

ORDINANCE NO. 65
AN ORDINANCE AMENDING
WESTFALL TOWNSHIP SUBDIVISION
ORDINANCE NO. 48

BE IT ORDAINED AND ENACTED by the Township of Westfall, Pike County Pennsylvania, as follows:

1. Article II, Section 2.103 Procedures shall be amended to read:

The subdivider shall file the application for minor subdivision approval, along with the required copies of the plan, with the Planning Commission Secretary at least twenty (20) days prior to a regular meeting of the Planning Commission. The Secretary shall note receipt of the application, collect any fees due, and forward a copy of the application to the Township Zoning Officer for analysis of its compatibility with district regulations of the Westfall Township Zoning Ordinance.

A copy of the application shall also be forwarded, at the time of receipt of the application, to the Pike County Planning Commission and DER per requirements of the Pennsylvania Municipalities Planning Code. The subdivider shall assume this responsibility.

Incomplete applications will not be accepted for filing and shall be returned to the applicant by the Secretary of the Planning Commission, with or without the advice of the Planning Commission, and shall be accompanied by written explanation as to why the application is incomplete.

The Planning Commission shall recommend to the Board of Supervisors approval, approval subject to modification, or rejection of the plan within sixty (60) days from the date of the regular meeting of the Planning Commission next following the date of the filing of the application. The recommendation shall be in letter form. The Planning Commission shall retain a copy of the recommendation for its files.

The Board of Supervisors shall make their decision with respect to an application within eighty-five (85) days of the date of the regular meeting of the Planning Commission next following the date of the filing of the application. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to the applicant at the last known address of the applicant not later than fifteen (15) days following the decision. If the decision is communicated by mail the decision will be deemed to be communicated when postmarked.

The Board of Supervisors shall concurrently act on the proposed supplement to

the official Waste Water Disposal Plan and shall communicate their decision to the applicant. If the Board of Supervisors disapproves the official Waste Water Disposal Plan the Board shall set forth their reasons for disapproval in writing.

2. Article II, Section 2.200, General Procedures for Major Subdivisions shall be amended to read: A sketch Plan may be submitted to the Township by the owner of the land to be subdivided or developed for the purpose of classification and preliminary discussion of the proposed subdivision or land development. No action will be taken by the Township with respect to a Sketch Plan and no discussions concerning the same shall later be construed to have implied approval of any sort.

Nine copies of an application and Preliminary Plan shall be required for all proposed subdivisions and land developments. The Preliminary Plan shall include all the items identified in Sections 2.400 below and shall be filed at least twenty (20) days prior to a regular meeting of the Planning Commission with the Planning Commission Secretary who shall note receipt of the application and collect any fees due and forward a copy to the Township Zoning Officer for analysis of its compatibility with the district regulations of the Westfall Township Zoning Ordinance. Copies shall be distributed in the manner provided for minor subdivisions. The Planning Commission shall review the Preliminary Plan to ascertain whether it complies with the requirements of this Ordinance. It may request the subdivider to submit additional information, make certain corrections or changes, or advise the Planning Commission Secretary to return the Plan as incomplete and, therefore, not acceptable for filing.

The Planning Commission shall recommend to the Board of Supervisors approval, approval subject to modification, or rejection of the plan within sixty (60) days from the date of the regular meeting of the Planning Commission next following the date of the filing of the application. The recommendation shall be in letter form. The Planning Commission should also submit five (5) signed copies of the preliminary plan and accompanying planning module for land development to the Board of Supervisors. The Planning Commission shall retain a copy of the recommendation and all pertinent documentation for its files.

The Board of Supervisors shall make their decision with respect to the preliminary plan within eighty-five (85) days from the date of the regular meeting of the Planning Commission next following the date of the filing of the preliminary plan. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to the applicant at the applicant's last known address not later than fifteen (15) days following the decision. If the decision is communicated by mail the decision will be deemed to be

communicated when postmarked.

The Board shall concurrently make its decision with respect to the Planning Module for Land Development to revise or supplement its Official Plan and, if approval is granted, said revision or supplement will promptly be forwarded to DER. Preliminary approval shall be conditional upon DER acceptance of the proposed revision or supplement.

Applications for subdivision and land development shall also be forwarded at the time of their receipt by the Planning Commission Secretary to the Pike County Planning Commission for a review, together with a fee (if one is required) sufficient to cover the costs of the review, which fee shall be paid by the applicant. The subdivider shall assume this responsibility.

After receiving approval of a Preliminary Plan, (or when conditions are removed), the subdivider shall install or guarantee installation of the improvements required by this Ordinance and commence the preparation of final Plans. In the absence of actual installation of improvements, the subdivider may otherwise guarantee them according to the requirements of Section 2.500.

Following the installation and inspection of improvements or preparation of satisfactory guarantees for their installation and maintenance, the subdivider may submit Final Plans to the Township, which shall be processed in the same manner as Preliminary Plans. Final Plans may be submitted in stages. However, no Preliminary Plan (or portions of such Plan) shall remain valid for development of Final Plans after a period of five years from Preliminary Approval and no Final Plans will be accepted for any subdivision or land development for which DER has not approved the necessary revision to the Official Wastewater Disposal Plan.

Following approval of the Final Plan by the Board of Supervisors the subdivider shall, within ninety (90) days, officially record the Final Plan in the Office of the Pike County Recorder of Deeds. Failure to do so will render the plan void and the subdivider shall resubmit the Plan for approval including any filing fees required.

3. Article VI, Section 6.222 shall be deleted from the Ordinance.

4. Article II, Section 2.900, Sewage Enforcement Officer Approval, shall be added to the ordinance to read: Any plan, whether a preliminary plan or final plan, must contain a signature for the Sewage Enforcement Officer of Westfall Township.

The subdivider, prior to filing, or refileing, a plan with the Secretary of the

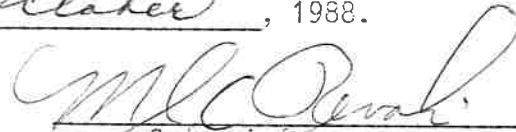
Planning Commission, must submit the plan and accompanying Planning Module for Land Development to the Sewage Enforcement Officer to insure that the plan and module meet the requirements of the Pennsylvania Sewage Facilities Act. Approval within ten (10) days of submission by the Sewage Enforcement Officer will be evidenced by the Sewage Enforcement Officer executing the module and one (1) copy of the plan.

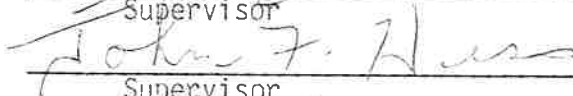
Upon approval of a plan by the Board of Supervisors, evidenced by the Supervisors signing the plan, the Secretary of Westfall Township will notify the SEO to review the signed plan to insure that the plan is the same plan that was previously signed by the Sewage Enforcement Officer. The Sewage Enforcement Officer, if satisfied that the signed plan is the same plan, will sign the mylar and all additional copies of the plan.

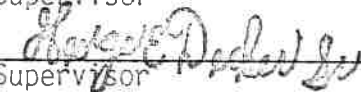
5. Article II, Section 2.1000, Highway Occupancy Permit, shall be added to the Ordinance to read: No plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plan contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law" before driveway access to a State highway is permitted. The plan shall also be marked to indicate that access to the State Highway shall be only as authorized by a highway occupancy permit.

This Ordinance shall be effective five (5) days from the date of adoption.

Adopted this 20th day of October, 1988.



Supervisor


Supervisor


Supervisor

Attest:



Secretary