEDURE

1. The applicant, fifteen (15) days prior to the meeting of the Commission at which consideration is desired, shall file with the Township Secretary, Nine (9) copies of a preliminary plat of the proposed subdivision or land development and other required data and maps.
2. Upon receipt of the required plans, data and maps, the Township Secretary shall forward one copy of the plans and supporting data to the engineer, four (4) copies to the County Planning Commission, and one copy to the Township Supervisors.
3. The Township engineer shall review the plans from a standpoint of engineering requirements and shall transmit them to the Planning Commission with a copy of his comments within ten (10) days of receipt by the Township.
4. The plans shall be reviewed by the Township Planning Commission at its next regular meeting. The Planning Commission may, in the event it deems additional information necessary, submit copies of the plans and data for review and comment to the applicable public utilities, the municipal authority, the applicable school board, the Franklin County Conservation District, the Pennsylvania Department of Transportation, and any other affected public agency.
5. Fannett Township Planning Commission shall take action on a preliminary subdivision within sixty (60) days of Township receipt of the plans and data. The Commission shall note its action on three (3) copies of the plans, or shall draft a letter of recommendation regarding the proposal. The three (3) noted copies, along with the letter of recommendation, in the event such has been drafted, will be forwarded to the Board of Township Supervisors along with the Commission's recommendation concerning preliminary approval.
6. The County Planning Commission shall review the Preliminary Plat and Data and shall keep one copy and shall return other copies of the Plat along with a written report stating their suggested recommendations to the Commission within forty-five (45) days of their receipt of same or forfeit their right to review.
7. Before acting on any subdivision plan, the Township Supervisors, may hold a public hearing thereon after public notice.
8. The Board of Supervisors shall take official action on a preliminary subdivision proposal, after it has received the reports of the Township and County Planning Commissions, and within ninety (90) days of Township receipt of the plans and data. Preliminary plats may be approved, approved with modifications, or disapproved. The Board of Supervisors shall notify the applicant in writing thereof, including, if approved with modifications or disapproved, a statement of reasons for such action, not later than five (5) days following the decision.
9. 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 the provisions of the ordinance.

10. Failure of the Township 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.
11. Approval of the Preliminary Plat shall not constitute approval of the Final Subdivision Plat by the Township Supervisors.

Section 405. PRELIMINARY PLAT: SPECIFICATIONS

1. The preliminary plat shall be prepared in map form showing the entire lot, tract or parcel to be affected by the proposed subdivision or land development and shall be drawn to a scale of one inch equals one hundred feet or less. A different scale may be used subject to the approval of the Commission.

The preliminary plat shall show as follows:

- (a) The proposed name of the subdivision or land development.
- (b) The name of the applicant.
- (c) The name of the registered owner.
- (d) North point, scale, and date.
- (e) The name of the engineer, surveyor or other qualified person responsible for the plat.
- (f) The tract boundaries with bearings and distances.
- (g) The location of water courses, caves, sink holes (filled or open), tree masses, rock cropouts, existing buildings, sanitary sewer lines, storm water facilities and inlets, water mains, utility easements, fire hydrants, railroads, existing confirmed streets and adjacent streets.
- (h) Topography with elevations based on USGS datum showing intervals of five (5) feet or less.
- (i) The layout, names, and widths of rights-of-way, cart way, and paving of proposed streets, alleys, and easements.
- (j) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- (k) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open spaces, or other public, semi-public or community purposes.

2. The preliminary plat shall be accompanied by the following data and plans:

- (a) A profile of each street, including grades.
- (b) Location of existing and proposed utility mains.
- (c) Location plans of proposed sanitary sewers and of any proposed water distribution systems.
- (d) A profile of the proposed sanitary and storm sewers and water lines, with invert elevations, and connections to existing systems.
- (e) A preliminary Erosion and Sedimentation Plan together with a report of the County Conservation District indicating whether a permit for earth moving activity is required from the Department of Environmental Resources under the Rules and Regulations, Chapter 102, "Erosion Control" P.L. 1987, June 22, 1937, as amended. Provided the area of ground exceeds twenty-five (25) acres.
- (f) A report showing the adequacy of streets and highways as required under Section 403.6.

Section 406. FINAL PLATS: PROCEDURE

- 1. The applicant shall, not later than three (3) years after the date of approval of the Preliminary Plat, for that portion he intends to develop, file with the Township Secretary a Final Plat. Failure to comply with the time limitation herein provided shall make approval of the Preliminary Plat null and void unless an extension of time is requested by the applicant and for good cause granted by the Township Supervisors.
- 2. The Final Plat shall incorporate all the changes and modifications required by the Township Supervisors; otherwise it shall conform to the approved Preliminary Plat, and it may constitute only that portion of the approved Preliminary Plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all of the requirements of this ordinance.
- 3. Six (6) prints of the Final Plat shall be filed by the applicant with the Township Secretary, 15 days prior to the meeting of the Commission.

Upon receipt of such final plat the Township Secretary shall forward one (1) copy of the subdivision plan along with all pertinent utility maps and street profiles to the engineer for his review as to the adequacy and estimated costs of construction of required public improvements. The Township engineer shall provide the Commission, prior to the next regular meeting of the Commission, a report containing his estimated costs for the construction of said public improvements.

4. The Township Secretary shall forward four (4) copies of the final subdivision plan to the Franklin County Planning Commission. The County Planning Commission shall review the Preliminary Plat and Data and shall keep one copy and shall return other copies of the Plat along with a written report stating their suggested recommendations to the Commission within forty-five (45) days of their receipt of same or forfeit their right to review.
5. Before approval of a Final Plat, the Township Supervisors must be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements, as estimated by the Township Engineer, to the satisfaction of the appropriate officials that all improvements required in Article VI will be installed by the applicant in strict accordance with the standards and specifications of the municipality and within a specified time after approval of the Final Plat.

The bond or other security shall be made payable to Fannett Township and deposited with the Township Secretary.

6. Before acting on any subdivision plat, the Township Supervisors may hold a public hearing thereon after public notice.
7. The Township Supervisors, upon the recommendation of the Commission, shall act on the final subdivision plat within ninety (90) days of Township receipt of said final subdivision application, and shall note its action on the submitted copies of the plat. Two copies of the approved final plan shall be returned to the subdivider. If the plan is disapproved, the subdivider shall be notified, in writing, of the requirements which have not been met with reference to the applicable provisions of this ordinance. The Township Board of Supervisors shall not approve a final plan, consisting of ten (10) lots or more, without a favorable report from the Department of Environmental Resources regarding the official plan revision. In as much as State law stipulates that the failure of the Department of Environmental Resources to report to the Township within 120 days shall constitute approval, the Supervisors may provide a "conditional approval" of the final plan in the event the within stipulated ninety (90) days for approval has lapsed. Said "conditional approval" shall be made subject to favorable comment by the Department of Environmental Resources.
8. No change, erasures, modifications, or revisions shall be made on any Final Plat of a subdivision of land development after approval has been given by the Township Supervisors, and endorsed in writing on the plat, unless the plat is first resubmitted to the Planning Commission.

9. Within ninety (90) days after the data approval of a Final Plat by the Township Supervisors, the developer shall record an approved duplicate copy thereof in the Office of the Recorder of Deeds of Franklin County.
10. Whenever plat approval by the Township Supervisors is required the recorder of deeds of the county shall not accept any plat for recording unless such plat officially notes the approval of the Township Supervisors.
11. When the developer has completed all of the required improvements, the developer shall notify the Township 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.
 - (a) The Township Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the required improvements.
 - (b) The Township Engineer shall, thereupon, file a report, in writing, with the Township 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 authorization for inspection by the Township Supervisors.
 - (c) The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Township Supervisors.
 - (d) The 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 thereon, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for non-approval or rejection.
 - (e) The Township Supervisors shall notify the developer, in writing by certified or registered mail, of their action with relation thereto.
 - (f) If the Township Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released of all liability, pursuant to its performance guaranty bond.
 - (g) If any portion of the said improvement shall not be approved or shall be rejected by the municipal governing body, the developer shall proceed to complete the same, and upon completion, the same procedure of notification as listed above shall be followed.

12. Failure to initiate any construction or development of the proposed subdivision or land development within three (3) years following the approval of a final plan by the Township shall make the approval of the plan null and void unless an extension of time has been requested in writing by the subdivider and a written approval granted by the Township.

Section 407. FINAL PLAT: SPECIFICATIONS

The Final Plat shall be drawn on reproducible linen, or other reproducible material of equal quality in one of the following sizes: (8½" x 14", 18" x 24", or 24" x 36") as prescribed by Franklin County at a scale of 1" = 100', and shall show:

1. Primary control points, approved by the Township Engineer, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
2. Tract boundary lines, right-of-way lines of streets, easements, and other right-of-way, and property lines of residential lots or parcels in unit, cooperative or condominium subdivisions and other sites with accurate dimensions, bearing, or deflection angles, and radii, arcs, and central angles of all curves.
3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions, and purpose of easements.
5. Number to identify each lot or parcel in unit, cooperative or condominium subdivisions and/or site.
6. Purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.
7. Building setback lines on all lots or parcels in unit, cooperative or condominium subdivisions and other sites.
8. Location and description of survey monuments. All permanent reference monuments shown by an "X" and labeled as monument on the plat.
9. Names of recorded owners of adjoining unplatted land.
10. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
11. Certification by a registered surveyor or registered engineer certifying to accuracy of survey and plat.
12. Certification of title showing that the applicant is the owner of land, agent of the landowner or tenant with permission of the land owner.

13. Statement by the owner dedicating streets, right-of-way and any sites for public uses which are to be dedicated.
14. Proposed Protective Covenants running with the land, if any.
15. Existing and proposed contours at vertical intervals of five (5') feet or less as determined at the Preliminary Plat stage.
16. Other Data: The Final Plat shall be accompanied by the following data and plans as prescribed by the Township Supervisors or as required by the laws of the Commonwealth.
 - (a) Profiles of streets and alleys showing grades.
 - (b) Typical Cross Sections of each type of street, minor street, collector, etc., showing the width of sidewalks, if required, and location and size of utility mains.
 - (c) A Final Erosion and Sedimentation Control Plan, showing the location and types of erosion and sediment control measures together with a report, signed by the County Conservation District, indicating that the plan has been prepared and reviewed as required by "The Clean Stream Law of Pennsylvania" Act 222, July 31, 1970, as amended.
 - (d) A copy of an application for a permit for earth moving activity or a permit issued and signed by the Department of Environmental Resources as required by the Rules and Regulations, Chapter 102, "Erosion Control" under P.L. 1987, June 22, 1937, as amended provided the area of ground exceeds 25 acres.
 - (e) In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the Final Plat, a covenant assuring the implementation by the lot owners of the Erosion and Sedimentation Control Plan.
 - (f) Where a developer intends to provide a separate water supply system to serve more than one dwelling unit the developer shall submit with the Final Plat a copy of a permit or statement issued by the Department of Environmental Resources, to be filed with the Township for the proposed water supply system.
 - (g) Such other certificates, affidavits, endorsements, or dedications as may be required by the Township Supervisors in the enforcement of these regulations.
 - (h) Location Plan, clearly describing the location of the tract in the Township. This Plan may appear directly on the Subdivision Plan.

ARTICLE V

DESIGN STANDARDS

Section 501. STREETS

1. General Standards

The arrangement, character, extent, width, grade, and location of all

streets shall conform to the Official Map and to the Master Plan, if one has been adopted, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in the appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map or Master Plan, the arrangement and other design standards of streets shall conform to the provisions found herein.

- (a) The arrangement of streets in new subdivisions shall make provisions for the continuation of existing streets in adjoining areas.
- (b) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provisions for the proper projection of streets to the boundaries of the tract to be subdivided.

2. Alleys

Alleys shall be prohibited in residential districts except where proved to be necessary.

3. Intersections

Intersections involving the junction of more than two (2) streets are prohibited. Right-angle intersections must be used wherever possible, however, in no case shall streets intersect at less than seventy-five (75) degrees.

4. Intersection Curve Radii

At intersections of streets, the radius of the curb or edge of pavement shall not be less than the following:

<u>Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Collector with Collector Street	thirty-five (35) feet
Collector with Minor Street	twenty-five (25) feet
Minor Street with Minor Street	fifteen (15) feet

Rounded corners or diagonal cutoffs must be provided on the property lines substantially concentric with or parallel to the chord of, the curb radius corners.

5. Intersection Sight Distance

Proper sight lines must be maintained at all street intersections. Measured along the center line, there must be a clear sight triangle of seventy-five (75') feet (150 feet for Arterial streets) from the point of intersection, and no building or obstruction higher than thirty (30") inches above the grade of the center line of the streets shall be permitted in this area.

6. Streets Not In Alignment

If streets are not in alignment, the distance between the center lines of streets opening on opposite sides of an existing or proposed street shall be no less than one hundred twenty-five (125') feet.

7. Sight Distance

Sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center line, four (4') feet above grade, this distance must be as follows:

<u>Type of Street</u>	<u>Sight Distance</u>
Collector	200 feet
Minor	100 feet

8. Curves

Where connecting street lines deflect from each other at any one point by more than 5 degrees, the line must be connected with a true, circular curve.

The minimum radius of the center line for the curve must be as follows:

<u>Type of Street</u>	<u>Minimum Radius</u>
Collector	300 feet
Minor	150 feet

Straight portions of the street must be tangent to the beginning or end of curves. Except for minor street there must be a tangent of at least 100 feet between reverse curves.

9. Street Right-of-Way, Pavement and Cartway Minimum Widths

	<u>Right of Way</u>	<u>Minimum Pavement With Curbs</u>	<u>Minimum Pavement Without Curbs</u>	<u>Cartway Without Curbs</u>	<u>Shoulders Without Curbs</u>
Arterial Streets	*See Note				
Collector Streets	60 ft.	36 ft.	22 ft.	38 ft.	8 ft. each side
Minor Streets	50 ft.	32 ft.	20 ft.	36 ft.	8 ft. each side
Cul-De-Sac Streets	50 ft.	32 ft.	20 ft.	36 ft.	4 ft. each side
Marginal Access Streets	50 ft.	24 ft.	18 ft.	26 ft.	4 ft. each side
Turn Around of Cul-De-Sac Streets (diameter)	150 ft.	100 ft.	100 ft.	100 ft.	-----

*Note: Arterial street characteristics will be determined by the Fannett Board of Supervisors in consultation with the Pennsylvania Department of Transportation.

10. Cul-de-Sacs or Dead End Streets

Cul-de-Sacs or dead end streets, designed to be so permanently, shall not exceed five hundred (500') feet in length, and shall be provided with a turn around having minimum dimensions for right-of-way and cartway widths as indicated in the preceding section, except in non-residential areas where cul-de-sacs may exceed five hundred (500') feet in length when, under special circumstances, the Township Supervisors on the recommendation of the Commission deems such additional length is necessary.

11. Street Grade

- (a) The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

<u>Type of Streets</u>	<u>Minimum Grade</u>	<u>Maximum Grade</u>
All Streets	0.5%	
Arterial Streets		As determined by the Commission after consultation with the Township Engineer and the Pennsylvania Department of Transportation
Collector Streets		Seven (7%) percent
Minor Streets		Ten (10%) percent
Alleys		Twelve (12%) percent

- (b) On alleys with grades greater than ten (10%) percent shall be not more than four hundred (400') feet in length.

- (c) Vertical curves shall be used in changes of grade when the algebraic difference exceeds one (1%) percent, and shall be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grades exceed (7%) percent, such leveling areas shall have a minimum length of sixty (60') (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four (4%) percent.

12. Slope of Banks Along Streets

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

One (1') foot of vertical measurement for three (3') feet of horizontal measurement for fills and cuts.

13. Partial and Half-Streets

The dedication of half-streets at the perimeter of new subdivisions is prohibited.

14. Names of Streets

Names of new streets shall not duplicate or approximate existing or platted street names, or approximate such names by the use of suffixes such as "land", "way", "drive", "avenue". In approving the names of streets cognizance may be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or platted street. House numbers may be assigned to each lot by the Township or its designated agency.

Section 502. EASEMENTS

1. The minimum width of easements shall be fifteen (15') feet for underground public utility facilities, overhead public utility facilities and drainage facilities and, wherever possible, easements for public utilities shall be centered on side or rear lot lines. Additional width may be required by the Township Supervisors on recommendation of the Commission and/or Township Supervisors on recommendation of the Commission and/or Township Engineer depending on the purpose and use of the easement.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities, or for the purpose of installing a storm water sewer.

Section 503. BLOCKS

Blocks shall not exceed fifteen hundred (1500') feet in length and shall be of sufficient depth to permit two (2) tiers of lots, except as otherwise provided for herein.

Section 504. LOTS

The arrangement and other design standards of lots shall conform to the following requirements:

1. Layout of Lots

Every lot shall abut a street. Side lot lines should be substantially at right angles or radial to street lines.

2. Double Frontage

Double frontage lots shall be avoided, except that, where desired along limited access highways, reverse frontage lots may face on an interior street, and back on such thoroughfares. Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.

3. Dimension and Areas of Lots

The dimensions and areas of lots, shall conform to the following requirements:

(a) Lots Not Served by Public Water or Public Sanitary Sewers

Residential lots, not served by public water or public sanitary sewers, the land meeting the necessary percolation and soil survey standards, shall be not less than eighty feet (80') wide measured at the minimum required front building setback line, nor less than fifteen thousand (15,000) square feet in area, per dwelling unit.

(b) Residential lots with sewer shall contain at least eighty (80') feet of frontage and at least ten thousand (10,000) square feet in area, per single family detached dwelling; at least fifty (50) feet of frontage and at least five thousand (5,000) square feet in area per dwelling unit for semi-detached dwelling; at least two thousand four hundred (2,400) square feet in area per dwelling unit for row houses and apartments.

(c) No area reserved for public right of way for road or highway purposes shall be counted in computing any of the square footage requirements set forth in (b) above. This provision shall apply to all roads, streets, highways, or alleys intended primarily for vehicular traffic.

(d) Lots in Recreational Vehicle Parks or Camp Grounds

On land laid out as a recreational vehicle park or camp ground, the lot shall be not less than fifty (50') feet wide at the minimum required front setback line not less than ten thousand (10,000) square feet in area for each recreational vehicle or camp ground lot, exclusive of streets and other public areas. Water and sewer facilities are to be provided in accordance with standards of, and approved and permitted by the Pennsylvania Department of Environmental Resources.

(e) Lots for Other than Residential Uses

The lot width and area requirements of properties reserved or laid out for uses other than residential shall provide adequate space for yards and off-street loading, unloading, and parking facilities. Subdivision plats for uses other than residential shall be accompanied by plans of contemplated construction on the subdivision lots in sufficient detail to assure that these requirements are being satisfied.

(f) Lot Sizes and Sewage Facility Requirements

- 1) The applicant shall arrange for the required tests to be made on the tract as prescribed by the Department of Environmental Resources in order to provide the data necessary for the platting of lots for adequate size for on lot sewage disposal or to determine the need for other sewage disposal methods. (Section 402-2 and Section 405-2-f).
- 2) From the results of these tests and reports, the lot size shall be established large enough to provide for specified minimum area required for the absorption field as prescribed in accordance with the Department of Environmental Resources report, if on lot sewage disposal is permitted, but in no case shall the lot size be less than designated in Section 504-3-a or Section 504-3-b.
- 3) Where on lot water is to be used, the lot shall be large enough so that the water source shall be located no closer to the absorption field of the on lot sewage facilities than the distance specified in accordance with the "Rules and Regulations of the Department of Environmental Resources" as determined by the Sewage Enforcement Officer.

(g) Lot Sizes on Slopes

- 1) The minimum lot areas herein established shall be increased in accordance with the Township Supervisors requirements, based on reports from the Department of Environmental Resources and Conservation Service indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluent are likely to result in hazardous conditions.

- 2) Lot Gradient

No lot shall have a slope measured from the building setback line to the rear property line in excess of 30 percent unless the proposed structure is architecturally justified to the Commission and Township Supervisors.

(h) Corner Lots for Residential Use

Corner lots designed for residential use shall have extra width of at least ten (10%) percent of the above required width to permit appropriate building setback from, and orientation to, both streets.

(i) Building Setback Lines

- 1) Building setback lines must conform to any applicable zoning ordinance. Where no such ordinance exists, the minimum setback from the right-of-way line shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the Required Right-of-Way</u>
Arterial Highway	twenty (20') feet
Collector Street	twenty (20') feet
Minor Street excluding service drives and alleys	twenty (20') feet

- 2) Where an existing building line is established on at least fifty (50%) percent of the properties in a block in which the proposed subdivision is located or within two hundred (200') feet immediately adjacent to the proposed subdivision, the required minimum may be increased or decreased to conform with such established building line.
- 3) On a corner lot, the setback from each adjacent street shall be applicable.
- 4) In a recreational vehicle park or camp ground setback lines must conform to the above standards.

- 5) In a recreational vehicle park or camp ground, setback lines on private streets shall be not less than twenty (20') feet from the right-of-way of the private street.

(j) Side and Rear Building Lines

- 1) Building lines shall not be less than ten (10') feet from the side lot lines and fifteen (15') feet from the rear lot line.
- 2) In a recreational vehicle park or camp ground, side and rear building lines shall be not less than ten (10') feet from the lot line on each side and from the rear lot line of each recreational vehicle or camp ground lot and not less than twenty-five (25') feet from the recreational vehicle park or camp ground property line on the sides and rear not adjacent to a dedicated public street right-of-way.

(k) Utilities

- 1) All newly constructed properties shall be connected to the sanitary sewer system and to the municipal water system where possible.
- 2) Installation of all sewers, water mains, street lights, man-holes and other utilities, shall be in strict accordance with the engineering standards and specifications of the Township, municipal authority, or other public utility concerned.
- 3) Fire hydrants should be provided where public water is available and shall be located so that the distance from any building frontage to a fire hydrant is not more than four hundred (400') feet measured along the curb. Any parking areas shall be designed so as to prohibit parking within fifteen (15') feet of any fire hydrant.
- 4) Suitable easements may be required along the course of streams for the future installation of sewers.

(l) Other Public Facilities

- 1) Land requirements. Areas set aside for recreational or school purposes shall be reasonable compact parcels, placed to serve all parts of the subdivision, accessible from a public street, and not excessively irregular in terrain.

- 2) Play lots. Play lots for children of pre-school age shall be from 2,000 to 5,000 square feet in area.
- 3) Playgrounds. In subdivisions which provide or are intended to provide housing facilities for more than 25 families, the Planning Commission shall consider the need for suitable open areas for recreation. Standards to be used by the Planning Commission as guides in requesting the reservation of space for recreation shall be as follows:

<u>Families to be served</u>	<u>Playground acreage</u>
25 - 50	1.00
50 - 174	3.50
175 - 374	4.75
375 - 624	5.27
625 - 800	6.00

(m) Land Marks

Wherever possible, subdividers shall preserve trees more than six (6") inches in diameter at four and one-half (4½') feet above finished grade, groves, waterways, scenic points, historic spots, and other community assets and landmarks.

Section 505. EROSION AND SEDIMENTATION CONTROL

1. General Standards

(a) An Erosion and Sedimentation Control Plan must be prepared where subdivision, land development or other earth moving activity is proposed. The plan must be submitted:

- (1) As required by the Rules and Regulations of the Department of Environmental Resources.

(b) In the preparation of Erosion and Sedimentation Control Plans the person preparing such plans shall consult the County Conservation District to determine the erosion and control measures needed to control erosion and reduce sedimentation.

Section 506. RECREATION AREAS IN RECREATION VEHICLE PARKS AND CAMP GROUNDS

1. In all recreation vehicle parks and camp grounds, there shall be one or more recreation areas which shall be easily accessible to all park or camp ground residents.

2. The size of such recreation areas shall be based upon a minimum of four hundred (400) square feet for each lot. No outdoor recreation area shall contain less than six thousand (6,000) square feet.
3. Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

Section 507. COMMERCIAL AND INDUSTRIAL SUBDIVISION

1. Application. All commercial and industrial subdivisions shall conform with the provisions of this section.
2. Size. Approval of lot or parcel size will be determined by the following factors:
 - (a) The total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping and other facilities. In no instance shall there be less than four (4) square feet of off-street parking for each one (1) square foot of building use.
 - (b) Whenever possible, commercial parcels should include enough land to provide for a group of commercial establishments, planned, developed, owned and managed as a unit. In no case will narrow, highway ribbon developments be approved.
3. Street System.
 - (a) Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.
 - (b) The design of streets, service drives, and pedestrian ways should provide for safe and hazard free internal circulation.
4. Front Yard.
 - (a) Building setback lines shall be as specified by the Township Supervisors commensurate with the type of development proposed.

Section 508. SOLID WASTE DISPOSAL

Any solid waste disposal in the township must be approved by the Planning Commission and the Township Supervisors and must be in line with current Department of Environmental Resources Guidelines. Solid Waste is not to be interpreted as livestock by-products.

ARTICLE VI
IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

Section 601.

The subdivider shall provide all improvements required by these regulations. The specifications for the improvements contained herein shall apply.

Section 602. MONUMENTS AND MARKERS

1. Monuments must be set:

- (a) At the intersections of all street right-of-way lines.
- (b) At the intersection of lines forming angles in the boundaries of the subdivision.
- (c) At such intermediate points as may be required by the Engineer.

2. Markers must be set:

- (a) At all corners except those monumented.
- (b) By the time the property is offered for sale as lots or after the building is erected and grading is done.

3. Monuments and markers shall be made of the following size and material:

- (a) Monuments shall be six (6") inches at the base and four (4") inches at the top and shall be a minimum of twenty four (24") inches in length. Monuments shall be made of concrete, stone or by setting a four (4") inch cast iron or steel pipe filled with concrete.
- (b) Markers shall be three quarters (3/4") of an inch square or three quarters (3/4") of an inch in diameter fifteen (15") inches long. Markers shall be made of iron pipes or iron or steel bars.

4. Monuments and markers must be placed 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 finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

Section 603. STREET CONSTRUCTION

1. General.

All street construction shall be subject to supervision by the Township Supervisors, or their representatives, and shall be consistent with the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the applicant and approved by the Township Supervisors. The applicant shall reimburse the Township for the actual cost of the required final inspection of the subgrade

and subbase construction by the Township Supervisors, or their representatives.

2. Subgrade.

Prior to laying the subbase, the applicant shall (1) remove all top-soil from the designated cartway, (2) remove all pockets of soft, yielding, or otherwise unsatisfactory material and replace them with the shale compacted at (6") inch depth intervals, (3) bring the cartway to grade level with shale, or acceptable coarse-grained material, compacted at six (6") inch depth intervals, (4) make provisions for adequate surface and subsurface drainage, and (5) install required utilities.

3. Subbase.

The applicant shall notify the Township Supervisors in writing of impending construction of the subbase, and thereby, request final inspection of the subgrade.

The subbase shall consist of six (6") inches of crushed limestone placed in two (2) or more equal, compacted courses on the subgrade; or with the approval of the Board of Supervisors, the subbase may consist of ten (10") inches of shale placed in three (3) or more equal, compacted courses on the subgrade.

4. Pavement.

The applicant shall notify the Township Supervisors in writing of the impending construction of the pavement, and thereby, request final inspection of the subbase.

(a) Penetration Macadam consisting of:

- 1) A base coat of four (4") inches of clean, 2B limestone, rolled.
- 2) 1 gallon H3 tar per square yard.
- 3) 50 pounds $\frac{1}{2}$ " IB chips (limestone) per square yard, rolled and broomed.
- 4) .6 gallon E2 or E3 oil per square yard.
- 5) 20 pounds $\frac{1}{2}$ " IB chips (limestone) per square yard rolled, dragged, and broomed.
- 6) .6 gallon E2 or E3 oil per square yard.
- 7) 20 pounds $\frac{1}{4}$ " Birdseye chips (limestone) per square yard, rolled, dragged, and broomed.
- 8) 10 lbs. $\frac{1}{4}$ " Birdseye chip (limestone) per square yard, rolled, dragged and broomed.
- 9) Optional seal coat of .2 gallon per square yard
- 10) Optional seal coat of .2 gallon per square yard F1 or HX emulsion.

5. Driveway Entrances.

Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, and in no case shall be less than ten (10') feet, the type of surface to be the same as specified above. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

- (a) Driveway entrances along streets, where curbs are not required, shall be constructed to provide proper drainage along the streets and from the streets by the continuation of gutters, swales or ditches.

Such continuation may be provided by having an approved pipe of not less than fifteen (15") inches in diameter cross such driveway entrance.

- (b) Driveway entrance along streets, where curbs are not required, shall be constructed so that the driveway meets the edge of the cartway as a continuation of the slope from the crown of the street for not less than five (5') feet.

6. Curbs Cuts at Driveway Entrance.

The curb height at driveway entrances may be reduced to a minimum of one (1") inch for driveway entrances along streets where curbs are required.

The maximum width of reduced curb height shall be twenty (20') feet for residential driveways and forty (40') feet for commercial or industrial driveways.

Sidewalks, across driveway entrances, where required, shall be constructed in accordance with the requirements in Section 607 in this ordinance.

Section 604. SEWERS AND WATER

1. Where a public sanitary sewer system is within one thousand (1,000') feet of, or where plans approved by the municipality provide for the installation of such public sanitary sewer facilities to within one thousand (1,000') feet of, a proposed subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system if, in the Township Supervisors opinion or the recommendation of the Commission, it is feasible.
2. Where the installation of a sanitary sewer system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewage disposal

system consisting of a septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental Resources."

3. Where the municipality has a plan for the extension of an existing public sanitary sewer system or the construction of a new public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by such public system within a period of eight (8) years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision for later connection to the public system.
4. Where a water main supply system is within one thousand (1,000') feet of, or where plans approved by the municipality provide for the installation of such public water facilities the subdivider shall provide the subdivision with a complete water main supply system in accordance with municipalities specifications.
5. Where installation of a public water main supply system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply approved by the Pennsylvania Department of Environmental Resources, as to source, installation, and quality of water.

Section 605. STORM DRAINAGE

For every subdivision, a storm water management plan should be devised which utilizes the following criteria regarding storm water management: storm water run-off from any given area to be developed shall be computed in accordance with urban hydrology for small water sheds, technical release #55, prepared by the United States Department of Agriculture, January, 1975. The design concept should be as follows:

- (a) The normal storm water discharge from a site should be limited to that quantity which would leave the site before development in a two year frequency storm.
- (b) Storm water run-off in excess of this quantity should be retained on the site. The retention basin(s) or other facilities should be designed to retain the difference between the pre-development two year run-off and the post-development ten year run-off.
- (c) Emergency spillways and down stream channels should be designed based on a 25 year storm.

1. Existing Facilities.

Where adequate existing storm sewers are readily accessible, the subdivider must connect his storm water facilities to these existing storm sewers.

2. Abutting Properties.

In the design of storm drainage facilities, special consideration must be given to preventing excess run-off onto adjacent developed or undeveloped properties. In no case may a change be made in the existing topography which would:

- (a) Result in increasing any portion of the slope steeper than one (1') foot of vertical measurement for three (3') feet of horizontal measurement within a distance of 20 feet from the property line unless an adequate retaining wall or other structure is provided.
- (b) Result in a slope which exceeds the normal angle of slippage of the material involved. All slopes must be protected against erosion.

3. Drainage Upon and On Streets.

(a) Upon Streets

In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship:

- 1. With established street grade, or
- 2. With the existing street grade where none is established.

(b) On Streets

A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street cartway shall not be less than 1/8 of an inch per foot and not more than 1/3 of an inch per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept run-off. The slope of the street from the property line to the curb shall be not less than 3/4 of an inch per foot.

- (c) The above will be constructed for an average 25 year storm run-off.

Section 606. CURBS AND GUTTERS

The Township Supervisors may require curbs and gutters in any subdivision or land development where the subdivider's proposed storm water management system is dependent upon their extension to other abutting property, in instances

where curbs and gutters are required, the following construction specifications shall be applicable:

1. Curbs, gutters, or combination curbs and gutters shall be constructed according to the specifications set forth in Section 641, types A, C, and D "Plain Cement Concrete Curb Gutter", in the "Pennsylvania Department of Highway Specifications", 1973, Form 408, of the Pennsylvania Department of Transportation.
2. Where vertical curbs are provided they shall be not less than six (6") inches wide at the top and seven (7") inches wide at the bottom. The overall depth of the curb shall be not less than twenty (20") inches. The curb shall rest on a six (6") inch crushed stone base.

Section 607. SIDEWALKS

The Township Supervisors, on recommendation of the Commission may require installation of sidewalks on each side of the street in any subdivision where the evidence indicates that such sidewalks are necessary for public safety, as in the case of situations along collector streets or near schools, bus stops, shopping centers, and where densities exceed six (6) families per net acre. Said sidewalks shall be installed in accordance with specifications 1, 2, and 3 below.

1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks must be at least four (4') feet wide. In the vicinity of shopping centers, schools, recreation areas, and other such facilities, sidewalks must be at least five (5') feet wide and located within the street right-of-way.
3. Sidewalks shall be constructed according to the specifications as set forth in Section 676 "Cement Concrete Sidewalks in the Pennsylvania Department of Highways Specifications," 1970, form 408, as amended, of the Pennsylvania Department of Transportation.

ARTICLE VII

MOBILE HOME PARKS

Section 701. PURPOSE, AUTHORITY AND JURISDICTION

The purpose, authority and jurisdiction for land development as a mobile home park are the same as contained in ARTICLE II of this ordinance.

The Township Supervisors will regulate subdivision and land development within the Township by enacting a subdivision and land development ordinance. Provisions regulating mobile home parks shall be set forth in separate and distinct articles of any subdivision and land development ordinance adopted pursuant to the "Pennsylvania Municipalities Planning Code" Act 247, as amended by Act 93, 1972, Article V, Section 501.

Section 702. DEFINITIONS

For the definition of words related to land development as a mobile home park the definitions contained in ARTICLE III of this ordinance shall apply. For convenience the definitions related to mobile homes are repeated here.

1. Mobile Home: Means a transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations.
2. Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.
3. Mobile Home Park: A parcel of land under ownership which will be planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

Section 703. PLAT REQUIREMENTS AND PROCESSING PROCEDURE

The plat requirements and processing procedure for land development as a mobile home park shall be in accordance with the requirements contained in ARTICLE IV of this ordinance.

Section 704. DESIGN STANDARDS

The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in ARTICLE V of this ordinance except as listed below:

1. STREET WIDTH IN MOBILE HOME PARKS
 - (a) The minimum street right-of-way and cartway widths of public or private streets shall be as follows:

STREET RIGHT-OF-WAY AND CARTWAY WIDTHS

<u>STREET TYPE</u>	<u>WIDTH</u>
Collector Streets	
Right-of-Way	60 feet
Cartway	38 feet
Minimum Pavement Width	22 feet
Minor Streets	
Right-of-Way	50 feet
Cartway	36 feet
Minimum Pavement Width	20 feet

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

- 1) Public safety and convenience.
- 2) Where the number of mobile homes proposed to be located in a mobile home park exceeds one hundred (100) units.
- 3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

2. LOTS IN MOBILE HOME PARKS

(a) On land laid out as a mobile home park, served by both public or mobile home park water system and public or mobile home park sewerage collection and treatment system acceptable to the Department of Environmental Resources, the lots shall be not less than seventy-five (75') feet wide measured at the minimum required setback line nor less than seventy-five hundred (7,500') square feet in area, per mobile home unit exclusive of streets and other public areas.

3. BUILDING SETBACK LINES

(a) In a mobile home park, the setback lines must conform to any applicable zoning or Mobile Home Park Ordinance. Where no such ordinance exists, the minimum setback from the right-of-way line of a dedicated public street shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the Required Right-of-Way</u>
Arterial Highway	twenty-five (25') feet
Collector Street	twenty-five (25') feet
Minor Street	twenty-five (25') feet

- (b) In a mobile home park the setback lines on a private street shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the Required Right-of-Way</u>
Collector Street	twenty-five (25') feet
Minor Street	twenty-five (25') feet

4. OFF-STREET PARKING REQUIREMENTS

- (a) In a mobile home park, paved off-street parking areas shall be provided at the rate of at least two (2) vehicular parking spaces for each mobile home lot.
- (b) Each such off-street parking space shall contain at least two hundred (200) square feet and shall be located within four hundred feet of the mobile home lot it is intended to serve. However, two parking spaces should be on each lot being served.

5. OPEN SPACE REQUIREMENTS

- (a) In a mobile home park, not less than ten (10%) percent of the total land area shall be provided for useable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.
- (b) Such open space shall be protected with a vegetation growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

6. NON-RESIDENTIAL USES

- (a) In a mobile home park no part of the park shall be used for a non-residential purpose, except such, uses that are specifically required for the direct servicing and well being of park residents and for management and maintenance of the park.

Section 705. IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

In a mobile home park all improvements, construction requirements, and engineering specifications for the improvements required, shall be provided in accordance with ARTICLE VI of this ordinance and shall also provide the following additional improvements:

1. BUFFER STRIPS

- (a) In a mobile home park, a suitably screened or landscaped buffer strip at least ten (10') feet wide, approved by the Township Supervisor's shall be provided by the developer along all of the property lines separating the mobile home park from adjacent uses.

2. SIGNS AND LIGHTING

- (a) Signs may be permitted subject to the approval of the Township Supervisors.
- (b) All means of ingress, egress, walkways, streets, and parking lot shall be adequately lighted.

3. OTHER SITE IMPROVEMENTS

- (a) An enclosure of compatible design made with durable materials shall be erected around the entire base of the mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- (b) Tie downs to prevent the movement of the mobile home by natural causes (wind, etc.) shall be provided for each mobile home, in accordance with Federal approved guidelines TR-75, February, 1974.
- (c) Each mobile home lot shall also be provided with a four (4") inch concrete slab on a stable surface at least 10 feet by 28 feet in size for use as a terrace and so located so as to be adjoining and parallel to the mobile home and not extend into the front, or rear yard. Such slab shall contain an approved outdoor electrical outlet.
- (d) Individual tenants at the Mobile home park may attach covered patios to individual mobile homes, provided that such enclosure does not encroach into the front, side or rear yard areas.
- (e) Provision shall be made by the Park Operator to have garbage and waste collected at least once every week.

Section 706. PERMITS AND REGISTERS

1. MOBILE HOME PARK PERMITS

Any person intending to develop a tract of land as a mobile home park shall have a permit from the Township Supervisors for each such park, issued in accordance with the following requirements:

(a) The first application for a permit for a mobile home park proposed for development, following the effective date of this ordinance, shall be made to the Township Supervisors with copies of the following:

- 1) A copy of the approved Final Plat signed by the proper officials.
- 2) A receipt signed by the recorder of deeds, showing that the mobile home park plat has been publicly recorded.
- 3) A permit issued by the Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, Mobile Home Park.

2. It shall be incumbent upon the proprietor of a Mobile Home Park to do as follows:

- (a) Keep a Register of the names of all persons using or living in said mobile home park. Said register shall be subject to inspection by the Township Supervisors or their authorized agent.
- (b) Remove abandoned automobiles and correct unsightly conditions.
- (c) Maintain a parking plan for residents' vehicles in excess to two per mobile home lot.

Section 707. ALTERATION OF REQUIREMENTS

The application for any alteration of requirements shall be in accordance with the requirements of ARTICLE IX of this ordinance.

Section 708. ENFORCEMENT, PENALTIES, SEVERABILITY AND AMENDMENTS

The enforcement, penalties, severability and amendments shall be in accordance with the rules and regulations of ARTICLE X of this ordinance.

ARTICLE VIII

ENGINEERING DETAILS

Section 801. ENGINEERING

1. The applicant shall pay by check, payable to Fannett Township, an amount determined by the Engineer, or the Sewage Enforcement Officer, sufficient to cover costs of the preliminary plat and the final plat for the following:
 - (a) Reviewing the Plats' engineering details and calculations.
 - (b) Inspecting the layouts of the site for conformance to the survey and plan.
 - (c) Reviewing the results of the percolation tests.
 - (d) Preparing cost estimates of required improvements.
 - (e) Inspecting required improvements during installation.
 - (f) Final inspection on completion of installation of the required improvements.
2. The engineering fees required to be paid by this Article shall be promptly paid to Fannett Township and deposited with the Township Secretary by the applicant upon the submission of bills therefore to the applicant from time to time, as such fees are billed to the Township Supervisors by their engineers.
3. Other Fees - Fees for all other permits required for and by Fannett Township for opening roads, connecting to sewers, building construction, etc., shall be made payable to Fannett Township and deposited with the Township Secretary or Sewage Enforcement Officer.
4. In the case of a street dedication, an easement dedication, or other such dedications the applicant at the time of application shall agree to cover the cost of advertising the Ordinance, accepting the deed of dedication and its recording and registration costs.

ARTICLE IX

ALTERATION OF REQUIREMENTS

Section 901.

Applications for any alteration of requirements shall be submitted in writing by the applicant at the time the Preliminary Plat is filed with the Commission. The application shall state fully the grounds and all facts relied upon by the applicant.

Section 902.

In subdivisions where lots are created for the purpose of seasonal occupancy (for use on weekends, vacations, or for hunting or fishing), the requirements of these regulations concerning the width and construction of cartways, curbs, or sidewalks, and the requirements of plat specifications and procedures, may be modified or waived, subject to the following conditions:

The lot area shall be two (2) acres or larger.

Facilities for water supply and sewage disposal shall be approved by the Pennsylvania Department of Environmental Resources and acceptable to the Township Supervisors and the Planning Commission.

Section 903.

1. Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship, the Township Supervisors, after receiving a written recommendation from the Commission, may make such reasonable alteration thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done.
2. In granting any alteration of requirements the Township Supervisors shall record their action and the grounds for granting any alteration to the applicant applying for the alteration.
3. Whenever a request for the alteration of requirements is denied, the Township Supervisors shall record their action and the grounds for such denial in their minutes. The Township Supervisors action and the grounds for such denial shall be transmitted to the applicant.

ARTICLE X

ENFORCEMENT, PENALTIES, SEVERABILITY, AMENDMENTS, AND ENACTMENT

Section 1001. ADMINISTRATION AND ENFORCEMENT

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

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

2. Permits

- (a) The Township Supervisors shall require that applications for Sewage Permits contain all the information for them to ascertain that the site for the proposed system is acceptable in accordance with the provisions of this ordinance, the Rules and Regulations of the Department of Environmental Resources, and any requirements of Fannett Township pertaining to the issuance of such permit.
- (b) Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded Final Plat or other land description acceptable in accordance with the provisions of this ordinance, and that it is in compliance with all applicable provisions of this ordinance.

Section 1002. AMENDMENTS

1. Amendments to the subdivision and land development ordinance shall become effective only after a public hearing, held pursuant to public notice as defined herein and in accordance with the "Pennsylvania Municipalities Planning Code" of 1968 as amended, Act 247, Article V, Section 505.
2. This document may be updated on a yearly basis or at any time deemed necessary.

Section 1003. PENALTIES

Any person, partnership, or corporation who, or which, being owner or agent of the owner of any lot, tract or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main, or other improvement for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of, a plat of such subdivision, or land development, or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a summary offense, and upon conviction thereof, such person, or the members of such partnership, or officers of such corporation, or the agent of any of them, responsible for such violation, shall:

- (a) Pay a fine not exceeding one thousand (\$1,000) dollars.

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

provided. Fannett Township may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction, in addition to the penalty herein provided.

Section 1004. SEVERABILITY

If any section, clause, provision, or portion of these regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect any other section, clause, provision, or portion of these regulations.

Section 1005. FAILURE TO COMPLETE IMPROVEMENT

In the event that any improvements which may be required have not been installed as provided in this ordinance or in accord with the approved final plan, the Township Supervisors shall enforce any corporate bond or any other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Township Supervisors may, at their option, install part of such improvements in all or part of the sub-division or land development and may institute appropriate legal and 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 municipal purposes.

Section 1006. APPEALS

The proceedings set forth in this article shall constitute the exclusive mode for securing review of this ordinance, or decision, determinations or orders issued by the Board of Supervisors; its agencies or pursuant to this Ordinance or any other ordinance adopted in accordance with the Pennsylvania Municipalities Planning Code. Appeals to a court shall be taken to the Court of Common Pleas of Franklin County.

Section 1007. EFFECTIVE DATE: ENACTMENT

This Ordinance shall take effect on 5th day of June. The adoption of this Ordinance hereby repeals the Fannett Township Subdivision and Land Development Ordinance of 1970 and any other Ordinance or part thereof in conflict with this Ordinance. Enacted and ordained the 5th day of June 1986.

Attested: Betty L. Chilcote
Secretary

Board of Supervisors
L. B. Russell
Chairman
Frank Stake
Raul H. Walls