

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

TOWNSHIP OF WICONISCO

ORDINANCE NO.

AN ORDINANCE

An Ordinance regulating the Subdivision of Land and Land Development within the Township of Wiconisco, Dauphin County, Pennsylvania, providing for the preparation of preliminary and final plats for such purpose; requiring certain improvements to be made or guaranteed to be made by the subdivider; regulating sale of lots, erection of buildings, laying out, construction, opening and dedication of streets, sewers, other facilities, and public improvements in connection with subdivision, and prescribing penalties for the violation thereof.

The Township Supervisors of the Township of Wiconisco, Dauphin County, Pennsylvania, pursuant to Municipalities Planning Code of 1968 as amended (Act No. 247, Article V, Section 501 through Section 515), does enact and ordain:

ARTICLE I

SHORT TITLE

SECTION 101. SHORT TITLE

These regulations shall be known and may be cited as "The Township of Wiconisco Sub-
vision 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 harmon-
ious development of the municipality and county by:

1. Ensuring the orderly and efficient integration of subdivisions into the development of the Township of Wiconisco.
2. Ensuring sites suitable for building purposes and human habitation.

3. Ensuring conformance of subdivision plans with public improvement plans.
4. Ensuring coordination of inter-municipal 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 the Township of Wiconisco.
9. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.

SECTION 202. AUTHORITY

The Governing Body shall have the authority to approve for the Borough all Pre-Application Plans and Data and Preliminary Plats as required herein.

The Commission is designated as the agency which shall review and make recommendations on all pre-application plans and data, preliminary plats and Final Plats as required herein, prior to action on same by the Governing Body.

SECTION 203. CITIES, BOROUGHS AND TOWNSHIPS WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCES

Cities, boroughs and townships which have adopted subdivision and land development ordinances are exempted from the county regulations, except for the following requirements:

1. Applications for review of subdivision and land development within a municipality having adopted a subdivision and land development ordinance must be forwarded upon receipt by the municipality to the County Planning Commission for review and report, and the municipality shall not approve such applications until the county report is received, or until the expiration of forty-five (45) days from the date the application was forwarded to the County. As evidence of this review and report, officials of the County Planning Commission will sign final plats, which have been formally approved by the municipality, before such plats are presented for recording.

SECTION 204. APPLICATION OF REGULATIONS

1. No subdivision or land development of any lot, tract or parcel of land located in Township of Wiconisco 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 Governing Body 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 Governing Body and 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., 2.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 governing body.

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 subject to the Zoning regulations as they apply to use and density requirements, setbacks, parking and other features and shall be indicated on the subdivision plans.

SECTION 205. INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be 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 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.

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. APPLICANT 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

An area bounded by streets.

5. BOARD OF SUPERVISORS

The Board of Supervisors of the Township of Wiconisco.

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. CARTWAY OR ROADWAY

That portion of a street or alley which is improved, designated or intended for vehicular use.

9. CHAIRMAN

The Chairman of the Township of Wiconisco Planning Commission.

10. 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.

11. 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.

12. COMMISSION

The Township of Wiconisco Planning Commission.

13. COMMISSION STAFF

The Township of Wiconisco Engineer and/or other personnel retained by the 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 foundations, 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. Installations 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 of the planned residential development, not including streets, off-street parking areas and 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 of 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 causes 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. DRAINAGE

The flow of water or liquid waste and the method of directing such flow, whether natural or artificial.

22. DRAINAGE FACILITY

Any ditch, gutter, culvert, storm sewer 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.

23. DRIVEWAY

A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

24. DWELLING

A building designed for residential purposes and used as living quarters for one or more persons.

25. 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.

26. DWELLING, SINGLE FAMILY, DETACHED

A building used by one (1) family, having one (1) dwelling unit and having two (2) side yards.

27. DWELLING, SINGLE FAMILY, SEMI-DETACHED

A building used by one (1) family, and having one (1) party walls in common with other buildings.

28. 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.

29. DWELLING, TWO FAMILY, DETACHED

A building used by two (2) families, with one dwelling unit arranged over the other having two (2) side yards.

30. 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 party wall in common with another building.

31. DWELLING, MULTI-FAMILY

A building used by two (2) or more families living independently of each other and their own cooking, including apartment houses.

32. DWELLING, GARDEN APARTMENT

A two (2) story multi-family dwelling containing one (1) story dwelling units, under one ownership.

33. EASEMENT, UTILITY

A right-of-way granted for the limited use of land for public or quasi-public purposes.

34. ENGINEER

A registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.

35. ENGINEERING SPECIFICATIONS

The Engineering Specifications of the municipality regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

36. EROSION

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

37. EXCAVATION

Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

38. FILL

Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

39. FLOOD PLAIN

The area along a natural watercourse which may from time to time be overflowed by water therefrom.

40. FUTURE RIGHT-OF-WAY

- a. Right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; or
- b. A right-of-way established to provide future access to or through undeveloped land.

41. GOVERNING BODY

The Board of Supervisors (Township Supervisors) of the Township of Wiconisco, Dauphin County, Pennsylvania.

42. 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.

43. IMPROVED PUBLIC STREET

Any street for which the Borough, County or Commonwealth has maintenance responsibility and which is paved with an approved hardtop surface.

44. IMPROVEMENTS

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, crosswalks, driveways, culverts and street shade trees.

45. INTERIOR WALK

A right-of-way for pedestrian use extending from a street into a block or across a block to another street.

46. LAND DEVELOPMENT (SEE SUBDIVISION)

a. The improvement of one or more contiguous lots, tracts or parcels of land for any purpose involving:

1) A group of two or more buildings; or

2) The division or allocations 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.

b. 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.

47. 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.

48. LOT

A plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer or improvement.

49. 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.

50. LOT, THROUGH OR DOUBLE FRONTAGE

A lot with front and rear street frontage.

51. LOT AREA

The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street, but including the area of any easement.

52. MARGINAL ACCESS STREET

Minor streets, parallel and adjacent to major traffic streets which provide access to abutting properties and control intersections with the major traffic street.

53. 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 or 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.

54. 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, and constructed so that it may be used without a permanent foundation.

55. 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 mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

56. MOBILE HOME PARK

A parcel of land under single ownership which has been planned and imposed for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

57. MUNICIPAL AUTHORITY — AUTHORITY

Municipal Authority of the Township of Wisconsin.

58. MUNICIPALITY

A city, borough, township or county.

59. MUNICIPALITY, LOCAL

A city, borough or township.

60. OWNER

Any person having any title or interest whatsoever in any land subdivision as the word "Subdivision" is hereinafter defined in this Article and Section.

61. PERSON

Any individual or group of individuals, partnership or corporation.

62. PLAN, CONSTRUCTION IMPROVEMENT

A plan prepared by a registered engineer or surveyor showing the construction details of streets, drains, sewers, bridges, culverts and other improvements as required by this Ordinance.

63. 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.

64. 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.

65. PLANNING COMMISSION

Township of Wiconisco Planning Commission.

66. PLANNING COMMISSION STAFF

See the Commission Staff.

67. PLAT, FINAL

A complete and exact subdivision plan prepared for official recording as required by statute.

68. PLAT, PRELIMINARY

A tentative subdivision plan, in a lesser 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.

69. 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.

70. PUBLIC GROUNDS

- a. Parks, playgrounds and other public areas; and
- b. Sites for schools, sewage treatment, refuse disposal, other publicly owned or operated facilities.

71. 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.

72. 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); and a body width of not more than eight (8) feet and a body length of not more than thirty-five (35) feet when factory equipped for the road, and licensed as such by the Commonwealth.

73. 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."

74. 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.).

75. RESERVE STRIP

A narrow parcel of ground separating a street from other adjacent properties.

76. RESIDENT PROPERTY OWNERS

Any individual maintaining a voting address in the municipality, 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.

77. RE-SUBDIVISION

Any subdivision or transfer of land, laid out on a plan which has been approved by the Township Supervisors of the Township of Wiconisco which changes or proposes to change property lines and/or public right-of-way in strict accordance with approved plan.

78. 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.

79. 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, land, alley or however designated.

80. RUN-OFF

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.

81. 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."

82. SEEPAGE PIT

A covered pit with open-jointed lining through which the septic tank effluent may seep or leach into the surrounding soil.

83. 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.

84. 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.

85. SEWAGE DISPOSAL SYSTEM (ON SITE)

Any system designed to eliminate sanitary sewage within the boundaries of the lot.

86. 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.

87. 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.

88. 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.

89. SOIL PERCOLATION TEST

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.

90. SOIL STABILIZATION

Chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise to improve its engineering properties.

91. STAFF

The technical staff of the Township of Wisconsin Planning Commission, unless otherwise designated by the Township Supervisors.

92. STREET

A public right-of-way which affords primary vehicular pedestrian access to abutting properties, including street, highway, thoroughfare, parkway, road, avenue, boulevard, land, alley or however designated.

93. MAJOR STREETSa. Arterial Street

A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

b. Collector Streets

A major street or highway which carries traffic from minor streets to arterial streets including the principle entrance streets of a residential development and streets for circulation within such a development.

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.

94. MINOR STREET

A street used primarily for access to abutting properties.

95. CUL-DE-SAC

A street intersecting another street at one end terminating at the other in a vehicular turnaround.

96. 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.

97. SHOULDERS (STREET)

The portion of the street, contiguous to the cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of the pavement.

98. 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.

99. 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 acres, not involving any new street or easement of access, shall be exempted.

a. Subdivision

- 1) A division of any part, parcel or area of land by the owner or agent, either by lots or metes and bounds, into lots or parcels, two or more in number, for the purpose of conveyance, transfer, improvement or sale, with appurtenant roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use, or the use of purchasers or owners of lots fronting thereon.

A subdivision as defined above includes division of a parcel of land having frontage on an existing street into two (2) or more lots each having frontage on the existing street.

- 2) The term subdivision includes division of a parcel of land into two (2) or more lots when such subdivision created any new road, roads, street, lane, alley, alleys, way, ways, easement, easements, of access or the need therefore.
- 3) Any development of a parcel of land (for example, as a shopping center, industrial park or multiple dwelling project), which involves installation of streets, driveways 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 the purpose of conveyance, transfer or sale.
- 4) For the purpose of these regulations, division of land for agricultural purpose into parcels of more than ten (10) acres, not involving any new street or easement, shall not be deemed a subdivision.
- 5) The term subdivision, includes re-subdivision and, as appropriate in these regulations, shall refer to the process of subdividing land or to the land subdivided.

100. SURFACE DRAINAGE PLAN

A plan showing all present and proposed grades and facilities for storm water drainage.

101. SURVEYOR

A licensed surveyor registered by the Commonwealth of Pennsylvania.

102. SWALE

A low lying stretch of land characterized as a depression used to carry surface water runoff.

103. THROUGH LOT

A lot which abuts a street on two or more opposing or non-adjacent sides.

104. TILE DISPOSAL FIELD

A system of open jointed or perforated pipes laid in the upper strata of the soil for absorption.

105. TOP SOIL

Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Top soil is usually found in the uppermost soil layer called the A Horizon.

106. TOWNSHIP

The Township of Wiconisco, Dauphin County, Pennsylvania, Board of Supervisors (Township Supervisors), its agents or authorized representatives.

107. 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.

108. "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.

109. WATER FACILITY

Any water works, water supply works, water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

110. 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 the Township of Wiconisco, Dauphin County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed, and processed with the Commission and the Township Supervisors according to the requirements of this Subdivision and Land Development Ordinance, except as follows:

1. Where two or fewer lots are proposed to be subdivided from a tract of land, or where land is being transferred to be combined with an existing lot, the governing body being advised by the Planning Commission in response to a written request by the applicant, may waive the Preliminary Plat requirements, provided such proposal is on an existing street and no new streets are involved. In such cases, the applicant shall submit a Final Plat as follows:

a. A Final Plat shall be submitted and processed as required under Section 404 using the following procedure:

- 1) Obtain Soil Suitability Report from Sewage Facilities Officer.
- 2) Obtain Soil Characteristics Report and information on erosion and sediment control from the Dauphin County Conservation District through the Soil Conservation Service.
- 3) The final plan (6 copies) prepared by a registered surveyor or engineer on 17" x 22" sheets showing the following:
 - a) Outline of the property from which the lot or lots are being subdivided, scale 1" = 400 feet.
 - b) Bearings and distances of the property taken from the property deed, including the primary control point.
 - c) Adjacent landowners names.
 - d) Location on the property map of existing buildings, proposed lots, existing streets, streams, and woods.
 - e) A separate drawing of the proposed lot or lots (scale 1" = 100') with lot areas, lot numbers, lot dimensions, bearings

and distances of lot lines, existing street right-of-way and street name and number, building setback lines, contours with a 5 foot interval.

- f) A location map on the plat (scale 1" = 1 mile) showing property location, streets and other pertinent information.
- g) Additional data needed on the plan:
 - (1) Name and address of owner or subdivider.
 - (2) Name and seal of surveyor or other person responsible for the plan. Also signed certification by surveyor that the plan is correct.
 - (3) Date of plan preparation.
 - (4) Municipality where property is located.
 - (5) North point and scale.
 - (6) Certification of ownership and dedicatory statement signed by owner.
 - (7) Notary public and recording statement.
 - (8) Allow space for stamped approval block to be signed upon approval by the Planning Commission.
 - (9) Location of survey monuments shown by an "x" on the plat.
 - (10) Proposed protective covenants running with the land, if any.
 - (11) Reference to recorded subdivision plats of adjoining platted land and by record name, data and number.

SECTION 402.

PRELIMINARY PLATS: PROCEDURE

1. The applicant, nine (9) days prior to the meeting of the Commission at which consideration is desired, shall file with the Chairman of the Board of Supervisors nine (9) copies of a preliminary plat of the proposed subdivision or land development and other required data and maps.

2. The Commission shall submit copies to the Governing Body, The County Planning Commission, Engineering and may submit copies to the Public Utilities, Municipal Authority, School Board, Dauphin County Soil and Water Conservation District, Pennsylvania Department of Environmental Resources and other Public Agencies. The Governing Body upon the recommendation of the Commission shall act on any such Preliminary Plat within ninety (90) days of its being received. In the event that any variance from this Ordinance is requested by the applicant or is deemed necessary by the Governing Body for approval, the variance and the reasons for its necessity shall be entered into the records of the Governing Body.
3. The County Planning Commission shall review the Preliminary Plat and Data and shall return one copy of the plat along with a written report stating their suggestions for modifications and design changes to the Planning Commission within forty-five days (45) days of their receipt of same or forfeit their right to review.
4. The Governing Body shall determine whether the Preliminary Plat shall be approved, approved with modifications or disapproved, and 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 days following the decision.
5. Before acting on any subdivision plat, the Governing Body, may hold a public hearing thereon after public notice.
6. 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.
7. 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.
8. Before final action is taken on any submitted plat the Commission shall submit copies of the Preliminary Plat and accompanying data to the Engineer who shall advise the Commissions and Governing Body as to the suitability of all engineering details and specifications; to the local office of the Pennsylvania Department of Environmental Resources where septic tanks and/or wells are to be utilized; to all affected public utilities who shall be requested to make recommendations as to the suitability of the utility easements and to the Pennsylvania Department of Transportation where the subdivision or land development will front on existing or proposed state highways or has a proposed street entering on such highway.
9. Approval of the Preliminary Plat shall not constitute approval of the Final Subdivision Plat by the Township Supervisors.

SECTION 403.PRELIMINARY PLAT: SPECIFICATIONS

1. The preliminary plat shall be drawn on a copy of the property map:
 - a. Existing contours at vertical intervals of five (5) feet or less as required by the Commission.
 - b. The layouts, names, and widths of the right-of-way, cartway and paving of proposed streets, alleys and easements.
 - c. The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
 - d. Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, 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, storm water or combined sewers and of any proposed water distribution systems.
 - d. A profile of the proposed sanitary and storm sewers and water line, 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. (See Section 505-1-b and 505-1-c).
 - f. A report showing the review and comments of the Department of Environmental Resources on the proposed sewage treatment facilities.

- g. A copy of the report on Soil Characteristics of the Site, prepared by the Dauphin County Conservation District.
- h. A copy of the report from the County Conservation District indicating the extent of Erosion Control Plans needed, and whether in his opinion a permit for earth moving activity may be required from the Department of Environmental Resources (See Section 505-1-b and 505-1-c).
- i. A copy of an advisory memorandum from the Department of Environmental Resources, signed by the County Sanitarian.
- j. Evidence in writing, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, from the school district in which the subdivision or land development is located, containing the review and comments of the school district on the proposed development.
- k. A copy of a report, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development, and possible solutions to such problems as may be thereby identified.
- l. A copy of a report, where twenty (20) or more dwelling units are proposed in a subdivision or land development, indicating the general arrangement for storm water drainage, the estimated volume of water to be generated and the effect of such volumes on the drainageways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.

SECTION 404.FINAL PLAT: PROCEDURE

1. The applicant shall, not later than six (6) months after the date of approval of the Preliminary Plat, for that portion he intends to develop file with the Township Secretary or Code Enforcement Officer a Final Plat. Failure to comply with the time limitation herein provided shall make the 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 Governing Body.
2. The Final Plat shall conform in all significant respects to the Preliminary Plat as previously reviewed by the Township Planning Commission, the County Planning Commission and approved by the Township Supervisors, but shall incorporate all modifications required by said Township Supervisors in its review of the Preliminary Plat. The Final Plat may constitute only that portion of the approved Plat which the applicant proposes to record and develop at the time, provided such portions conform to all the requirements of this Ordinance.
3. Submission of the Final Subdivision or Land Development Plat to the County Planning Commission and any other state and county agency shall be required only when the Final Plat departs substantially from the Preliminary Plat.
4. The Final Plat may be submitted in sections or stages, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plat. In the case of a Final Plat which is to be submitted in sections or stages over a period of years, the time between submission of application for final approval of each stage or section shall be no greater than six (6) months.
5. Six (6) prints of the Final Plat shall be filed by the applicant with the Township Secretary or Code Enforcement Officer thirty (30) days prior to the meeting of the Township Planning Commission at which consideration is desired.
6. Review of the Final Plat by the Township Planning Commission shall proceed as follows:
 - a. When a final plat has been officially submitted, such plat shall be placed on the agenda of the Township Planning Commission for review at its next regular meeting, provided that such official submission has occurred no less than 30 days prior to such regular meeting. The Planning Commission may hold a public hearing at this time if the Final Plat departs substantially from the Preliminary Plat.
 - b. The Township Planning Commission shall review the Final Plat to determine its conformance with the standards contained in this ordinance with other applicable Township Ordinances

and with such changes and modifications which the Planning Commission and/or the Township required in connection with approval of the Preliminary Plat. During review of the Final Plat, the Planning Commission shall also consider the written report of the Township Engineer, and, if required, of the County Planning Commission.

- c. When a Final Plat has been reviewed by the County Planning Commission, no recommendation shall be made by the Township Planning Commission to the Board of Supervisors with respect to the Final Plat until the Commission has received and considered the written report of the staff of the County Planning Commission, provided; however, that if the County Planning Commission shall fail to report thereon within 30 days after official submission of a Final Plat, then the Township Planning Commission may act without having received and considered such report.
 - d. Within 45 days after official submission of a Final Plat, the Planning Commission shall recommend to the Board of Supervisors in writing that the Final plat be approved or disapproved. The findings and reasons upon which action is based shall be included in the written recommendation.
7. Review of the Final Plat by the Township Board of Supervisors shall proceed as follows:
- a. Within 45 days after receiving the recommendation of the Township Planning Commission, or 90 days after official submission of the Final Plat, the Board of Supervisors shall take action by approving or disapproving the Final Plat.
 - b. Within 5 days after the meeting at which the Final Plat is acted upon by the Board of Supervisors, the action taken by the Board in approving or disapproving the Final Plat, together with the findings and reasons upon which such action is based, shall be given, in writing, to the following: (1) the Township Planning Commission (2) the County Planning Commission (3) the Township Engineer and (4) the developer or his agent.
 - c. The action of the Board of Supervisors shall be noted, together with the date of action and signatures of its chairman and secretary, on the Final Plat. Copies of the Final Plat, with the appropriate endorsement of the Board of Supervisors, shall be distributed as follows: (1) two copies to the developer or his agent, (2) one copy to the Township Secretary for filing.
8. Before approval of 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 costs of the required improvements, as estimated by the Engineer, to the satisfaction of the appropriate municipal 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 to and deposited with the municipal officials.

9. When the developer has completed all of the required improvements, the developer shall notify the municipal governing body, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the municipal engineer.
 - a. The municipal governing body shall, within ten (10) days after receipt of such notice, direct and authorize the municipal engineer to inspect all of the required improvements.
 - b. The municipal engineer shall, thereupon, file a report, in writing, with the municipal governing body, 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 municipal engineer of the authorization for inspection by the governing body.
 - c. The report shall be made and mailed within thirty (30) days after receipt by the municipal engineer of the aforesaid authorization from the governing body.
 - 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 thereof, shall not be approved or shall be rejected by the municipal engineer, said report shall contain a statement of reasons for non-approval or rejection.
 - e. The municipal governing body shall notify the developer, in writing by certified or registered mail, of the action of the governing body with relation thereto.
 - f. If the municipal governing body or the municipal 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.
10. Before acting on any subdivision plat, the Township Supervisors may hold a public hearing thereon after public notice.
11. No change, erasures, modifications, or revisions shall be made on any Final Plat of a subdivision or 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 Township Supervisors.
12. Within ninety (90) days after the date 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 Dauphin County and forthwith file with the Township Supervisors a copy of a receipt signed by the recorder of deeds showing that the approved plat has been recorded together with the Deed Book and page numbers indicated and two (2) copies of the recorded plat.

13. 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, Planning Commission and review by the County Planning Commission.

SECTION 405 .FINAL PLAT: SPECIFICATIONS

The Final Plat shall be drawn on reproducible linen, or other reproducible material of equal quality (17-1/2" x 24" in size with a 2-1/2" binding border along the left hand 17-1/2" edge) (17" x 22" in size) at a scale of 1" = 100', and shall show:

1. Primary control points, approved by the 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. Locations and description of survey monuments. All permanent reference monuments shown by an "X" on the plat.
9. Names of record 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, licensed in the state of Pennsylvania, 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 landowner.
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. Plans and profiles of proposed sanitary, and storm water sewers, with grades and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
 - d. 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.
 - e. 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. (See Section 505-1-b and 505-1-c).
 - f. 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 with the land assuring the implementation by the lot owners of the Erosion and Sedimentation Control Plan.
 - g. A letter from the Department of Environmental Resources assuring the Township Supervisors that all data, plans and information required, by the "Rules and Regulations", chapter 71. Administration of Sewage Facilities Act 537, have been submitted to the Department of Environmental Resources for review and approval of Sewage Facilities.

- h. 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 issued by the Department of Environmental Resources, to be filed with the municipality, for the proposed water supply system.
- i. Such other certificates, affidavits, endorsements, or dedications as may be required by the Township Supervisors in the enforcement of these regulations.
- j. Location Plan, clearly describing the location of the tract in the Township of Wiconisco. 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 Township's Comprehensive 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 Township Comprehensive 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 provision 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 provision 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 10 degrees, the line must be connected with a true, circular curve.

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

<u>Type of Street</u>	<u>Minimum Distance</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 streets there must be a tangent of at least 100 feet between reverse curves.

9. Street Widths

a. Minimum street right-of-way and cartway widths shall be as follows:

STREET RIGHT-OF-WAY AND CARTWAY WIDTHS

Average Lot Frontage,
Measured At The Minimum Required Building Line

STREET TYPE	Under 60 Ft.	60-100 Ft.	100 Ft. or Over
Arterial Streets Right-of-way Cartway	As determined by the Commission after consultation with the Township Supervisors and the Pennsylvania Department of Transportation.		
Collector Streets Right-of-way Cartway	60 feet 36 feet	60 feet 36 feet	60 feet 36 feet
Minor Streets Right-of-way Cartway Alternate	50 feet 36 feet	50 feet 34 feet	50 feet 26 feet 28 feet w/ rolled curbs 30 feet w/ vertical curbs
Cul-de-Sac Right-of-way Cartway Alternate	50 feet 36 feet	50 feet 34 feet	50 feet 26 feet 28 feet w/ rolled curb 30 feet w/ vertical curb
Turn Around of Cul-de-Sac (diameter) Right-of-way Cartway Alternate	100 feet 80 feet	100 feet 80 feet	100 feet 80 feet 30 feet min. width 80 feet diam. to outside curb

<u>STREET TYPE</u>	<u>Under 60 Ft.</u>	<u>60-100 Ft.</u>	<u>100 Ft. or Over</u>
Marginal Access			
Right-of-way	50 feet	50 feet	50 feet
Cartway	26 feet	26 feet	26 feet
Alley or Service Drive			
Right-of-way	20 feet	20 feet	20 feet
Cartway	20 feet	20 feet	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 on the recommendation of the Commission in specific cases for:

- 1) Public safety and convenience.
- 2) Parking in commercial and industrial areas and in areas of high density development.
- 3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

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 Grades

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 municipality and Pa. Dept. of Transportation

<u>Type of Streets</u>	<u>Minimum Grade</u>	<u>Maximum Grade</u>
Collector streets		Seven (7) percent
Minor streets		Ten (10) percent
Alleys		Twelve (12) percent

- b. On minor streets and alleys, 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 exceeds seven (7) percent, such leveling areas shall have a minimum length of sixty (60) feet (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:

- a. One (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills.
- b. One (1) foot of vertical measurement for two (2) feet of horizontal measurement for 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 "lane", "way", "drive", "court", "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.

SECTION 502. EASEMENTS

1. The minimum width of easements shall be fifteen (15) feet for underground 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 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 twelve hundred (1,200) 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, unless regulated by a local municipal Zoning Ordinance, shall conform to the following requirements:

a. Lots Served by Public Water and Public Sanitary Sewers

Residential lots served by both public water and public sanitary sewers shall conform to the following requirements:

	<u>Minimum lot width measured at the required minimum front setback line</u>	<u>Minimum lot area per dwelling unit</u>
Single-Family, Detached Dwelling	75	7,500
Single-Family, Semi-detached Dwelling	50	5,000
Two-Family, Detached Dwelling	75	5,000
Two-Family, Semi-detached Dwelling	60	3,000
Multi-Family Dwelling	100	2,400

b. 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 sixty (60) feet wide at the minimum required front setback line nor less than five thousand (5,000) square feet in area for each recreational vehicle or camp ground lot, exclusive of streets and other public areas, provided that water and sewers are provided in accordance with standards of, and approved by, the Pennsylvania Department of Environmental Resources.

c. 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.

d. Lot Sizes on Slopes

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.

e. 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.

f. 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	forty (40) feet
Collector Street	thirty (30) feet
Minor street excluding service drives and alleys	twenty-five (25) 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 any applicable zoning requirements. Where no such requirements exist, the minimum setback from the right-of-way line of a dedicated public street shall be designated in paragraphs 1, 2, 3, above.
- 5) In a recreational vehicle park or camp ground, setback lines on private streets shall be not less than ten (10) feet from the right-of-way of the private street.

g. Side and Rear Building Lines

- 1) Building lines shall not be less than fifteen (15) feet from the side lot lines and twenty-five (25) 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.

SECTION 505.

EROSION AND SEDIMENTATION CONTROL

1. General Standards

- a. In the event that any person shall intend to make changes in the contour of any land or engage in earth moving activity where earth moving effects 25 acres or more, whether for subdivision; land development or any purpose, such person, who is required to obtain a permit, under Section 102.41, shall obtain a permit from the Department of Environmental Resources in accordance with the requirements of "Rules and Regulations" Chapter 102, EROSION CONTROL authorized under P.L. 1967, June 22, 1967.
- b. Further, under the requirements noted above, the Township Supervisors shall notify the Department immediately upon receipt of an application for a building permit involving earth moving activity which affects five (5) acres or more of land.
- c. The Township Supervisors shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Resources permit until the Department has issued the permit.
- d. An Erosion and Sedimentation Control Plan must be prepared for a single lot or more 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 noted above; and
 - 2) as required by the Pennsylvania Clean Streams Law, Act 222, July 31, 1970 as amended.

- e. Such Erosion and Sedimentation Control Plan must be submitted to the County Conservation District Directors for review, and a copy of the Plan and Conservation District Directors' review shall be submitted to the Commission as part of the Final plan submission Section 405.16-d.

Control Plans,

- f. In the preparation of Erosion and Sedimentary / 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. The Erosion and Sediment Control Handbook, prepared by the Conservation Districts, Cumberland, Dauphin and Perry Counties, may be helpful in the preparation of such plans. Copies are available in the Conservation District offices in each county.

SECTION 506.

RECREATION AREAS IN RECREATION VEHICLE
PARKS AND CAMPGROUNDS

1. In all recreation vehicle parks and campgrounds, there shall be one or more recreation areas which shall be easily accessible to all park or campground residents.
2. The size of such recreation areas shall be based upon a minimum of two hundred (200) square feet for each lot. No outdoor recreation area shall contain less than three thousand (3,000) 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.

FLOOD PLAIN AREA STANDARDS

1. It is the purpose of this section to promote the public health, safety, and general welfare and to minimize losses due to periodic inundation of certain areas of the Township of Wiconisco as designated on the official Flood Hazard Boundary Map produced by the United States Department of Housing and Urban Development as same shall appear and be amended from time to time and which is filed in the office of the Township Secretary.
2. No subdivision plan or proposed subdivision plan shall be approved by the Board of Supervisors of the Township of Wiconisco in the areas designated by the official Flood Hazard Boundary Map unless and until compliance with the following requirements, in addition to all the other requirements of this ordinance, has been established:
 - a. All proposals of subdivision plans submitted hereafter are consistent with a need to minimize flood damage.
 - b. All public utilities and facilities such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage.
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

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.
 3. Monuments and markers shall be made of the following size and material:
 - a. Monuments shall be six (6) inches square or four (4) inches in diameter and shall be thirty (30) inches long. 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 ^{and} fifteen 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 SURFACING1. Pavements

Streets must be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the applicant and approved by the Township Supervisors. Before paving the street surface, the applicant must install the required utilities and provide, where necessary, adequate storm water drainage for the street acceptable to the Township Supervisors. The pavement base and wearing surface must be constructed according to the following specifications.

a. Minor Streets

The base course shall consist of eight (8) inches of compacted crushed stone constructed according to specifications set forth in Section 310, Crushed Aggregate Base Course, in the Pennsylvania Department of Highway Specifications, 1970 as amended or the base course shall consist of five (5) inches of Bituminous Concrete Base Course construction according to the Pennsylvania Department of Transportation publication #190, "Guidelines for Design of Local Roads and Streets."

Construction of the surface course shall comply with the specification set forth in Section 420, Bituminous Surface Course ID-2A, of the Pennsylvania Department of Highway Specifications, 1970, as amended or the surface course shall be one and one-half (1-1/2) inches of ID-2 in accordance with the requirements of the Pennsylvania Department of Transportation publication #190, "Guidelines for Design of Local Roads and Streets."

b. Collector Streets

The base course shall consist of ten (10) inches of compacted crushed stone constructed according to the specifications set forth in Section 310, Crushed Aggregate Base Course, in the Pennsylvania Department of Highway Specification, 1970, as amended or the base course shall consist of six (6) inches of Bituminous Concrete Base Course constructed according to the Pennsylvania Department of Transportation publication #190, "Guidelines for Design of Local Roads and Streets."

Construction of the surface course shall comply with the specifications set forth in Section 420, Bituminous Surface Course, ID-2A, of the Pennsylvania Department of Highway Specifications, 1970, as amended or the surface course shall be one and one-half (1-1/2) inches of ID-2 in accordance with the requirements of the Pennsylvania Department of Transportation publication #190, "Guidelines for Design of Local Roads and Streets."

2. Shoulders

The base course shall consist of eight (8) inches of compacted stone, gravel or slag constructed according to the specifications set forth in Section 350, Sub-base, in the Pennsylvania Department of Highway Specifications, 1970 as amended. (See Section 659, Stabilized Shoulders, in the Pennsylvania Department of Highway Specifications, 1970 as amended.)

3. Arterial Streets

For the construction of arterial roads or highways, the subdivider shall consult the Township Supervisors and be governed by the Pennsylvania Department of Transportation for the method of construction to be used. The Township Supervisors on the recommendation of the Commission, shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision.

4. 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 eighteen (18) 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.

5. 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, on 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 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 to be connected to the existing or proposed water main supply system in accordance with municipalities specifications.
4. 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

Whenever the evidence available to the Township Supervisors or recommendation of the Commission indicates that natural surface drainage is inadequate, the subdivider shall install storm sewers, culverts and related facilities, as necessary to: a) permit the unimpeded flow of natural water courses; b) ensure the drainage of all low points along the line of streets; c) intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained; and d) provide positive drainage away from on-site sewage disposal facilities.

1. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in run-off that may occur when all the property at a higher elevation in the same drainage basin is fully developed.

2. Existing Facilities

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

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

4. 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

- 1) 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 runoff. The slope of the street from the property line to the curb shall be not less than $3/4$ of an inch per foot.

SECTION 606. CURBS AND GUTTERS

Wherever a proposed subdivision or land development shall average three or more lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within one thousand (1,000) feet of any existing or recorded subdivision having curbs and gutters, curbs and gutters shall be installed on each side of the street surface in accordance with the (municipality's specifications) or (in accordance with the specifications 1, 2, 3, and 4 below). The Township Supervisors on recommendation of the Commission may require installation of curbs and/or gutters in any subdivision where the bulk of buildings, area of parking, roads and the gradient/^{of} such areas or other evidences indicates that such improvements are necessary for proper drainage.

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 Highways Specifications," 1970, 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.
3. The cross sections of gutters and combination curbs and gutters shall be constructed in accordance with the details shown on approved drawings.
4. Curbs and gutters shall be set and finished to the lines and grades given on the approved drawings.

SECTION 607. SIDEWALKS

Wherever a proposed subdivision shall average three or more lots per gross acre included in the subdivision, where any subdivision is immediately adjacent to or within one thousand (1,000) feet of, any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with the (municipality's specifications) or (in accordance with specifications 1, 2, and 3 below). The Township Supervisors on recommendation of the Commission may require installation of sidewalks in any subdivision where the evidence indicates that sidewalks are necessary for public safety.

1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks 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. GRANT OF POWER

The governing body of each municipality may regulate subdivisions and land development within the municipality 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. 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.

SECTION 703. 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, and constructed so that it may be used without a permanent foundation.

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 mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

3. Mobile Home Park

A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

SECTION 704. 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 705. 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 specified below:

1. Street Widths 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	24 feet
Minor Streets	
Right-of-way	50 feet
Cartway	20 feet

- b. Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Governing Body 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, not served by public or mobile home park water system and public or park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Resources, the lots shall not be less than one hundred (100) feet measured at the minimum required setback line nor less than fifteen thousand (15,000) square feet in area, per mobile home unit, exclusive of streets and other public uses.
- b. On land laid out as a mobile home park, served by public or mobile home park water system and not by public or park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Resources, the lots shall be not less than eighty-five (85) feet and ten thousand (10,000) square feet in area, per mobile home unit, exclusive of streets and other public uses.
- c. 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 fifty (50) feet wide measured at the minimum required setback line nor less than five thousand (5,000) 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, 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 a required right-of-way</u>
Arterial Highway	forty (40) feet
Collector Street	thirty (30) 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 a required right-of-way</u>
Collector Street	fifteen (15) feet
Minor Street	ten (10) feet

4. Side and Rear Building Lines

- a. In a mobile home park, side and rear building lines shall be not less than ten (10) feet from the side and rear lot lines of each mobile home lot, and not less than twenty-five (25) feet from the mobile home park property lines on the sides and rear not adjacent to a dedicated public street right-of-way.

5. Off-Street Parking Requirements

- a. In a mobile home park, paved off-street parking areas shall be provided at the rate of at least one and one-half (1-1/2) vehicular parking spaces for each mobile home lot.
- b. Each such off-street parking space shall contain at least three hundred (300) square feet and shall be located within three hundred (300) feet of the mobile home lot it is intended to serve.

6. Open Space Requirements

- a. In a mobile home park, not less than ten (10) percent of the total land area shall be provided for usable 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.

7. Park Areas For 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 706.

IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

In a mobile home park all improvements, construction requirements, and engineering specifications for the improvement 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 Commission 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 Commission.
- b. All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

3. Other Site Improvements

- a. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- b. Tie downs to prevent the movement of the mobile home by natural causes (wind, etc.) shall be provided for each mobile home.
- c. Each mobile home lot shall be provided with a four (4) inch concrete slab on a stable surface at least 10 feet by 18 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, side, or rear yard. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected.
- d. Individual tenants at the mobile home park may construct attached enclosures or covered patios to individual mobile homes, provided that such enclosure does not exceed the slab area noted in 3.c. above and does not encroach into the front, side or rear yard areas. Planning Commission approval shall be required in each case.
- e. Provision shall be made by the Park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the mobile home park shall be subject to the approval of the State Department of Environmental Resources.
- f. There shall be provided in each mobile home park such other improvements as the Commission may require whereby such requirements shall at all times be in the best interest of the Park residents.

SECTION 707.FEES

1. At the time of filing the Preliminary Plat and Final Plat for the development of a tract of land for a mobile home park, the applicant shall be required to pay to the Commission fees in accordance with the requirements of ARTICLE VIII of this ordinance and secure a permit.

2. 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 of Wiconisco for each such park, issued in accordance with the following requirements:

- a. Such permit shall be issued by the Township of Wiconisco Code Enforcement Officer, upon proper application and submission of evidence of compliance with the provisions of this ordinance and all other applicable legal requirements, and upon payment of a fee provided herein.
- b. Each permit shall be valid for one year, from the date of issue.
- c. Each application for a permit shall be accompanied by a fee, payable to the Township of Wiconisco of fifteen dollars plus one dollar for each mobile home park lot in the mobile home park. The permit fee shall constitute the license fee for the first year commencing with the date of notice of approval of the application.
- d. 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 of Wiconisco Code Enforcement Officer on a form provided by him and shall be submitted together 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.
- e. The first application for a permit for a mobile home park existing on the effective date of this ordinance shall be made to the Township of Wiconisco Code Enforcement Officer on a form provided by him and shall be submitted together with copies of the following:
 - 1) A copy of the plan submitted to the Pennsylvania Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, Mobile Home Parks.

- 2) A permit issued by the Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, Mobile Home Parks.
 - 3) A receipt signed by the recorder of deeds showing that the mobile home park plat has been publicly recorded together with the Deed Book and page number indicated and two (2) copies of the recorded plat.
- f. Application for the annual renewal of a license shall be made by the holder of the license, to the Township of Wiconisco Code Enforcement Officer on a form provided by him, within fourteen days preceding expiration of the preceding license period, shall be accompanied by a fee as required in paragraph c above, and by any changes since the preceding license was issued.

The Township of Wiconisco Code Enforcement Officer shall inspect each mobile home park prior to the issuance of a license for conformance with the provisions of this ordinance and all of the applicable legal requirements.

- g. It shall be incumbent upon the proprietor of a mobile home park to keep a register and to report therein the name of person or head of family occupying each said mobile home, showing date of entry on said land, license number of automobile, serial number, and make and size of trailer, the last permanent address of the person or head of family using said mobile home, and the names of all persons using or living in said mobile home park.
- h. Said register and mobile home park shall be subject to inspection by the Township of Wiconisco Code Enforcement Officer annually or upon the request of the Township Supervisors.

SECTION 708.

ALTERATION OF REQUIREMENTS

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

SECTION 709.

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**FEEES****SECTION 801.**

The Township Board of Supervisors shall establish, by resolution, a collection procedure and schedule of fees to be paid by the developer at the time of filing of the sketch, Preliminary and Final Plat.

SECTION 802.

Charges for field inspection as required by the Township Supervisors for public improvements shall be based on actual costs incurred for such inspection.

SECTION 803.

No final plat shall be approved unless all fees and charges are paid in full.

ARTICLE IX

ALTERATION OF REQUIREMENTS

SECTION 901.

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship, the Township Supervisors, on the recommendation of 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.

SECTION 902.

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 903.

In granting any alteration of requirements the Township Supervisors shall record its action and the grounds for granting any variance to the applicant applying for the alteration.

SECTION 904.

Whenever a request for the alteration of requirements is denied, the Township Supervisors shall record its action and the grounds for such denial in its minutes. The Township Supervisors action and the grounds for such denial to the applicant.

ARTICLE X**ENFORCEMENT, PENALTIES, SEVERABILITY
AMENDMENTS AND ENACTMENT****SECTION 1001. AMINISTRATION AND ENFORCEMENT**

1. The Commission and the Governing Body shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein. Officials of the Township of Wiconisco 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 Ordinances of the Township of Wiconisco.
2. Permits required by the Township of Wiconisco for the erection or alteration of buildings, the installation of sewers or sewage disposal systems, or for other appertinent improvements to, or use of the land, shall not be issued by any Township of Wiconisco official responsible for such issuance until he has ascertained 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.
3. The Chairman of the Board of Supervisors shall require that applications for Sewage Disposal System Permits contain all the information for him 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 the Township of Wiconisco pertaining to the issuance of such permit.

SECTION 1002. AMENDMENTS

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.

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 dedicated any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of, a plat of such subdivision, or land development, or otherwise, or erect any building thereon, unless and until a final 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 misdemeanor, 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 hundred (\$100) dollars per lot or parcel or per dwelling or dwelling unit within in each lot or parcel.

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.

SECTION 1004. INJUNCTIONS

The Township of Wiconisco may also seek to enjoin any such laying out, construction, opening of any roads, drives or streets, sanitary or storm sewers, water mains or other improvements, transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction, in addition to the penalties herein provided, and may seek appropriate damages suffered by the Township as a consequence of any such unauthorized action.

SECTION 1005. 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 1006. ADOPTION

ADOPTED THIS 22nd day of December, 1975.

ATTEST:

Thomas B. Klings
Secretary of Township Supervisors

Harold J. Jones
President of Township Supervisors

