

SUBDIVISION REGULATIONS

(2ND DRAFT)

TOWNSHIP OF WESTFALL

PIKE COUNTY, PENNSYLVANIA

July 1967

ARTICLE I - GENERAL PROVISIONS

SECTION 110. PURPOSE. This Ordinance has been adopted in order to create conditions favorable to the health, safety, morals, convenience, and general welfare of the citizens of the Township through the enforcement of regulations that will insure the harmonious development of the community.

SECTION 120. SHORT TITLE. This Ordinance shall be known and may be cited as "The Subdivision Ordinance of the Township of Westfall."

SECTION 130. DEFINITION OF SUBDIVISION.

131. Minor Subdivision. A minor subdivision shall be the division of any single lot, tract, or parcel of land, or a part thereof, into less than five (5) lots, tracts, or parcels of land, including changes in street lines or lot lines for the purpose, whether immediate or future of transfer of ownership or of building development, where any such lot, tract, or parcel of land, change, or transfer abuts a street of sufficient width and does not require that a street be laid out through unimproved land; provided, however, that divisions of land for agricultural purposes in parcels of more than ten (10) acres not involving any new street or easement of access, shall be exempted.

132. Major Subdivision. a. A major subdivision shall be: (1) the division of any single lot, tract, or parcel of land, or a part thereof into two (2) or more lots, tracts, or parcels of land which abut an existing street or streets of insufficient width, or requires or proposes that a street be laid out through unimproved land, or the division of any single lot, tract, or parcel of land or a part thereof into five (5) or more lots, tracts, or parcels of land, including changes in street lines or lot lines, for the purpose, whether immediate or future, of transfer of ownership or of building development; provided, however, that divisions of land for agricultural purposes in parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempt; (2) any development of a piece of land which involves installation of sanitary sewers, storm sewers, water mains, gas mains or pipes, or other facilities for the use, whether immediate or future, of the owners or occupants of the land or of buildings abutting thereon; (3) any development of a parcel of land (for example, as a shopping center or a multiple dwelling project), which involves installation of streets and/or alleys, even though the streets and alleys may not be dedicated to public use and the parcel may not be divided immediately for purposes of conveyance, transfer, or sale.

b. The term subdivision includes resubdivision, and as appropriate in this Ordinance, shall refer to the process of subdividing land or to the land subdivided.

SECTION 140. APPLICATION OF ORDINANCE.

141. Subdivision of Land. No subdivision of any single lot, tract, or parcel of land 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 abutting thereon, except in strict accordance with the provisions of this Ordinance.

142. Sale of Lots; Issuance of Building Permits or Erection of Building. No lot in a subdivision may be sold, no permit to erect, alter, or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision, unless and until a subdivision plan has been approved, and where required, recorded with the office of the Recorder of Deeds of the County, and until the improvements required by the Board in connection therewith have either been constructed or guaranteed, as herein provided. Where, owing to special conditions, a literal enforcement of this provision would result in unnecessary hardship, the Board may make such reasonable exception thereto as will not be contrary to the public interest, and may permit the erection of a building, subject to conditions necessary to assure adequate streets and other public improvements.

ARTICLE II - ADMINISTRATIVE PROCEDURES AND ENFORCEMENT

SECTION 200. SUBDIVISION COMMITTEE

201. Creation of Subdivision Committee. The Township Planning Commission is hereby designated the Township Subdivision Committee and shall have all the powers and duties vested in it by law and by this Ordinance.

202. Powers of the Subdivision Committee. The Subdivision Committee is hereby empowered to review, approve, reject, and recommend the revision of subdivision plans prepared under the provisions of this Ordinance, wherein such lots abut existing improved streets of sufficient width; and is further empowered to make recommendations to the Board on plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land.

203. Duties of the Subdivision Committee. The Subdivision Committee shall take action on each application and inspect the site affected by such application within Forty (40) days of the receipt thereof. The decision shall be in writing and shall be communicated to applicant personally, or mailed to him not later than five days following the decision. If the Subdivision Committee shall not make its approval or rejection within the allotted time, it shall be deemed to consent thereto. In the event the Subdivision Committee disapproves any subdivision application, the reasons therefor shall be set forth in writing to the applicant.

204. Appeal from Decision of the Subdivision Committee. Any party aggrieved by a decision of the Subdivision Committee may, within ten (10) days of such decision, appeal to the Board in writing, and such appeal shall be considered by the Board at its next regular meeting. The decision of the Board shall be made within thirty (30) days after such regular meeting. The decision of the Board on plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be final.

205. Recommendations by Subdivision Committee. Where plans of subdivisions wherein lots abut existing streets of insufficient width, or streets proposed to be laid out through unimproved land are submitted to the Subdivision Committee by the Board, the Committee shall make recommendations thereon within thirty (30) days.

206. Duties of Board. In plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land, the Board shall approve or reject said plans within forty (40) days. The decision shall be in writing, and shall be communicated to applicant personally, or mailed to him not later than five days following the decision.

207. Appeals Where Board Refuses Approval. In any case where the Board disapproves a subdivision plan, any persons aggrieved thereby may, within thirty (30) days thereafter, appeal therefrom, by petition to the Court of Quarter Sessions of the County, which Court shall hear the matter de novo and after hearing enter a decree affirming, reversing, or modifying the action of the Board, as may appear just in the premises. The decision of the Court shall be final.

SECTION 210. PROCEDURE.

211. General. a. Since plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the Subdivision Committee, and since plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land shall be subject to approval or rejection by the Board, therefor wherever a provision for application and approval of subdivision plans under this Ordinance contains the word "Board," meaning Board of Township Supervisors, the word "Subdivision Committee" shall be substituted therefor and said provision shall be and is operative with respect to plans of subdivision wherein lots abut existing improved streets of sufficient width.

b. Grading and Recording of Deeds. No person, firm or corporation proposing to make or have made a subdivision, within the jurisdiction of this Ordinance, shall proceed with any grading before obtaining from the Board the approval of the preliminary plan of the proposed subdivision, and no deeds shall be recorded for lots in any subdivision, before obtaining from the Board the approval of the final plan of the proposed subdivision.

c. Conformity with Comprehensive Plan. The proposed subdivision plat shall be in general accordance with the Comprehensive Plan of the Township of Westfall.

d. Access, Drainage and Geology. No land shall be subdivided for residential use: (1) unless adequate access to the land over adequate streets or thoroughfares exists or will be provided by the subdivider, or (2) in case such land is considered by the Board to be unsuitable for such use by reason of flooding or improper drainage, objectionable earth and rock formation, topography or other features harmful to the health and safety of possible residents and the community as a whole.

e. Design Standards. The proposed subdivision shall conform with the design standards set forth in this Ordinance.

212. Minor Subdivisions. a. Submission. The subdivider shall submit eight (8) copies of a sketch plan of any minor subdivision to the Subdivision Committee. Said sketch plan shall outline the subdivider's proposals in sufficient detail to permit a determination by the Subdivision Committee that the proposed subdivision conforms with the provisions of this Ordinance.

b. Review and Approval. Upon a determination by the Subdivision Committee that the proposed subdivision is in accordance with this Ordinance, and upon approval, subdivider shall be advised of the approval or of such changes as may be required.

c. Filing. Subdivision Committee shall retain two (2) copies of the approved sketch plan, one copy for its files and one copy which may be filed in the Office of the Recorder of Deeds of the County, said costs to be paid by subdivider; one copy shall be given to the Building Inspector authorizing the issuance of a building permit to the subdivider, and one copy shall be returned to the subdivider.

213. Major Subdivision. a. Preliminary Application. (1) Submission. The subdivider shall submit a written application accompanied by the required fee, seven (7) copies of the preliminary plat, and two (2) copies of the profiles, cross-sections, and other required information as described in Section 220 hereof. A subdivision sketch plan shall be submitted by the developer as a basis for informal discussion with the Subdivision Committee. (2) Review by other Offices. Upon receipt of any application for preliminary approval, the Board shall send copies to other offices for their review and report: Subdivision Committee (as Planning Commission), one copy; Engineer, one copy; County Planning Commission, one copy; Pennsylvania Department of Health (optional), two copies. (3) Approval. If reports from other offices on subject application are not received within thirty (30) days, or within such reasonable further time as may be determined by the Board, the Board shall review and act upon said application. In the event that the Board disapproves any subdivision application, the reasons, therefor, shall be set forth in writing and the subdivider shall be provided with a statement of such reasons for disapproval. The subdivider may thereafter submit a new preliminary application. The approval of the Board shall be an expression of the tentative approval of the layout submitted in the preliminary application and shall be stamped upon the preliminary plat.

b. Final Application. (1) Submission. Upon completion of all improvements, required by these regulations, or the posting of a certified check or surety bond in accordance with subsections 213.b. (3) and 232.b. hereof, the subdivider shall file with the Board the final or record plat of the subdivision for final approval. Approval of a preliminary subdivision application shall be valid for a period of not more than one year unless otherwise extended by the Board. This final application shall conform with

213. Major Subdivision (continued)

b. (continued) all of the provisions of this Ordinance and with the requirements of the Board and shall include seven prints and a reproducible transparency of the final or record plat, and it shall be accompanied by a deed to all lands to be dedicated to the public and a certificate that the title thereto is free and unencumbered, except for the rights-of-way granted to utilities. At the discretion of the Board, the subdivider may submit the final plat and application in sections, each of which shall cover a portion of the entire proposed subdivision as approved in the preliminary application. (2) General Requirements Prerequisite to Approval of Final Application and Plat. The Board shall not approve a subdivision unless all streets shown thereon shall be of sufficient width and proper grade, and shall be so located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate the protection, provide access of firefighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's official plan of streets; and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes, without danger, to health or peril from fire, flood, or other hazard; and in cases where a cemetery or burial ground is located on a lot, tract, or parcel of land affected by the subdivision, unless the Township is assured of the future care and maintenance thereof by the creation of a trust fund for which the estimated annual income will approximate one hundred dollars (\$100) a year to be used for such purpose. (3) Improvements or Guarantee Thereof Prerequisite to Approval of Final Application and Plat. Before approving any final application of plat for recording, the Board shall either require that the necessary grading, paving, and other street improvements including where specified by the Board, and as provided elsewhere in this Ordinance, curbs, sidewalks, street lights, fire hydrants, water mains, sanitary sewers and storm sewers, shall have been installed in strict accordance with the standards and specifications of the Township as provided in this Ordinance and in other pertinent Township regulations, or that the Township 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 Board, that the said improvements, will subsequently be installed by the owner. Where the subdivision plat has been approved and recorded, either after the specified improvements have been completed and approved by the Board, or if prior to completion, upon proper completion guarantee as aforesaid, purchasers and mortgagees of lots in the subdivision, with or without buildings thereon or on any of them, shall be relieved of any and all liability for any deficiency in lack or failure to complete the improvements abovementioned as set out in said plat or as a condition precedent to the approval of the plat, and any failure to complete or properly complete said improvements shall not encumber any or all of the lots in the subdivision.

213. b. (4) Public Hearing. Before acting on any subdivision plan, Board may arrange for a public hearing thereon, and Subdivision, Committee may request the Board to arrange for a public hearing thereon, after giving reasonable notice as the Board determines in each case. (5) Modifications. The Board may alter any subdivision plan and specify changes or modifications therein which it deems necessary according to the standards set forth in this Ordinance, and may make its approval subject to such alterations, changes, or modifications. (6) Approval. (a) Where application is made for approval of plan of subdivision wherein lots abut existing improved streets of sufficient width upon a determination by the Subdivision Committee that the final application and plat are in accordance with the provisions of this Ordinance, and with the approved preliminary plat, the application and plat shall be approved and said approval stamped thereon, signed by the Chairman of the Committee and attested to by the Secretary. This approval shall not be deemed to constitute or effect the Township's acceptance of the dedication of any street or other proposed public way, space, or area shown on said plat. (b) Where application is made for approval of plan of subdivision wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land, the Subdivision Committee shall recommend approval or rejection to the Board. The Board shall then approve or reject the plans. In the event that the plan is disapproved, the reasons therefor shall be set forth in writing and given to applicant. Upon the determination by the Board that the application and plat are in accordance with provisions of this Ordinance and with the approved preliminary plat, the application and plat shall be approved and said approval stamped on the final plat. This approval shall not be deemed to constitute or effect the acceptance of the dedication of any street or other proposed public way, space, or area shown on said plat. (c) If there is substantial variation between the final application and preliminary application, prior to approval of a plat by the Board, a copy of the proposed plat shall be transmitted to the County Planning Commission. If no report is received by the Board within twenty days from submission of the plat or within such further time as may be agreed on by the Board, the Board may proceed to final action thereon. (7) Approval Fee. The approval fee charged by the Board shall be at the rate of \$5.00 per lot (sub-lot or tract of land) with a minimum fee of \$100.00 per plat and shall be collected by the Subdivision Committee and deposited in the General Fund of the Township, provided, however, that no fee of more than \$500.00 shall be required for any plat. (8) Recording. The final plat to be recorded in the Office of the Recorder of Deeds of the County shall be a clear and legible print on linen. Said plat shall be filed for recording within thirty days of the Board's approval thereof. Failure to so file shall nullify the action of the Board, unless an extension of time is granted by the Board upon the written request of the subdivider.

SECTION 220. INFORMATION TO BE PROVIDED WITH PRELIMINARY APPLICATION.

221. General Information. The preliminary plat, as submitted by the subdivider in accordance with procedures set forth under Section 213.a. hereof, shall contain the following general information:

a. Names. The name of the proposed subdivision with names of the owner, sponsor, or trustee, and surveyor, engineer, planner, or landscape architect shall be shown.

b. Date. Date of preparation and a proper North sign shall be shown.

c. Scale. The plat shall be drawn to the scale of not smaller than one hundred (100) feet to one inch and shall include a graphic scale.

d. Municipal Boundaries. All corporate boundary lines within or adjacent to the proposed subdivision shall be shown and designated.

e. Acreage. The acreage of land proposed to be subdivided shall be shown.

f. Contour. Contours at vertical intervals of two feet if the general slope of the site is less than ten percent, and at vertical intervals of five feet if the general slope is greater than ten percent.

g. Dimensions. All necessary dimensions both linear and angular shall be shown. Linear dimensions shall be shown in feet and decimals of a foot.

h. Boundaries and Physical Features. The preliminary plat shall show the boundaries of the property to be subdivided, railroads, existing permanent buildings, water courses, and other existing features pertinent to proper subdivision.

i. Description. The plat shall set forth all the streets, alleys, common or public grounds, and all the tracts, lots, parcels, or blocks and designating all such lots, parcels, or blocks by proper and sufficient dimensions and identifications.

j. Streets. The width of streets (with their names) within the subdivision, and the width and names of streets in the property immediately adjacent, shall be shown correctly.

221. k. Utilities. Existing sewer lines and drainage structures, with size, direction of flow and invert elevations, the location and size of water supply lines, and the location of utility lines existing in the proposed subdivision or at the points from which they will be extended to reach the subdivision shall be shown. A preliminary plan of proposed water supply system, sanitary and storm water sewers, with invert grades, size of pipe, and direction of flow, may be required.

l. Profiles. The Board may require profiles showing proposed street grades, including extensions for a reasonable distance beyond the limit of the proposed subdivision.

m. Covenants. A description of the protective covenants or private restrictions to be incorporated in the deeds.

222. Engineer's Report. The preliminary application shall be accompanied by an Engineer's Report. The Engineering Report, Preliminary Plans and all other plats submitted with the report shall be signed by a Registered Professional Engineer of the Commonwealth of Pennsylvania, and shall bear the imprint of his seal. The Report shall include the following information.

a. Profile of each street showing existing ground lines and proposed grades.

b. A typical cross-section of each type of roadway to be built.

c. The proposed type of surfacing for streets.

d. Information regarding existing drainage systems in the subdivision, both surface and underground, including the location, size, type, and grade of drainage structures, storm sewers, drain tile, and drainage ditches. The Engineer's opinion shall be expressed regarding the adequacy of such drainage facilities and the basis for such conclusions.

e. Information regarding proposed drainage systems in the subdivision, both surface and underground, including the size, location, type, and grade of drainage structures, storm sewers, drain tile and drainage ditches proposed to be constructed and the drainage areas they are designed for.

f. The location of all water courses, bodies of water or streams with their low and high water elevations. All the elevations shall be United States Geological Survey datum.

g. Sanitary sewers, either in place or proposed.

H. A description of the water supply and sewage disposal facilities which operate successfully in the subdivision. Such facilities shall be designed in accordance with recognized sanitary engineering methods and must take into consideration all data in this report which has a bearing on these facilities. In the event individual septic tanks are to be installed, the minimum area required per family for a seepage bed based on soil seepage tests shall be given.

SECTION 230. INFORMATION TO BE PROVIDED WITH FINAL APPLICATION.

231. General Information. The final application shall contain the following general information in addition to the data enumerated under Section 220. a. Dedication of Land for Public Use. The plat shall have lettered upon it a statement of dedication properly conveying all lands dedicated for such public use as streets, alleys, public schools, parks or any other public use, and there shall be attached to the plat, a certificate of title certifying the ownership of all such lands to be so dedicated by said plat.

b. Monuments. Reference will be made to monuments set up by the subdivider. These concrete or stone monuments four inches in diameter, or square, three feet long, with a flat top, marked with one-half inch round brass pin, or a drilled hole, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points, and points of curve in each street. The top of the monument shall have an indented cross to properly identify the location. Iron pipe not less than three-fourths inches in diameter and twenty-four inches long shall be set at all other lot corners. The location of concrete and iron monuments shall be noted on the plat.

c. Curve Data. Complete curve data for all curves included in the plan.

d. Setback Lines. Front yard setback lines, the minimum as fixed by the applicable Zoning Ordinance, and any other setback or street lines established by this Ordinance, or by public authority, and those specified in deed restrictions.

231. e. Final Profiles. Final profiles, cross-sections, and specifications for street improvements, and sanitary and storm sewerage, and water distribution systems shall be shown on one or more separate sheets.

f. Certificates, etc. All proper certificates, affidavits, signatures, and seals as required by law shall be affixed.

g. The Final Plat for Record shall be signed by a Registered Land Surveyor of the Commonwealth of Pennsylvania and shall bear the imprint of his seal.

232. Supporting Documents. The following supporting documents shall also be submitted in conjunction with the final plat.

a. A statement signed by the subdivider, setting forth the public improvements he proposes to make, together with plans, specifications, and estimates of cost therefor.

b. A duly completed and executed corporate completion bond posted with the Township by the subdivider, in an amount equal to the estimate and certified by the Township Solicitor as good, valid, and enforceable by the Township, securing the satisfactory completion of the public improvement in strict accordance with the description, plans and specifications submitted by the subdivider, and approved by the Board, or a certification that the improvements, utilities, and facilities have already been installed, or a certified check, drawn on an approved bank, payable to the Township, and adequate for the completion of these improvements, utilities, and facilities.

ARTICLE III - SUBDIVISION DEVELOPMENT STANDARDS

SECTION 300. PLANNING CONSIDERATIONS.

SECTION 310. STREETS.

311. Relation to Traffic Plan. The street layout shall conform to the Traffic Plan and to any plans adopted by the Board for the development of the neighborhood in which the proposed subdivision is located and shall provide access to all lots and parcels of land within the subdivision. Where streets cross other streets, offsets shall not be created. The minimum distance between centerlines of parallel or nearly parallel streets intersecting a cross street from opposite directions shall be 125 feet.

The arrangements of streets shall make provisions for the direct continuation of the principal existing streets in adjoining subdivision (or their proper projection when adjoining property is not subdivided) insofar as they may be necessary for public requirements. In general, such streets shall be of a width at least as great as the existing streets, and in no case less than the minimum requirements specified herein.

When the plat submitted for subdivision covers only a part of the subdivider's tract, a sketch of the prospective future street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not subdivided.

When the tract is subdivided into lots of an acre or more, the Board shall require an arrangement of streets such as to permit a later subdivision in conformity with the street requirements specified in these regulations.

In general, streets shall not be laid out on the boundaries of the tract, except where such streets are desirable for further expansion or conformance to existing streets or where a previously dedicated half-street adjoins the tract, in which case sufficient additional width of street shall be dedicated to make the street width conform to the minimum requirements specified herein.

Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.

312. Intersections. In general, minor streets should intersect main highways or arterial streets at right angles. As far as is practicable, acute angles between streets at their intersections are to be avoided.

312. (continued) Intersections of more than two streets at one point shall be avoided.

313. Access. There shall be no reserve strips controlling access to streets except where the control of such strips is definitely placed in the control of the Township under conditions approved by the Board. The subdividing of land shall be such as to provide each lot by means of a public street with satisfactory access to an existing public highway or to a thoroughfare as shown on the Official Plan. All new subdivision along marked State Highways shall be arranged to provide access to such highways at intervals of not less than 1,320 feet, except where impractical or impossible due to existing property divisions of topography. All roads and streets within such subdivision shall be arranged to permit access to adjacent future subdivisions without encroachment upon this regulation.

314. Street Widths. The following standards shall also be applied in order to define the terms "street of sufficient width" and "street of insufficient width." a. Right-of-Way Widths. Minimum street right-of-way widths, measured from the lot lines, shall be as shown on the Traffic Plan adopted by the Township Planning Commission or if not shown thereon, shall meet the following standards: Major Traffic Street: 80 foot right-of-way; Collector Street: 60 foot right-of-way; Minor Street: 50 foot right-of-way. The width shall be measured from lot lines to lot line and in cases where topography or other physical conditions make a street of a required minimum width impracticable, the Board may modify the above requirements.

Where a subdivision abuts or contains an existing or proposed major traffic street or a railroad, the Board may require marginal access streets, rear service alleys, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separations with the major street, and separation of local and through traffic.

In all cases where a proposed subdivision borders on or includes a marked State Highway, a right-of-way having a minimum width of fifty feet on each side of the center line shall be dedicated.

b. Pavement Widths. Minimum pavement widths shall be as shown on the Traffic Plan, or if not shown thereon, shall meet the following standards: Major Traffic Street: 50 foot pavement width; Collector Street: 38 foot pavement width; Minor Street: 34 foot improved base width, and 24 foot paved. Centerline of all pavements shall follow centerline of right-of-way.

315. Street Alignment. Where a deflection angle of more than ten degrees in the street line occurs at any point, a curve of a reasonable long radius shall be introduced. Streets shall be so laid out that there shall be unobstructed sight distances along the centerlines thereof, measured along the centerline from the driver's eye four and one half ($4\frac{1}{2}$) feet above the road surface to the top of an object four (4) inches high and on the road surface. Major Traffic Street; Six hundred feet; Collector Street; Three Hundred feet; Minor Street: One Hundred Fifty feet. Between reversed curves on arterial streets, a tangent of not less than two hundred feet shall be provided. On Collector Streets such a tangent shall be not less than one hundred feet.

316. Street Grades. a. Centerline grades shall not exceed the following; Major Traffic Street: Five percent (5%); Collector Street : Eight percent (8%) ; Minor Street: Ten percent (10%)

b. Vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed in relation to the extent of the grade change and to provide the following minimum sight distances: Major Traffic Street: One Thousand Feet; Collector Street: Three hundred Feet; Minor Street: One Hundred Feet.

c. Where grade of property at driveways requires installation of tile or other drainage facility, the tile or drainage facility shall be so constructed as to conform with the street grade so as not to interfere with either normal maintenance of the street or with proper drainage.

d. Intersection Grades. Where the grade on any street at the approach to an intersection exceeds seven percent (7%), a leveling area shall be provided having not greater than four percent (4%) grades for a distance of twenty-five feet measured from the nearest right-of-way line of the intersecting street.

e. Minimum Grade. To provide adequate drainage, the minimum grade of any street gutter shall be not less than one half of one percent (0.5%).

317. Dead-end Streets. Streets designed to have one end permanently closed shall not exceed five hundred feet in length and shall provide a closed cul-de-sac having a minimum right-of-way radius of fifty feet.

318. Private Roads. Private roads and streets shall be permitted only when the subdivider submits sufficient evidence to the Board that there can be no public interest in such private road or street.

SECTION 320. BLOCKS.

321. Length. Residential blocks shall ordinarily not exceed twelve hundred feet in length, and commercial blocks, six hundred feet, except for unit shopping centers.

322. Width. Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth except where an interior street parallels a Limited Access Highway or Major Traffic Street, or except where it backs up to a railroad, creek, or other natural barrier, or unsubdivided area.

323. Street Intersections. Collector Streets or Minor Streets intersecting a Major Traffic Street shall have a minimum distance of seven hundred and fifty feet between the center-lines, and the angle of intersection shall be not less than seventy degrees (70°), nor greater than one hundred ten degrees (110°).

SECTION 330. LOTS

331. Depth. The minimum depth of lots shall be one hundred feet. No lots with double frontage (through lots) shall be platted. Except where lots abut Major Traffic Streets. Each lot shall front on a road, street, or parkway dedicated for public use.

332. Arrangement. On all quadrangular lots, and so far as practicable on all other lots, the side lines shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan. Driveways shall not have access to Major Traffic Streets.

333. Setback Lines. Building setback lines shall be established in all lots. Corner lots shall have a minimum width of 125 feet to permit building space back of the building line on each street.

Building setback lines shall be shown on the plat for lots intended for residential use of any character, and on commercial or industrial lots immediately adjoining residential areas.

The subdivider shall establish building lines in accordance with the needs of each subdivision, but in no case shall such building lines be less than thirty-five feet from the right-of-way of the street or highway on which the lot fronts, and where business or industrial property faces residential property, such business or industrial structures shall be set back at least thirty-five feet from the established right-of-way of the street or highway.

334. Lot Width and Area. Residential lots shall have a minimum area of ten thousand (10,000) square feet, and a minimum width measured in the shortest distance at the building line of one hundred (100) feet. Lots which are not served by public sewers and/or public water shall conform to the following requirements designed to prevent unsanitary conditions and hazards to the public health.

a. Where both water supply and sanitary sewage disposal are provided by individual on-lot facilities, residential lots shall have a minimum area of twenty thousand (20,000) square feet per dwelling unit.

b. Where either water supply or sanitary sewage disposal but not both, are provided by individual on-lot facilities, residential lots shall have a minimum area of fifteen thousand (15,000) square feet per dwelling unit.

c. Where either or both water supply and sanitary sewage disposal are provided by individual on-lot facilities, and evidence indicates that the requirements of subsections 334.a. and 334.b. above are not adequate, the Board may, after consultation with the Division of Environmental Hygiene State Department of Health, require tests, undertaken at the expense of the developer, as may be prescribed by said Department of Health to determine adequacy of the proposed water and sewage facilities in relation to the proposed lot size and existing grade and soil conditions. In all such cases where the tests indicate a larger lot size than allowed above to be necessary, the Board may employ the services of a registered and qualified independent sanitary engineer for advice as to the minimum lot size and/or facilities necessary to prevent unsanitary conditions and hazards to the public health. In such cases, the cost of retaining the services of a qualified engineer shall be borne by the developer. Where evidence shown by the Pike County Soil Survey shows that soils are not adequate for on-lot sewage disposal, central sewage collection and disposal system shall be provided.

d. Where commercial or multiple dwelling subdivisions are proposed to be served by either or both on-lot sanitary sewage disposal and water supply facilities, the lot area and dimensions required to prevent health hazards shall be subject to individual review and determination by the Board.

e. The depth to width ratio of the usable area of lot shall ordinarily not be greater than three to one.

SECTION 340. OTHER CONSIDERATIONS.

341. Easements. Where alleys are not provided, easements of not less than ten feet in width shall be provided on each side of all rear lot lines where necessary, for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains or other utilities.

341. Easements (continued). Easements of greater width may be required along lines or across lots where necessary for the extension of main sewers and similar utilities. Easements shall also be provided for all storm sewers, drainage ditches, and water courses.

342. Preservation of Natural Features. The subdivider shall plan the layout to preserve the natural features of the site.

343. Tree Planting. If street trees are to be planted, it shall be done in a manner assuring healthy growth and shall be of a species, location, and size approved by the Board.

344. Public Open Spaces. Where deemed necessary or desirable by the Board, upon considerations of the particular type of development proposed in the subdivision, and especially in large-scale subdivisions, the subdivider shall dedicate or reserve areas and sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.

345. Character of Development. The Board shall confer with the subdivider regarding the type and character of development that will be permitted in the subdivision, and may agree with the subdivider as to certain minimum restrictions to be placed on the property to prevent the construction of substandard buildings, and control of the type of structure or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions and covenants should be included to provide for the creation of a property owners' association or board of trustees for the proper protection and maintenance of the development in the future; provided, however, that such deed restrictions or covenants shall not contain reversionary clauses wherein any shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants.

346. Restrictions. The plat shall show a statement of all restrictions to be imposed upon any part of said subdivision.

ARTICLE IV-MINIMUM PUBLIC IMPROVEMENTS REQUIRED

The subdivider shall at his own expense provide the following public improvements which shall meet minimum design and specification requirements of the Township of Westfall.

The final plat of the subdivision shall conform to the following standards of improvements:

SECTION 400. MONUMENTS AND MARKERS.

401. Type. Monuments shall be of concrete or stone with a minimum size of four (4) inches by four (4) inches by thirty-six (36) inches, and shall be marked on top with a one-half inch round brass pin, or a drilled hole. Markers shall consist of iron pipes or iron or steel bars at least twenty-four (24) inches long, and not less than three-quarters (3/4) inch in diameter.

402. Placement. Monuments and markers shall be placed so that the scored or marked point shall coincide exactly with the intersection of lines to be marked, and shall be set so that the top of the monument or marker is level with the surface of the surrounding ground.

Monuments shall be set at the intersection of all lines forming angles in the boundary of the subdivision.

Markers shall be set: a. At the beginning and ending of all curves along street property lines. b. At all points where lot lines intersect curves, either front or rear. c. At all angles in property lines of lots. d. At all other lot corners.

403. Replacement. Any monuments or markers that are removed shall be replaced by a competent engineer at the expense of the person removing them.

SECTION 410. STREET IMPROVEMENTS.

411. Minimum Paving Requirements. Streets shall be graded, surfaced, and improved to the grades and dimensions shown on plans, profiles, and cross-sections submitted by the subdivider and approved by the Board. As a minimum, the street pavement shall be in accordance with Table I below.

TABLE I -REQUIRED PAVEMENT CONSTRUCTION

<u>Type of Street</u>	<u>Surface Type</u>	<u>Type</u>	<u>Base Course Thickness(Inches</u>
Major Traffic	A	D	10+ sub-base if required
Collector	B	D	6 sub-base if required
Minor	B	D	6 sub-base if required

411. Minimum Paving Requirements (continued).

- A Three (3) inch ID-2 surface course in accordance with latest revision of Pennsylvania Department of Highways Specifications (Sect. 5.9).
- B Two and one-half ($2\frac{1}{2}$) inch ID-2 surface course in accordance with latest revision of Pennsylvania Department of Highways Specifications (Sec. 5.9).
- C Two (2) inch CP-2 surface course, or two and one-half ($2\frac{1}{2}$) inch FB-1 type surface course in accordance with latest revision of Pennsylvania Department of Highways Specifications (Sec. 5.21).
- D Stone base course in accordance with latest revision of Pennsylvania Department of Highways Specifications (Sec. 4.2).

412. Other Improvements. The Board may require a higher type of pavement or improvements other than specified in Table I where it deems such to be necessary because of prospective traffic safety of pedestrians in connection with sidewalks, or in order to conform to conditions prevailing in the neighborhood, in which latter case the neighborhood standard shall generally apply. Cross-walks may be required when deemed necessary by the Board. a. Subsurface Drainage. Prior to placing the street surface, adequate subsurface utilities as acceptable to the Board shall be provided or installed by the subdivider. The size of the storm drainage structures shall be computed by using "Talbot's Formula" for run-off.

b. Slopes. Slopes of banks for cut and fill measured perpendicular to the centerline of street shall not exceed two (2) horizontal to one (1) vertical.

In all respects in which standards for required improvements are not set forth herein or specified by the Board hereunder, the applicable standard requirements of the Pennsylvania Department of Highways shall govern, and all work shall be performed in the manner prescribed in the standard specifications for road construction of said Department for type of construction under consideration.

413. Approval, Maintenance and Security. The work of constructing streets or roads, including the construction methods and materials, incident thereto, shall be subject to the approval of the Township Engineer. Final acceptance of completed streets or roads shall rest with the Board. The subdivider shall enter into a contract with the Board which provides that in consideration of the acceptance of the roads or streets for inclusion in the Township highway system, the subdivider agrees to construct the roads or streets in the subdivision to the standards prescribed herein at his own expense with no cost to the Township.

413. Approval, Maintenance and Security. (continued)

In the event that the owner or subdivider desires to complete the construction of the streets after the Plat is placed on record, he shall be required to submit a cost estimate prepared by a Registered Professional Engineer, setting forth all times of work to be performed and the estimated cost. Said estimates shall be subject to the approval of the Township Engineer. A certified check or Contract Performance Bond issued by a surety company, subject to the approval of the Board, in an amount equal to the approved estimate to insure the completion of the work shall be filed with the Board. All construction items shall be completed within one year after the Plat is placed on record, except where bituminous paving construction is required. When bituminous construction is required, it shall be completed within two years after the Plat is placed on record. In the event the work is satisfactorily completed within the time specified, the certified check or Surety Bond will be returned.

The owner or subdivider shall be required to maintain all culverts, ditches, and back-slopes on all streets for a period of one year after their completion. All exposed surfaces on which a turf or sod has not been developed shall be reseeded or sodded. An estimate of cost shall be prepared by a Registered Professional Engineer, setting forth all items of work to be performed and the estimated cost. Said estimate shall be subject to the approval of the Township Engineer. The owner or subdivider shall deposit with the Board a certified check or Performance Bond issued by a surety company, in an amount not less than the cost of maintaining said culverts, ditches, and back-slopes for a period of one year.

SECTION 420. SEWERS. Where the public sanitary sewer system in the opinion of the Board is reasonable accessible, sanitary sewers shall be installed to adequately serve all lots with connections to the public system. Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes as provided in Section 334 hereof. In addition, individual septic tanks and disposal fields, and/or neighborhood disposal systems, shall be approved by the State Department of Health.

SECTION 430. WATER. The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to a municipal water supply system, or with a community water supply system approved by the Township Engineer and the Pennsylvania Department of Health with satisfactory provision for the maintenance thereof, except when such municipal or community water supply is not available.

SECTION 430. WATER. (continued)

The plans for the installation of the mains of a water supply system shall be prepared by the subdivider with the cooperation of the applicable Water Utility Company and approved by the Township Engineer. Upon the completion of the water supply installation, one copy each of the plans for such system shall be filed with the Board.

SECTION 440. STORM DRAINAGE. An adequate storm sewer system consisting of inlets and other underground drainage structures with approved outlets shall be constructed where the run-off of storm water and the prevention of erosion cannot be accomplished satisfactorily by the surface drainage facilities. Outlets shall be approved by the owners of the properties affected and by the Board.

SECTION 450. SIDEWALKS. Sidewalks shall be installed where necessary for pedestrian safety and shall have a minimum width of four feet, except that sidewalks serving apartment houses or proposed commercial areas shall be wider if deemed necessary by the Board. Sidewalks may be of the following two types: a. Concrete, 4" in thickness, 1" 2 $\frac{1}{4}$: 3 placed on 4" cinders or crushed stone. b. Cut Flag Stone, 2" in thickness placed on 4" of cinder or crushed stone.

SECTION 460. STREET LIGHTS AND FIRE HYDRANTS. Street lights may be required when considered reasonable by the Board. Fire hydrants shall be required wherever there is a water supply system and shall be spaced to provide a hydrant within 780 feet of any property line.

SECTION 470. FILING PLANS AND PROFILES. Upon completion of the improvements in a subdivision, plans and profiles, the same as constructed, shall be filed with the Board.

SECTION 480. INSTALLATION OF IMPROVEMENTS. Required improvements shall be installed by the subdivider under the supervision of the Township Engineer.

ARTICLE V - MODIFICATIONS AND EXCEPTIONS

SECTION 500. EXCEPTIONS

501. Large-Scale Developments. The general principles of design and the minimum requirements for the laying out of subdivisions, stipulated in Article III of this Ordinance may be varied by the Board in the case of a subdivision large enough to constitute a more or less self-contained neighborhood to be developed in accordance with a comprehensive plan, safeguarded by appropriate restrictions, which in the judgement of the Board has made adequate provision for all essential requirements; provided, however, that no modifications shall be granted by the Board which would conflict with the proposals of the official Traffic Plan, or with other features of any adopted long-range plan of the Township or the County, or with the intent and purpose of said general principles of design and minimum requirements.

502. Hardship. In any particular case where the subdivider or his engineer can show by plan and written statement that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of this Ordinance would cause practical difficulty or exceptional and undue hardship, the Board may relax such requirements to the extent deemed just and proper, so as to relieve such difficulty or hardship; provided that such relief may be granted without detriment to the public good and without impairing the intent and purpose of this Ordinance or the desirable general development of the neighborhood and the community in accordance with any adopted long-range plan. Any modification thus granted, shall be entered in the minutes of the Board setting forth the reasons, which in the opinion of the Board justified the modification.

ARTICLE VI - ADMINISTRATION

SECTION 600. INTERPRETATION. Words used in the present tense include the future; the singular number shall include the plural, and the plural, the singular; the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used; the word "shall" is mandatory and not optional; and the word "abut" shall include the words "directly across from."

SECTION 610. PUBLIC IMPROVEMENTS TO BE APPROVED BY THE BOARD. All plans and specifications and contracts for public improvements required by this Ordinance shall be approved by the Board of Township Supervisors.

SECTION 620. INSPECTION AT SUBDIVIDER'S EXPENSE. All public improvements to be made under the provisions of this Ordinance shall be made under the direction and approval of a competent representative appointed by the Board. The salary and other expenses, in connection with the said inspection, shall be paid by the subdivider.

SECTION 630. VARIATIONS. The Subdivision Committee may recommend variations from these requirements in specific cases which do not affect the general plan or the spirit of the Ordinance. All such variations shall be communicated to the Board in writing with the reasons therefore before final approval of the plan.

SECTION 640. VALIDITY. If any section, clause, paragraph, regulation, or provision of this Ordinance is found invalid by a court of proper jurisdiction such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but only the provision found invalid by the Court.

SECTION 650. ENFORCEMENT. It shall be the duty of the Board of Township Supervisors of the Township of Westfall to enforce this Ordinance.

ARTICLE VII - DEFINITIONS

SECTION 700. DEFINITION OF TERMS. As used in these regulations, the following terms shall be defined as follows:

1. Alley: A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.
2. Block: An area bounded by streets.
3. Board: The Board of Township Supervisors of the Township of Westfall.
4. Township Subdivision Committee: The Planning Commission of the Township of Westfall.
5. Commission Engineer: The Township Engineer if said office exists and if not, the commission engineer shall be the registered civil engineer designated by the Planning Commission to perform all administrative and/or supervisory duties required of the Commission Engineer by the provisions of this Ordinance.
6. Comprehensive Plan: The complete plan, or any of the parts for the development of the Township of Westfall, prepared by the Planning Commission and adopted in accordance with the Township Code.
7. County: Pike County, Pennsylvania.
8. County Planning Commission: The Planning Commission of Pike County.
9. Cul-de-sac: A minor street having one open end to traffic and being permanently terminated by a vehicle turn-around.
10. Dedication: The deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than those compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
11. Easement: A right-of-way granted for limited use of private land for a public or quasi-public purpose.
12. Lot: A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership, use or for development.
13. Lot Area: The computed area contained within the lot lines.
14. Lot Width: The mean width of the lot measured at right angles to its depth.
15. Plan: A map or chart indicating the subdivision or resub-division of land, intended in its final stage, to be filed for record.

16. Right-of-Way: Land reserved for use as a street, alley, interior walk, or for other public purpose.

17. Setback or Building Line: The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way.

18. Sketch Plan: An informal plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision.

19. Street: A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation. Classes of streets are as follows:

- a. Major traffic streets are those serving large volumes of comparatively high-speed and long distance traffic.
- b. Collector streets are those which, in addition to giving access to abutting properties, intercept minor streets and provide routes, carrying considerable volumes of traffic, to community facilities and to major traffic streets.
- c. Minor streets are those used primarily to provide access to abutting property.
- d. Marginal access streets are minor streets, which are parallel and adjacent to major traffic streets. Such streets provide access to abutting properties and control of intersections with the major traffic streets.

20. Subdivider: The owner or authorized agent of the owner of a subdivision.

ARTICLE VIII-CONFLICT WITH OTHER REGULATIONS

Wherever there is a difference between minimum standards or dimensions specified herein and those contained in any Zoning Ordinance or other official regulation affective at the time of the enactment of this ordinance or enacted hereafter, the highest standard shall apply.

ARTICLE IX - PENALTY AND LEGAL ACTION

Any persons, copartnership, or corporation, who or which shall subdivide any lot, tract, or parcel of land, layout, construct, open or dedicate any street, sanitary sewer, storm sewer, or water main, for public use or travel, or for the common use of occupants of building abutting thereon, sell any lot or erect any building in a subdivision without first having complied with all the provisions hereof and the subdivision ordinance adopted hereunder, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding one hundred dollars (\$100) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the municipality whose ordinance has been violated. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

Each day that a violation is permitted to exist on each lot shall constitute a separate offense, and shall be punishable as such.

ARTICLE X - COMMISSION RECORDS

The Planning Commission shall keep a record of its findings, decisions, and recommendations relative to all subdivision plans filed with it for review.

ARTICLE XI- REVISION AND AMENDMENT

This Ordinance may, from time to time, be revised, modified, or amended as prescribed by local and State laws.

Copy

ARTICLE XII - ENACTMENT

This Ordinance shall be in force and effect from and after its date of passage.

PASSED FIRST READING:

October 14 1970

PASSED SECOND READING:

PASSED THIRD READING:

ATTESTED: _____

APPROVED: _____

CHAIRMAN

SECRETARY

*Enacted and Obtained by The Township
of Westfall Pike Co. Pa into an ordinance
this 5th November, 1970*

George O Campbell

Carlton L Shary

J H Hurahan

*Westfall Township
Superior*

*Attest: Kenneth Hobbs
Secretary*

*(see minutes of meeting)
Nov 5, 1970*