

**SUBDIVISION and LAND DEVELOPMENT
ORDINANCE**

for

**GREGG TOWNSHIP
UNION COUNTY, PENNSYLVANIA**

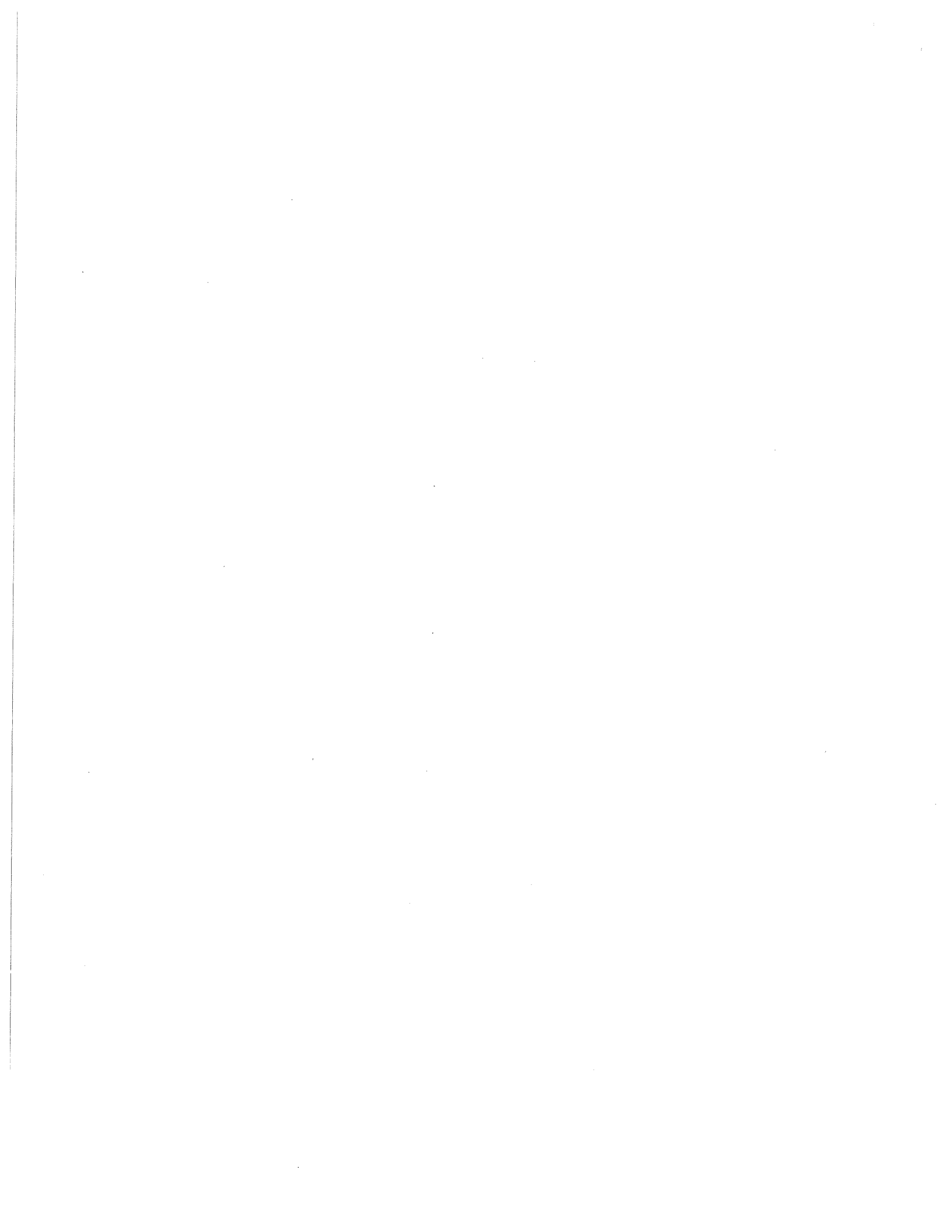
prepared by a committee comprised of

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Gregg Township Zoning Hearing Board
Gregg Township Planning Commission
Gregg Township Supervisors

ADOPTED

March 4, 1991

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EXECUTIVE SUMMARY

Definition of Subdivision

"Subdivision," 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, partition by the court for distribution to heirs or devisees, transfer of ownership or building development: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new streets or easement of access or any residential dwelling, shall be exempted.

Definition of Land Development

"Land Development," any of the following activities:

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

(i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

A subdivision of land.

Exception from Subdivision Definition

Where small portions of existing lots, tracts, or parcels of land are being acquired by governmental units or public utilities for use in road improvements, utility lines, or utility structures, these divisions of land may be exempt from the requirements of this Ordinance as per P.U.C. regulations, state law, or federal law.

Exception from Land Development Definition

Act 170 of 1988 provides for the exclusion of certain activities from the definition of land development. The following shall not be regarded as land development in Gregg Township:

(i) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;

(ii) The addition of any accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or

(iii) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclass, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until plans for the expanded area have been approved by proper authorities.

Jurisdiction

The Gregg Township Supervisors shall have the Authority to approve or disapprove all subdivision and land development plans for the township.

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A summary of the procedural actions that may be taken by the Applicant, the Township, and/or the Township Planning Commission during the development of a plan is presented below along with the Section reference where a detailed explanation of the procedure is located:

Review By Union County Planning Commission - Section 1.4.1. - The Union County Planning Commission shall provide its review within 30 days of the date of submission of the plan for review.

Plan Submission - Section 2.1.1. - All plans shall be submitted at least 14 days in advance of the meeting at which they are to be considered.

Referral Of Plans - Section 2.1.3. - The Township Secretary shall forward preliminary and final plans to review agencies upon receipt of said plans.

Final Plan Submission - Section 2.2.3.4. - Final plans shall be submitted within 5 years of Preliminary Plan approval.

Plan Approval - Section 2.3.1. - The Township Supervisors shall render its decision and communicate it to the applicant within 90 days of the next meeting following plan submission.

Communication Of Decision To Applicant - Section 2.3.2.1. - Township Supervisor decisions shall be in writing and delivered to the applicant or mailed to him within 15 days of the decision.

Acknowledgement Of Conditional Approval By Applicant - Section 2.3.3. - Applicants shall return executed concurrence to the Township Supervisors within 30 days of the conditional approval.

Approval Resolution To Facilitate Financing - Section 2.3.4. - This resolution shall expire within 90 days if an Improvements Guarantee Agreement is not executed.

Improvements Guarantee Agreement - Section 2.4.2.3. - Improvements Guarantee Agreements shall be valid for one year unless extended by increasing the guarantee fund amount.

Inspection By Engineer - Section 2.4.3.1. - The inspection of required improvements by the Township Engineer shall occur within 45 of the request to release improvements guarantee funds.

Completion Of Improvements - Section 2.4.3.2. - The Township shall authorize an engineering inspection within 10 days of notice that the improvements are complete.

Engineer's Report Concerning Completeness of Improvements - Section 2.4.3.2. - The engineers report shall be made to the applicant by certified mail within 30 days of the inspection authorization.

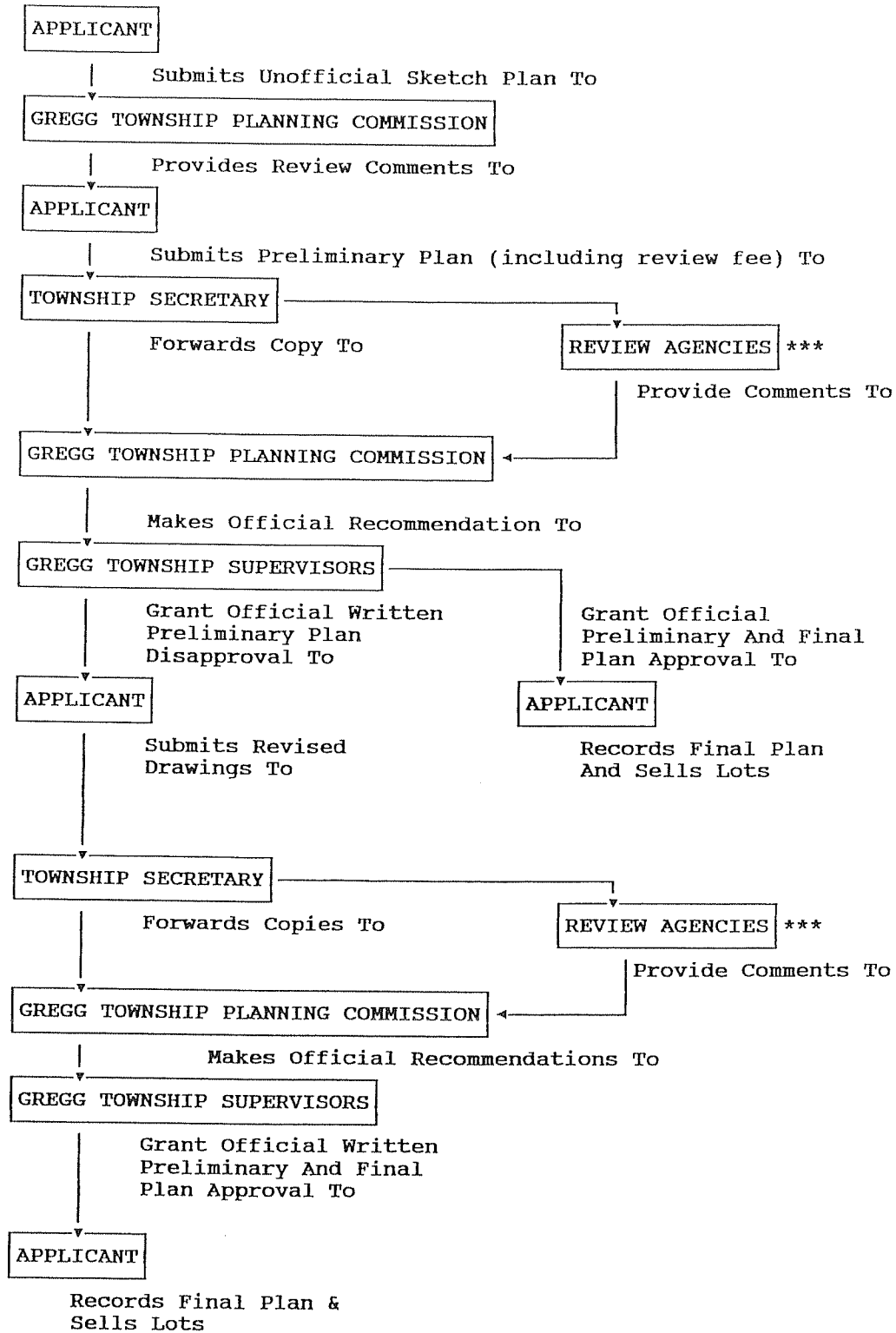
Maintenance Guarantee - Section 2.4.4.2. - The Township may require a maintenance guarantee to insure the integrity of the improvements for 18 months from the acceptance of the dedication of the improvements.

Recording Final Plan - Section 2.5.1. - Final plan approval by the Township Supervisors shall become null and void if the plan is not recorded at the Union County Recorders Office within 90 days of notification of final plan approval.

Disputed Review Fees - Section 8.3.3.1. - Any dispute of engineering review fees shall be initiated by the applicant within 10 days of the billing date.

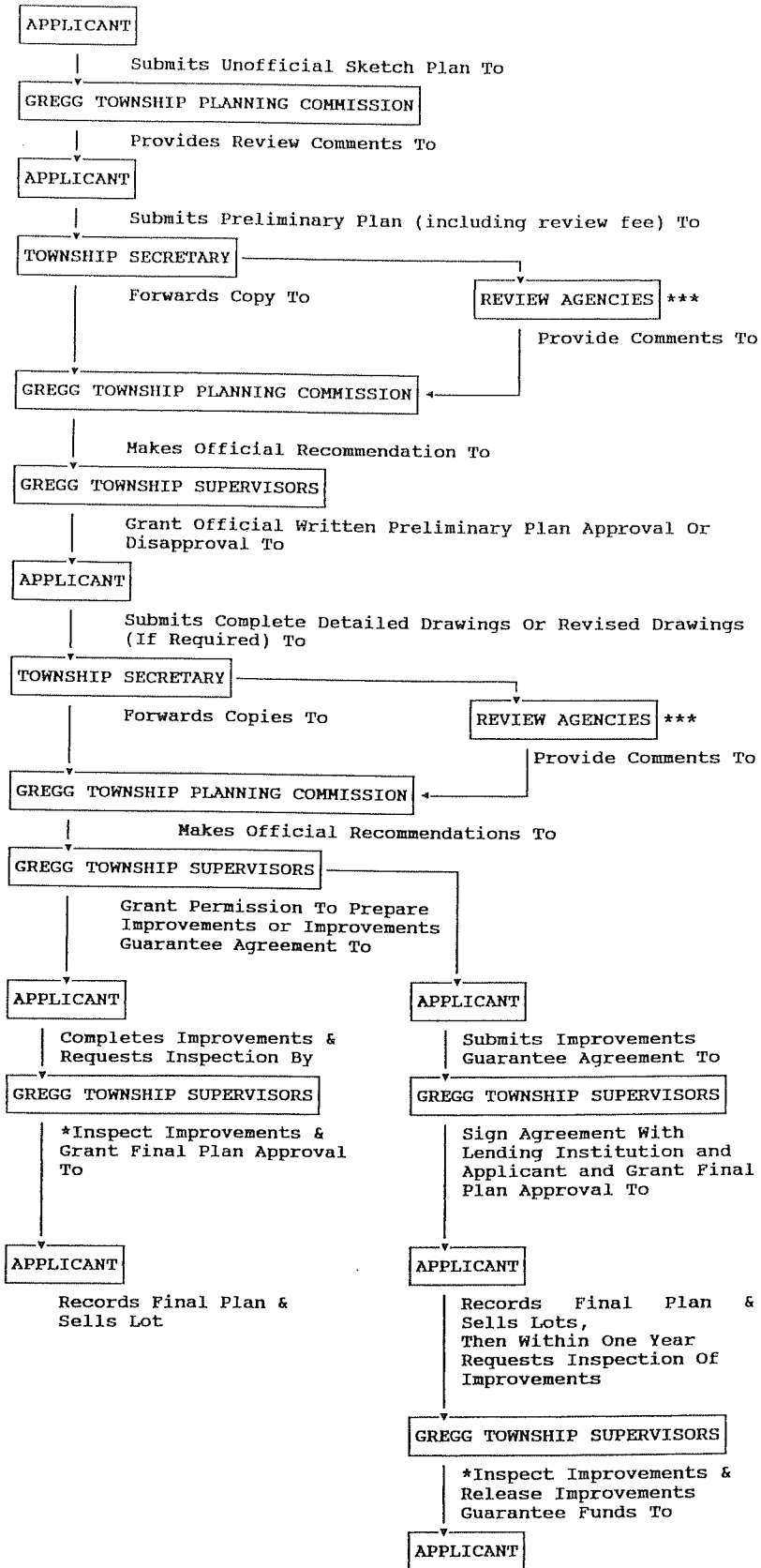
PROCEDURAL FLOW CHART FOR GREGG TWP. SLD

(FOR SUBDIVISION AND LAND DEVELOPMENT WITHOUT IMPROVEMENTS)



***REVIEW AGENCIES include:
 Gregg Township Municipal Authority
 Union County Planning Commission
 Union County Conservation District
 PennDOT
 Others As Required

PROCEDURAL FLOW CHART FOR GREGG TWP. SLD
(FOR SUBDIVISION AND LAND DEVELOPMENT WITH IMPROVEMENTS)



*Optional Maintenance Guarantee To Insure Integrity of The Improvements May Be Required By The Township At This Point.

***REVIEW AGENCIES include:
 Gregg Township Municipal Authority
 Union County Planning Commission
 Union County Conservation District
 PennDOT
 Others As Required

GREGG TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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ARTICLE I

SHORT TITLE, AUTHORITY, PURPOSE, AND JURISDICTION

1.1 SHORT TITLE

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

1.2. AUTHORITY

The Gregg Township Board of Supervisors is vested by law with the authority to regulate subdivision and land development within its boundaries by Section 501 of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended by Act 170 of 1988).

1.3. PURPOSE

This Ordinance is intended to provide for the harmonious development of the township by:

1.3.1. Providing for the equitable processing of subdivision and land development plans through uniform standards and procedures;

1.3.2. Providing for the protection of soil and water resources and storm water management facilities;

1.3.3. Providing for the health, safety, and general welfare of the township;

1.3.4. Providing for the safe and efficient movement of pedestrians and vehicles;

1.3.5. Promoting energy efficient subdivision and land development design;

1.3.6. Avoiding unsound development in floodplain areas;

1.3.7. Providing and protecting sites with recreation, conservation, scenic, and open space value; and

1.3.8. Promoting orderly and efficient integration of subdivision, land development, streets, and utilities.

1.4 JURISDICTION

The Gregg Township Supervisors shall have the Authority to approve or disapprove all subdivision and land development plans for the township.

1.4.1. Review by the Gregg Township Planning Commission

All plans for subdivision and land development received by the township shall be reviewed by the Gregg Township Planning Commission prior to any action by the Township Supervisors to approve or disapprove such plans. Review comments from the Township Planning Commission shall be transmitted to the Township Supervisors in writing.

1.4.2. Review by the Union County Planning Commission

All plans for subdivision and land development within the township shall be forwarded, upon receipt by the township to the Union County Planning Commission for review and recommendation. The township shall not approve or disapprove such plans until the County Planning Commission report is received or until the expiration of 30 days from the submission of the plan to the County Planning Commission, or within such further time as may be agreed upon between the County and the township.

1.4.3. Conflict With Other Ordinances

Should any provision of this Ordinance be found in conflict with the provisions of a zoning, building, fire, safety, health, or other ordinance or code of the township, the provision which establishes the higher standard for the protection of the health and safety of the township shall prevail.

1.4.4. Disclaimer of Liability

The approval of a subdivision or land development plan in which any portion of the subdivision or land development is within a floodplain area shall not guarantee the safety or practicality of any proposed use, and shall not create any liability upon the township, its officials or employees.

ARTICLE II

PROCEDURES

2.1. GENERAL PROCEDURES

The procedures established in this Article shall apply to all subdivisions and land developments that require approval by Gregg Township. It shall be the responsibility of the applicant to submit preliminary or final subdivision or land development plans that comply in all respects with the applicable provisions of this ordinance and to coordinate planning with utility or service agencies in the manner set forth in this ordinance.

2.1.1. Number of Copies

All subdivision or land development plans submitted for preliminary or final approval shall include six (6) copies of black on white or blue on white prints and two (2) copies of all other supporting materials and information required by this Ordinance (see Article III). Plans shall be submitted to the Township Supervisors not less than 14 days in advance of the regular meeting of the Supervisors at which the plan is to be considered. A plan shall be considered filed upon receipt by the Township of all the plans and materials, including review fees.

2.1.2. Change in Regulations

From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such plan adversely to the applicant. The applicant shall be entitled to a decision in accordance with the provisions of the ordinance as they stood at the time the application was filed.

2.1.3. Referral of Plans To Review Agencies

Upon receipt of a preliminary or final subdivision or land development plan, the Township Secretary shall affix a date stamp upon the plan and forward a copy of the plan to the Gregg Township Municipal Authority (if public water and/or sewage facilities are contemplated), to the Gregg Township Planning Commission, to the Union County Planning Commission, to the Union County Conservation District, to the Pennsylvania Department of Transportation (if a state highway is involved), and to other appropriate agencies or neighboring municipalities for review by those parties.

2.1.4. Site Inspection

The Township Planning Commission or its representative(s) shall visit the site in order to evaluate the proposed plan on the basis of the information presented before any recommendations are made to the Township Supervisors.

2.2. TYPES OF SUBDIVISION AND LAND DEVELOPMENT PLANS

2.2.1. Sketch Plan

2.2.1.1. Optional Sketch Plan

Subdividers are encouraged to prepare a sketch plan for informal discussion with the Township Planning Commission prior to submitting an official plan. Submission of a sketch plan will not constitute a formal filing of a plan with the Township.

2.2.1.2. Sketch Plan May Be Required

A sketch plan may be required showing the overall development concept when a preliminary plan is submitted for only a portion of a tract.

2.2.2. Preliminary Plan

2.2.2.1. Plans Requiring Improvements

Subdivision plans proposing streets, sanitary sewers, storm water facilities, or other improvements shall be considered as preliminary plans unless an improvements guarantee agreement has been filed with the Township or unless the improvements have been completely installed (see Section 2.4.2.).

2.2.2.2. Preliminary Plan Approval

Township approval of the preliminary plan shall constitute approval as to the character and intensity of the development, and the general layout and approximate dimensions of streets, lots, and other features. The approval binds the subdivider to the general scheme of the subdivision or land development shown and permits the subdivider to proceed with final detailed drawings of improvements, and with preparation of the final plan. Approval of the preliminary plan does not authorize the sale of lots nor the recording of the preliminary plan.

2.2.3. Final Plan

2.2.3.1. Submission In Sections

The final plan may be submitted in sections, each covering a portion of the subdivision or land development as shown on the preliminary plan. Each section, except for the last section, of a residential subdivision shall contain a minimum of 25% of the total number of dwelling units depicted on the preliminary plan, unless a lesser percentage is approved by the Township.

2.2.3.2. Conformance With Preliminary Plan

The final plan shall conform in all respects with the approved preliminary plan. Otherwise the plan submitted shall be considered as a revised preliminary plan.

2.2.3.3. Required Improvements

Where improvements have been installed in accord with a previously approved preliminary plan, or an acceptable improvements guarantee agreement has been filed with the Township, or where site improvements are not proposed by the subdivider, nor required by the Township, the proposed subdivision plan may be considered as a final plan.

2.2.3.4. 5 Year Rule

The applicant shall have a period of 5 years from the date of preliminary plan approval in which to submit a final plan. If the applicant fails to submit a final plan within the 5 year period, the approval of the preliminary plan shall become null and void unless an extension of time is requested by the subdivider in writing, along with a time schedule for submission of the final plan, and is approved by the Township prior to the expiration date.

2.3. APPROVAL OF PLANS

2.3.1. Deadline for Action By the Township Supervisors

The Township Supervisors shall render a decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Supervisors next following the date that the plan is filed. However, should the next regular meeting occur more than 30 days following the filing of the plan, the said 90 day period shall be measured from the 30th day following the day the plan has been filed. An extension in the time period for notification of plan action can be obtained by either the Township or the applicant, provided that the request for an extension is in writing and is granted by the other party in writing prior to the deadline for action.

2.3.2. Notification To Applicant

At a public meeting the Township Supervisors shall consider the subdivision or land development plan to determine its conformity to the design standards and other requirements of this Ordinance and to evaluate review comments received from the Township and County Planning Commissions, and other pertinent parties. The Supervisors shall notify the applicant of its decision in accordance with the following:

2.3.2.1. The decision of the Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.

2.3.2.2. When the application is not approved as filed the decision shall specify the defects found in the application and shall, in each case cite to the provisions of the ordinance relied upon.

2.3.2.3. Failure of the Township 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.

2.3.3. Conditional Approval

The Township Supervisors may grant preliminary or final plan approval subject to conditions acceptable to the applicant. The Township Supervisors shall list all such conditions within 15 days of the date of the conditional approval and present the listing to the applicant for concurrence. Failure on the part of the applicant to execute such concurrence and return it to the Township Supervisors within 30 days of the conditional approval date shall nullify the conditional approval.

2.3.4. Optional Approval Resolution To Facilitate Financing

When requested by the applicant, in order to facilitate financing, the Township Supervisors, shall furnish the applicant with a signed copy of a resolution indicating approval of the final plan contingent upon the applicant obtaining a satisfactory improvements guarantee agreement. The final plan or record plan shall not be signed nor recorded until the improvements guarantee agreement is executed. This resolution shall expire and shall be considered revoked if the improvements guarantee agreement is not executed within 90 days unless a written extension is granted by the Township Supervisors.

2.4. IMPROVEMENTS

2.4.1. General Requirements

2.4.1.1. Improvements required by the Township may include streets, sidewalks, sanitary sewers, water supply facilities, parking facilities, storm water facilities, utilities, parks, or other facilities needed for the development.

2.4.1.2. Improvements shall be installed by the applicant, or a suitable improvements guarantee shall be provided which shall ensure the provision of the improvements at the standards set forth in these regulations. The final plan shall not be approved until final detailed design of the improvements is approved and the improvements are installed and inspected and determined to be in a satisfactory state of repair, or a suitable improvements guarantee agreement for installation and maintenance is provided.

2.4.2. Improvements Guarantee Agreement

2.4.2.1. In lieu of the completion of the improvements required as a condition of final plan approval, the applicant may file with the Township a fiscal guarantee or an improvements guarantee agreement in the amount of 110% of the cost of the improvements estimated as of 90 days after the scheduled completion date of the improvements. The cost of required improvements shall be established by a Professional Engineer selected by the applicant and shall be submitted to the Township for approval. The Township may choose to reject such estimate for reasonable cause.

2.4.2.2. If the applicant and the Township are unable to agree upon an estimate, then the estimate shall be recalculated by a Professional Engineer mutually agreed upon by both the Township and the applicant. The estimate certified by this engineer shall be the final estimate. Fees for the service of this engineer shall be paid equally by the Township and the applicant.

2.4.2.3. Should the completion of the required improvements require more than one year, the Township may require an increase in the amount of improvements guarantee by an additional 10% for each year beyond the anniversary date of the original agreement.

2.4.3. Release From Fiscal Guarantee

2.4.3.1. The Township may authorize the release of a portion of the improvements guarantee to the applicant necessary for payment to a contractor performing the installation of the required improvements. The Township shall have 45 days from

receipt of the request to authorize its engineer to inspect and determine that the improvements covered by the guarantee have been installed satisfactorily.

2.4.3.2. When all necessary improvements have been completed the developer shall notify the Township in writing by certified or registered mail of the completion. The Township shall, within 10 days after receipt of such notice, authorize an inspection by its engineer of the required improvements. A report shall be made in writing by certified mail to the developer within 30 days of the inspection authorization and shall indicate approval or rejection of the required improvements.

2.4.3.3. Upon approval of the completed improvements the Township shall release to the developer those funds remaining in the improvements guarantee including all interest accrued. Prior to the release of such funds, the developer shall guarantee to the Township in writing the integrity of the improvements for a period of one year.

2.4.3.4. If a portion of the completed improvements shall be found unsatisfactory, the engineer's report shall contain a statement of reasons for rejection. The developer shall proceed to correct or complete those improvements and upon completion shall notify the Township in accord with the procedures noted above.

2.4.3.5. Should the Township fail to comply with the time limitations as provided, all improvements will be deemed to have been approved and the developer shall be released from all liability pursuant to the improvements guarantee agreement.

2.4.4. Dedication of Improvements/Maintenance Guarantee

2.4.4.1. Where the developer proposes to dedicate improvements to the Township, a deed which dedicates the land and such improvements to the Township shall be recorded with the final plan.

2.4.4.2. When the Township accepts dedication of all or some of the required improvements, the Township Supervisors may require up to 15% of the actual cost of installation of the improvements for a **Maintenance Guarantee** to insure the integrity of the improvements for a time period not to exceed 18 months from the date of acceptance of dedication.

2.4.4.3. The Township may approve a final plan without an offer to dedicate the streets or other improvements, provided that such improvements are noted as private on the final plan. The developer shall also be required to provide a notice in each deed, lease, or conveyance setting forth an arrangement for maintenance responsibilities.

2.5. FINAL PLAN RECORDING

2.5.1. Time Limit For Recording

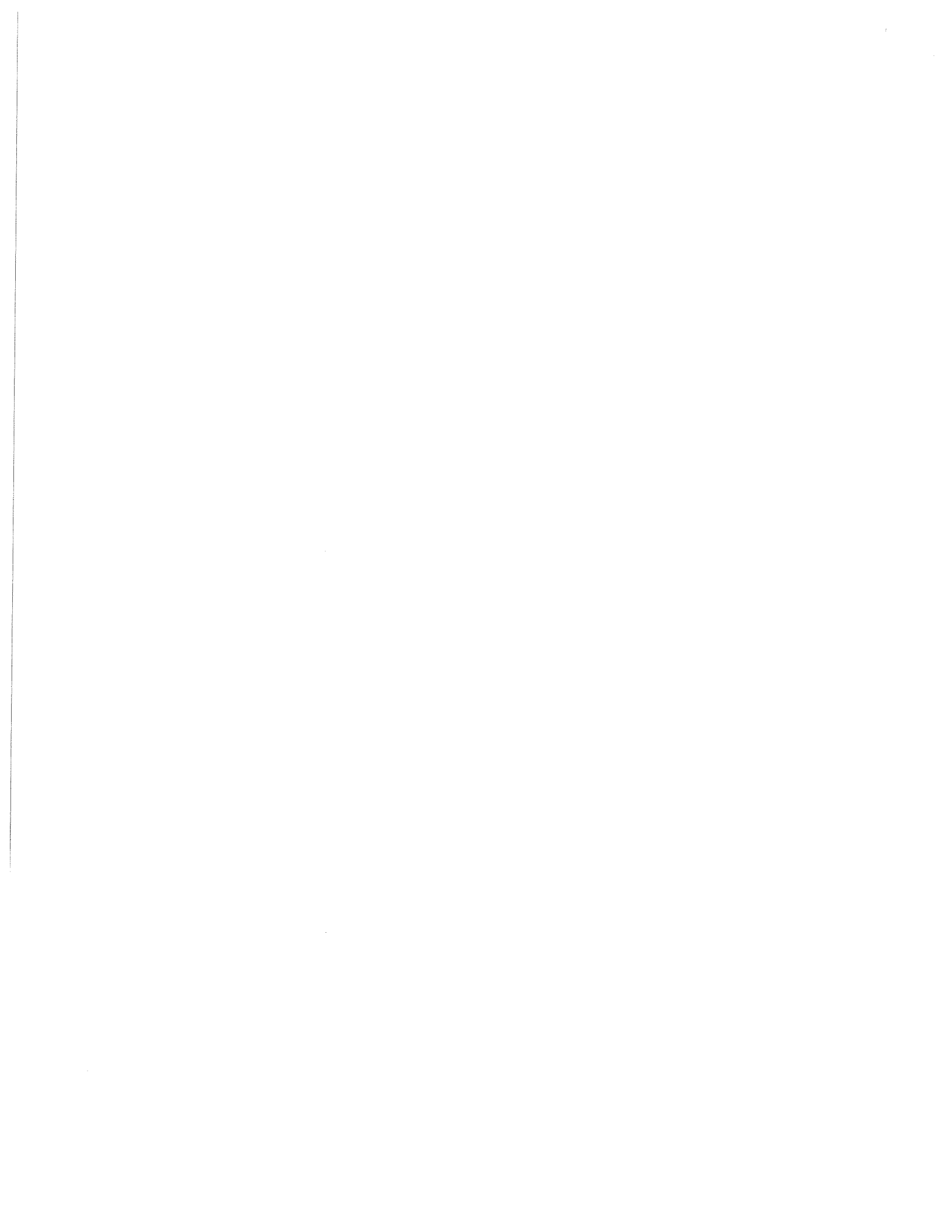
Upon notification of final plan approval, the subdivider shall record two copies of the approved plan in the office of the Union County Register and Recorder within 90 days after approval. Failure of the subdivider to record the final plan within the 90 day period, shall cause the approval of the Township to become null and void unless an extension of time is requested by the subdivider in writing and is granted by the Township before the expiration date. The final plan shall be filed with the Union County Register and Recorder before proceeding with the sale of lots or construction of buildings.

2.5.2. Offer of Dedication

Recording the final plan after approval by the Township has the effect of an irrevocable offer to dedicate all streets and other public areas to public use. The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Township concerning maintenance or improvement until the proper authorities of the Township have made actual appropriation by ordinance or resolution, by entry, or improvement.

2.6. RESUBDIVISION PROCEDURES

For any replotting or re-subdivision of land, the same procedures and regulations apply as prescribed for an original submission.



ARTICLE III

PLAN REQUIREMENTS

3.1 GENERAL REQUIREMENTS

3.1.1. All subdivision plans shall meet the requirements outlined in the following sections.

3.2 SKETCH PLAN

3.2.1. A sketch plan should show the following data and be legibly drawn to scale:

3.2.1.1. Outline of tract boundary, showing the location of the proposed development in relation to the parent tract and adjacent property owners;

3.2.1.2. Title block, including the name of the owner, municipality, date, and the scale of the drawing;

3.2.1.3. North arrow;

3.2.1.4. Significant topographic and physical features;

3.2.1.5. Proposed general street and lot layout, including the acreage of the area to be developed and any data available regarding sewers, septic systems, soil test sites, other utilities, and rights-of-way and easements.

3.2.1.6. Location sketch of the road and highway network of the area as related to the subject tract.

3.2.2. Minor Land Development

In addition to the requirements of Section 3.2.1. above, a plan for a minor land development (see Section 6.2.1.) shall meet the following:

3.2.2.1. The plan shall be drawn at a scale of not more than 100 feet to the inch, and shall be on sheets 18" x 24" or 24" x 36";

3.2.2.2. Six (6) copies of the plan and two (2) copies of proposed deed restrictions, if any, shall be submitted;

3.2.2.3. The land development plan shall include detailed specifications for streets, sidewalks, parking areas, sewage disposal and water supply, other utilities, storm water facilities, and any other necessary site improvements;

3.2.2.4. A copy of the required DER Planning Module, if any, or other required certificates or approvals shall be provided;

3.3 PRELIMINARY PLAN

The preliminary plan shall be drawn at a scale of not more than 100 feet to the inch, and shall be on sheets either 18" x 24" or 24" x 36". All plans shall appear on black-on-white or blue-on-white prints. If the plan is drawn in two or more sections, a key map of the sections shall be shown on each sheet with the match lines showing. All sheets shall be labeled, "sheet 1 of ____, etc." Six (6) copies of the preliminary plan shall be submitted.

3.3.1. The preliminary plan shall show:

3.3.1.1. Title block containing the name of the subdivision, municipality, tract owner, date, scale, and the name and profession of the individual preparing the plan;

3.3.1.2. North indicator;

3.3.1.3. Location map showing relation of tract to adjoining properties, related road and highway system, and municipal boundaries;

3.3.1.4. Tract map showing the relationship of the proposed development to the entire tract;

3.3.1.5. Names of the owners on all adjoining property and the names of all abutting subdivisions;

3.3.1.6. Existing and proposed contours at vertical intervals of five (5) feet or less and benchmark to which contour elevations refer. Contours at a two (2) foot interval may be required on level terrain or for intensive development projects. The Township may waive the contour requirement in low density developments involving no roads or utilities and where a site inspection provides adequate information for action on the plan;

3.3.1.7. Floodplains, existing water courses, wetlands, woodlots, and other significant natural features. The 100 year flood elevation shall be shown where available from the Township's Flood Insurance Study. If unavailable, the best available source shall be utilized such as the Flood Hazard Boundary Map, Corps of Engineers Maps, other floodplain mapping, or known flood elevations in the field;

3.3.1.8. Soil types and soil boundaries (for more information contact the Union County Conservation District);

3.3.1.9. Existing and proposed buildings, sewers, water lines, and culverts, transmission lines, fire hydrants, and other significant man-made features;

3.3.1.10. Deep probe and soil percolation test sites, if on-lot sewage facilities are proposed;

3.3.1.11. The location, name, and width of all existing and proposed streets, rights-of-way, parking and loading areas, and easements adjacent to or on the tract, including both street pavement and right-of-way widths;

3.3.1.12. Certification and seal of a professional land surveyor to the effect that the survey and map are correct;

3.3.1.13. Bearings and dimensions for existing boundaries, proposed lot lines, and areas to be dedicated to the public use, building setback lines, total acreage of the entire tract, total number of lots or dwellings units, a consecutive lot numbering system, zoning classification, and the approximate area of each lot in square feet.

3.3.2. The following information, data, and documents shall be submitted as appropriate with the preliminary plan:

3.3.2.1. Completed application form and review fee;

3.3.2.2. Copies of proposed deed restrictions, if any;

3.3.2.3. Cross-sections and center-line profiles for each proposed street;

3.3.2.4. Preliminary designs for proposed bridges and culverts;

3.3.2.5. A stormwater management plan in accord with Section 4.15 of this Ordinance;

3.3.2.6. A sewage facilities plan and required documentation as specified in Section 4.13 of this Ordinance;

3.3.2.7. A water facilities plan and required documentation as specified in Section 4.14 of this Ordinance;

3.3.2.8. Sketch of proposed street layout for the remainder of the tract where the preliminary plan covers only part of the subdivider's holdings;

3.3.2.9. An indication from the Municipality or the County Communications Center that proposed street names do not duplicate any now in use;

3.3.2.10. Estimated cost of required improvements;

3.3.2.11. An erosion and sedimentation control plan (and permit, if required) in accord with Title 25, Chapter 102 of the rules and regulations of the Department of Environmental Resources, as amended. For more information contact the Union County Conservation District;

3.3.2.12. If any portion of a development project is in a floodplain area, then documentation shall be submitted indicating compliance with pertinent laws and regulations of the Township and the Pennsylvania DER;

3.3.2.13. If any alteration, excavation, or relocation of a watercourse is proposed, a copy of the DER permit shall be submitted. For more information contact the Union County Conservation District.

3.3.2.14. If a subdivision of 25 or more lots or a land development generating more than 50 vehicles per day, a natural features analysis shall be required including:

3.3.2.14.1. Hydrology - An analysis of natural drainage patterns and water resources including streams, natural drainage swales, ponds or lakes, wetlands, floodplain areas, permanent and seasonal high water tables throughout the site.

3.3.2.14.2. Geology - An analysis of the characteristics or rock formations underlying the site including defining aquifers (particularly those locally subject to pollution), shallow bedrock areas, and areas, in which rock formations are unstable.

3.3.2.14.3. Soils - An analysis of the types of soils present in the site area including delineation of prime agricultural soil areas, aquifer recharge soil areas, unstable soils, soils most susceptible to erosion, and soils suitable for residential, commercial, or industrial development. This analysis shall be based upon the Union County Soil Survey of the U.S. Soil Conservation Service.

3.3.2.14.4. Topography - An analysis of the terrain in the site area including mapping of elevation and delineation of slope areas in excess of twenty percent, between ten and twenty percent, and under ten percent.

3.3.2.14.5. Vegetation - An analysis of tree and plant cover on the site, emphasizing the location of woodland and meadowland areas. Dominate tree and plant species shall be identified and certification shall be made that no vegetation on the site is classified as "Rare or Threatened" on the Pennsylvania Natural Diversity Index.

3.3.2.15. If a subdivision of 25 or more lots or a land development generating more than 50 vehicles per day a Community Impact Analysis shall be provided including:

3.3.2.15.1. Fiscal - A comparison of costs for services to the municipality verses revenues estimated to be produced shall be submitted. The most recent municipal and authority budgets shall be the basis for this analysis.

3.3.2.15.2. Traffic - An analysis of expected traffic patterns and volumes shall be submitted.

3.3.2.15.3. Utilities - The applicant shall demonstrate that the appropriate providers of utility services (electrical power, water, sewer. refuse disposal) have certified that services can and will be provided to the site.

3.3.2.15.4. Market Analysis - The applicant shall demonstrate that a sufficient market exists for the specific type of development proposed.

3.4 FINAL PLAN

The final plan shall be drawn at a scale of not more than 100 feet to the inch, and shall be on sheets either 18" x 24" or 24" x 36". All plans shall appear on black-on-white or blue-on-white prints. If the plan is drawn in two or more sections, a key map of the sections shall be shown on each sheet with the match lines showing. All sheets shall be labeled, "sheet 1 of ___,etc." Six (6) copies of the final plan shall be submitted.

3.4.1. The final plan shall show:

3.4.1.1. Title block containing the name of the subdivision, municipality, tract owner, date, scale, and the name and profession of the individual preparing the plan;

3.4.1.2. North indicator;

3.4.1.3. Location map showing relation of tract to adjoining properties, related road and highway system, and municipal boundaries;

3.4.1.4. Tract map showing the relationship of the proposed development to the entire tract;

3.4.1.5. Names of the owners on all adjoining property and the names of all abutting subdivisions;

3.4.1.6. Existing and proposed contours at vertical intervals of five (5) feet or less and benchmark to which contour elevations refer. Contours at a two (2) foot interval may be required on level terrain or for intensive development projects. The Township may waive the contour requirement in low density developments involving no roads or utilities and where a site inspection provides adequate information for action on the plan;

3.4.1.7. Floodplains, existing water courses, wetlands, woodlots, and other significant natural features. The 100 year flood elevation shall be shown where available from the Township's Flood Insurance Study. If unavailable, the best available source shall be utilized such as the Flood Hazard Boundary Map, Corps of Engineers Maps, other floodplain mapping, or known flood elevations in the field;

3.4.1.8. Existing and proposed buildings, sewers, water lines, and culverts, transmission lines, fire hydrants, and other significant man-made features;

3.4.1.9. Deep probe and soil percolation test sites, if on-lot sewage facilities are proposed;

3.4.1.10. The location, name, and width of all existing and proposed streets, rights-of-way, parking areas, and easements adjacent to or on the tract, including both street pavement and right-of-way widths and bearings and dimensions of rights-of-way and easements;

3.4.1.11. Certification and seal of a professional land surveyor to the effect that the survey and map are correct;

3.4.1.12. Bearings to the nearest second and dimensions to the nearest 100th of a foot for existing boundaries, proposed lot lines, and areas to be dedicated to the public use, building setback lines, total acreage of the entire tract, total number of lots or dwelling units, a consecutive lot numbering system, zoning classification, and the area of each lot in square feet. All surveyed areas shall close with an error not exceeding one (1) foot in ten thousand (10,000) feet;

3.4.1.13. The PennDOT Highway Occupancy Permit Number(s) or a notation that states that a PennDOT Highway Occupancy Permit is required before the construction of a driveway onto a state highway;

3.4.1.14. The location of all required monuments (see Section 4.10.).

3.4.1.15. All corrected and updated material from the preliminary plan.

3.4.1.16. Affidavit or certificate of ownership with all appropriate signatures and dated upon submission;

3.4.1.17. Space for approval certification by township supervisors and review certifications by the township and county planning commissions.

3.4.2. The following information, data, and documents shall be submitted as appropriate with the final plan:

3.4.2.1. Completed application form, plan review fee, and inspection fee (if required);

3.4.2.2. Copies of proposed deed restrictions, if any;

3.4.2.3. Final cross-sections and center-line profiles for each proposed street;

3.4.2.4. Final designs for proposed bridges and culverts;

3.4.2.5. A stormwater management plan in accord with Section 4.15. of this Ordinance;

3.4.2.6. A sewage facilities plan and required documentation as specified in Section 4.13. of this Ordinance;

3.4.2.7. A water facilities plan and required documentation as specified in Section 4.14. of this Ordinance;

3.4.2.8. All revised and corrected material from the preliminary plan;

3.4.2.9. Copies of deeds of dedication of improvements to the Township;

3.4.2.10. An erosion and sedimentation control plan (and permit, if required) in accord with Title 25, Chapter 102 of the rules and regulations of the Department of Environmental Resources, as amended. If the improvements have been installed then a written verification shall be required from the Union County Conservation District that the erosion and sedimentation control measures have been implemented.

3.4.2.11. If any portion of a development project is in a floodplain area, then documentation shall be submitted indicating compliance with pertinent laws and regulations of the Township and Pennsylvania Department of Environmental Resources;

3.4.2.12. If any alteration or relocation of a watercourse is proposed, a copy of the DER permit shall be submitted;

3.4.2.13. If improvements are required in the development, then one of the following requirements shall be met:

3.4.2.13.1. A written acknowledgement shall be obtained from the Township Engineer that the improvements have been inspected and installed in accord with the approved preliminary plan; or

3.4.2.13.2. An improvements guarantee agreement shall be executed between the Township Supervisors, the developer, and the fiscal guarantee agent. The improvements guarantee shall be in a form acceptable to the Township. Bonds, a bank letter of credit, or an escrow account are generally acceptable types of fiscal guarantees. See Section 2.4.

3.5 ADD-ON SUBDIVISION PLAN

The purpose of an Add-On Subdivision Plan is to provide for simplified plan requirements when the intent of the subdivision is to create a lot to be added to existing contiguous lots and when no new building lots or land development is proposed.

The Add-On plan shall be drawn at a scale of not more than 100 feet to the inch, and shall be on sheets either 18" x 24" or 24" x 36". All plans shall appear on black-on-white or blue-on-white prints. Six (6) copies of the final plan shall be submitted.

3.5.1. An "add-on" subdivision plan shall show:

3.5.1.1. Title block containing the name of the subdivision, municipality, tract owner, date, scale, and the name and profession of the individual preparing the plan;

3.5.1.2. North indicator;

3.5.1.3. Location map showing relation of tract to adjoining properties, related road and highway system, and municipal boundaries;

3.5.1.4. Tract map showing the relationship of the proposed lot to the entire tract and to the contiguous lot;

3.5.1.5. Names of the owners on all adjoining property;

3.5.1.6. Certification and seal of a professional land surveyor to the effect that the survey and map are correct;

3.5.1.7. Bearings to the nearest second and dimensions to the nearest 100th of a foot for existing boundaries, proposed lot lines, building setback lines, zoning classification, and the area of each lot in square feet. All surveyed areas shall close with an error not exceeding one (1) foot in ten thousand (10,000) feet;

3.5.1.8. The location of all required monuments (see Section 4.10.).

3.5.1.9. Affidavit or certificate of ownership with all appropriate signatures and dated upon submission;

3.5.1.10. Space for approval certification by township supervisors and review certifications by the township and county planning commissions.

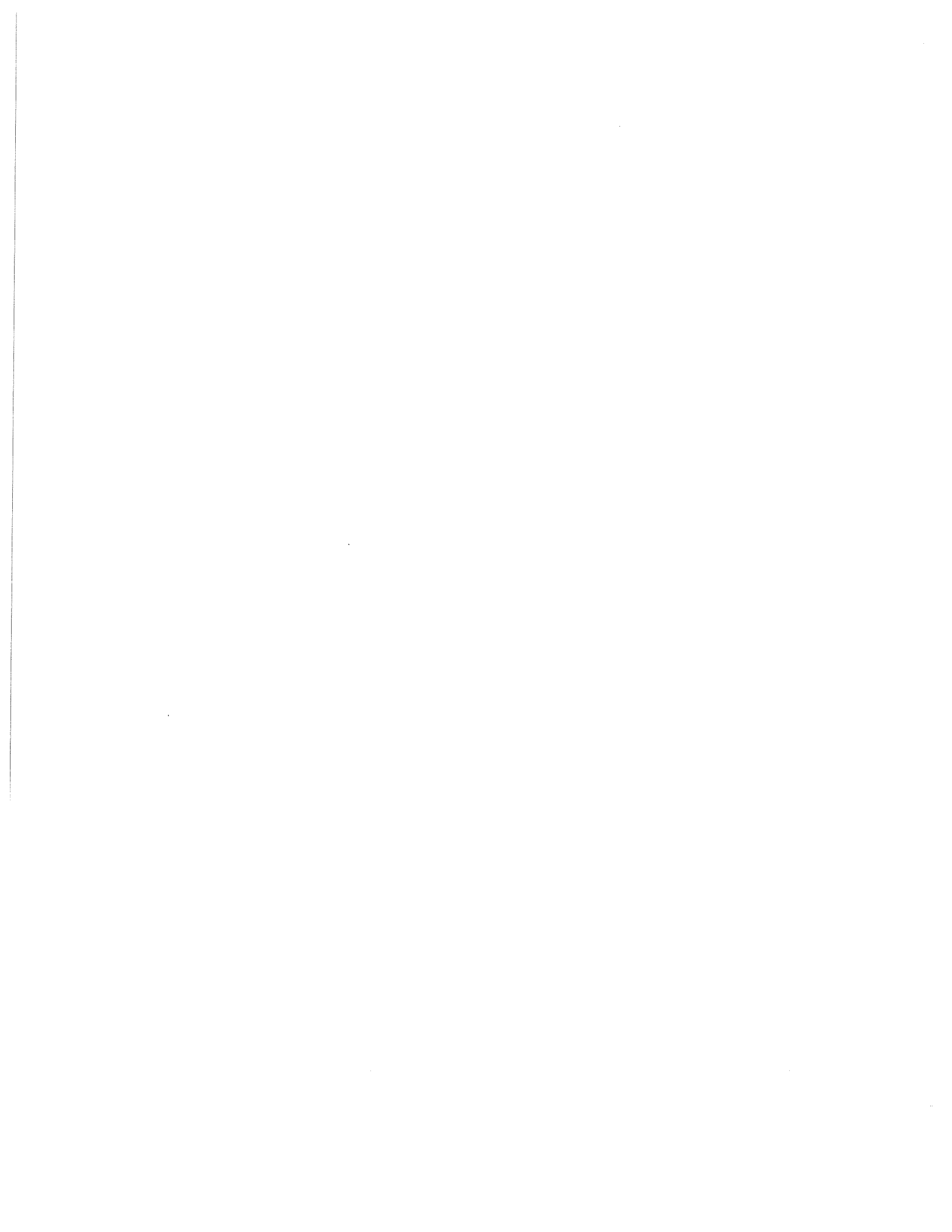
3.5.1.11. A notation stating that: "This lot is an addition to existing land of record of Grantee as recorded in Deed Book _____ Page _____. Both parcels to be considered as one for future subdivision, land transfers, land development, and/or building purposes."

3.5.1.12. In lieu of evidence of a sewage permit, SEO feasibility report, or access to central sewerage, it shall be noted on the subdivision plan, that: A permit for sewage disposal has been neither requested nor granted for this lot. The Grantee, his heirs and assigns, accept the responsibility for obtaining a permit for sewage facilities if, and at the time, same are necessary.

3.5.2. The following information, data, and documents shall be submitted as appropriate with the Add-On plan:

3.5.2.1. Completed application form, plan review fee, and inspection fee (if required);

3.5.2.2. Copies of proposed deed restrictions, if any.



ARTICLE IV

CONSTRUCTION AND DESIGN STANDARDS

4.1. GENERAL STANDARDS

The standards outlined in this Ordinance shall be applied by the Township in evaluating plans for proposed subdivisions or land developments. The standards outlined herein shall be considered minimum standards for the protection of the public welfare and the Township may require more restrictive standards where special circumstances warrant. Whenever township or other applicable regulations impose more restrictive standards, such other regulations shall control.

4.2. HAZARDOUS AREAS

Land deemed by the Township to be uninhabitable because of hazards to life, health, or property such as flooding, excessive slope, soil instability, inadequate soil bearing strength, or inadequate access shall not be subdivided or developed for building purposes unless:

- the hazard has been eliminated, or
- the plans show adequate safeguards to reduce the impact of the hazardous condition.

4.3. CONFORMITY WITH ZONING AND COMPREHENSIVE PLANS

The location of the subdivision shall conform to the township comprehensive plan, and the use of land in the subdivision shall conform to any applicable zoning ordinance.

4.4. STREET CLASSIFICATION SYSTEM

4.4.1. The State Highway System includes all public streets and highways maintained by the Pennsylvania Department of Transportation.

4.4.2. The Township Road Network includes all public streets and roads maintained by the Township. A subdivider proposing dedication of streets or roads to the Township shall submit road plans and specifications that meet or exceed the minimum requirements of this ordinance. A deed of dedication shall be recorded with the final plan in all cases where roads are to be dedicated to the Township.

4.4.3. Private streets shall include all streets not dedicated or maintained as part of the State Highway System or the Township Road Network. Private streets may only be permitted under the following conditions:

4.4.3.1. The plan shall show a notation regarding the private nature of the street and right-of-way.

4.4.3.2. The plan shall show a centerline survey of the private right-of-way.

4.4.3.3. The subdivider shall provide for inclusion in the deed or lease a Maintenance and Use Agreement indicating maintenance responsibilities for the private street. Both the responsibilities of the buyer or lessee and the subdivider shall be indicated.

4.4.3.4. In the event that the access to a proposed subdivision or development is along an existing private right-of-way, the subdivider shall furnish a Maintenance and Use Agreement for both the existing right-of-way users and the proposed users of the contemplated development. This agreement shall be recorded with the final plan and shall describe right-of-way width and location and maintenance responsibilities of all the parties involved.

4.5 STREET DESIGN STANDARDS

4.5.1. Minimum Standards

Street design standards are found in Table 4-1. Exceptions to the standards and details covering unique situations are included below.

4.5.2. Minimum Standards for Private Streets

The standards found in Table 4-2 are intended for private streets serving large lot, low density, rural residential or seasonal development.

4.5.3. Modification of Right-of-way Standard for Private Streets

The stipulated 50 ft. right-of-way width for developments of 5 or less lots (see Table 4-2) may be modified in accord with the modification provision of this ordinance to no less than 20 ft. in accord with the following criteria:

4.5.3.1. A 50 ft. right-of-way shall always be required within the subdivision tract.

TABLE 4-1

MINIMUM STREET, CURB, AND SIDEWALK DESIGN STANDARDS¹

Specification	Standard
L O C A L S T R E E T	
Right-of-Way Width	50 ft.
Cartway Width	20 ft.+ 5 ft. shoulder each side
Cul-De-Sac Turn Around	
Right-Of-Way Radius	50 ft.
Cartway Radius	40 ft.
Grade: Minimum	0.5 %
Maximum	12 %
Sight Distance	200 ft. measured along the centerline
Centerline Radius For Horizontal Curves	150 ft.
Tangent Between Reverse Curves	none required
Sidewalk Width	5 ft.
Curb Width	8 in. at base tapering along the cartway side to 7 in.
C O L L E C T O R S T R E E T	
Right-of-Way Width	60 ft.
Cartway Width	24 ft. + 6 ft. shoulder each side
Grade: Minimum	0.5 %
Maximum	7 %
Sight Distance	400 ft. measured along the centerline
Centerline Radius For Horizontal Curves	300 ft.
Tangent Between Reverse Curves	100 ft.
Sidewalk Width	5 ft.
Curb Width	8 in. at base tapering along the cartway side to 7 in.

¹The Township may require curbs, sidewalks, and increased cartway widths for higher density residential and commercial development and/or for stormwater control measures.

TABLE 4-2

MINIMUM DESIGN STANDARDS

FOR PRIVATE STREETS¹

	5 Lots Or Less	More Than 5 Lots
Right-of-Way Width	50 ft. ²	50 ft.
Cartway Width	16 ft.	Design to standards for local streets
Cul-De-Sac Turn Around		
Right-of-Way Radius	40 ft.	
Cartway Radius	30 ft.	(See Table 4-1)
Maximum Grade	12 %	
Sidewalk Width	5 ft.	
Curb Width	8 in. at base tapering along the cartway side to 7 in.	

¹The Township may require curbs, sidewalks, and increased cartway widths for higher density residential and commercial developments and/or for stormwater control measures.

² The minimum width may be reduced to no less than 20 ft. in accord with Section 4.5.3. of this Ordinance.

4.5.3.2. Where the access road to the subdivision traverses other tracts of land before connecting to a public road, a deeded right-of-way of no less than 20 feet may be accepted by the township across those tracts.

4.5.3.3. The criteria to be utilized by the Township when considering this modification shall include year round verses seasonal status, terrain, number of affected property owners, drainage considerations, slope, and other factors regarding the use of the road.

4.5.3.4. When the number of lots in the original subdivision for which this access road is developed or this number plus the number of lots in any subsequent subdivision served by this access road exceeds five (5) then the width of the complete right-of-way shall be upgraded to fifty (50) feet.

4.5.4. Rights-Of-Way

4.5.4.1. Where a subdivision or development abuts or contains an existing street of inadequate right-of-way width, additional or future right-of-way width may be required in accord with Table 4-1. However, if the development abuts only one side of the road the subdivider shall be required to provide only one-half of the additional right-of-way required.

4.5.4.2. Additional street right-of-way may be required by the Township for public safety and convenience, for acceleration or deceleration lanes into parking lots or streets, and in high density residential developments.

4.5.5. Cul-De-Sac Streets

4.5.5.1. Cul-de-sac streets permanently designed as such shall be provided with a turnaround in accord with Table 4-1. They shall not exceed 1200 feet in length or provide access to more than 20 dwelling units. In instances where the Township agrees to modify either of these requirements due to terrain conditions, an intermediate turnaround with a center island to guide traffic may be required.

4.5.5.2. A temporary all weather turnaround shall be provided for all dead end streets that provide access to future development on adjacent tracts of land. The turnaround shall as a minimum be constructed in accord with the subbase and base specifications for a local street.

4.5.5.3. Innovative alternatives to the standard circular turnaround may be permitted by the Township for private roads and where equivalent area for a turnaround in accord with

Table 4-1 is provided. The use of an innovative alternative may jeopardize the eligibility for PennDOT Liquid Fuels Tax reimbursement for the cul-de-sac street.

4.5.6. Street System Layout

4.5.6.1. Local streets shall be laid out to discourage through traffic, although provisions for street connections into and from adjacent areas will generally be required.

4.5.6.2. The extension of collector streets into and from adjoining areas shall be required.

4.5.6.3. If the lots in a development are large enough for re-subdivision, or if a portion of the tract is not subdivided, adequate street right-of-way to permit further subdivision shall be provided as necessary.

4.5.6.4. Where a subdivision or land development abuts a major collector or arterial street, the Township may require an internal street system, marginal access street, rear service street, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections and driveways with the major or arterial street, and separation of local and through traffic. Direct driveway access to SR 0015 shall be prohibited.

4.5.6.5. Proposed streets shall conform to the Official Map of the Township, if such a map has been adopted in accord with Article IV of Act No. 170 of 1988, as amended.

4.5.7. Street Intersections

4.5.7.1. Intersections involving the junction of more than two streets shall be prohibited.

4.5.7.2. Streets shall be laid out to intersect as nearly as possible at right angles. No local street shall intersect another at an angle of less than sixty (60) degrees. This standard shall be increased to seventy five (75) degrees for the intersection of a local street with either a collector street or with a street on the State Highway System.

4.5.7.3. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 150 feet as measured between their centerline.

4.5.7.4. Local and collector streets shall not intersect with collector and arterial streets at intervals of less than 800 feet as measured between their centerline.

4.5.7.5. Minimum right-of-way radii shall be not less than twenty-five (25) feet for all intersections.

4.5.7.6. Minimum curb or edge of pavement radii at intersections involving only minor streets shall not be less than fifteen (15) feet.

4.5.7.7. Clear site triangles of 75 feet shall be maintained at all intersections, measured along the centerline from the point of intersection. No significant obstructions or plantings higher than 30 inches or tree limbs lower than eight (8) feet shall be permitted within this area.

4.5.8. Street Grades and Alignments

4.5.8.1. All private and public streets shall be provided with a leveling area having a grade of four (4) percent or less for a distance of 25 feet measured from the edge of the shoulder or curb of the intersecting street.

4.5.8.2. Vertical curves shall be required at changes of grade exceeding one (1) percent.

4.5.8.3. Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.

4.5.8.4. The grade of a street cross section measured from the crown shall be within the limits of 1/4 inch to 3/8 inch per foot. Shoulder cross-slopes shall be 3/4 inch per foot.

4.6 DRIVEWAY DESIGN STANDARDS

4.6.1. Proposed lots or land developments shall be laid out in relation to public and private streets so that safe driveway access can be provided in accord with Table 4-3.

4.6.2. Proposed lots or land developments requiring access to the State Highway System shall contain a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to the state highway is permitted.

4.7 STREET CONSTRUCTION STANDARDS

4.7.1. New Streets

Streets shall be built in accord with the subdivision plan approved by the township. The construction standards of Table 4-4 shall govern unless the township requires more stringent standards due to adverse soils or other conditions.

TABLE 4-3

DRIVEWAY DESIGN STANDARDS

Standard	Driveway Type		
	Single Family Residential	Multi-Family Residential	Commercial & Industrial
Minimum Width	10 ft.	15 ft.	15 ft.
Maximum Grade ¹	15 %	12 %	8 %
Minimum Curb Radius ²	10 ft.	15 ft.	15 ft.
Minimum Intervals ³	40 ft.	40 ft.	40 ft.
Minimum Sight Distance ⁴	150 ft.	200 ft.	300 ft.

¹ All driveways shall maintain the grade of the road shoulder. All grade changes beyond the outside edge of the road shoulder shall comply with the specifications of Appendix B of the Highway Occupancy Permit Ordinance of White Deer Township. The driveway shall intersect the street at an angle of not less than 60 degrees.

² Where drop curbs are used for driveway openings, the minimum drop curb width for single family residential shall be 20 feet. For multi-family and nonresidential uses the minimum width shall be 35 feet.

³ The minimum interval for single family residential development shall apply only between an intersection and the first driveway removed from the intersection. In the case of multi-family and nonresidential driveways the minimum interval shall apply between all driveways and street intersections.

⁴ The minimum sight distance shall be measured from the point of intersection of the driveways centerline and street right-of-way line to a point on the cartway centerline. No significant obstructions or plantings higher than 30 inches or lower than eight feet shall be permitted within this area.

TABLE 4-4

STREET, CURB, AND SIDEWALK CONSTRUCTION STANDARDS¹²³

Street Type	Course ⁴	Type of Material	Depth of Material ⁵
Collector	Wearing Surface	ID - 2A	2 1/2"
	Base	Bit. Concrete, Dense Grade, or Crushed Aggregate	4"
	Subbase	2A Subbase	6"
Local Street	Wearing Surface	ID - 2A	1 1/2"
	Base	Bit. Concrete Base Course	4"
	Temporary Wearing Surface	Dust oil and Double Seal Coat Using 1B stones	
	Subbase	2A Subbase	6"
Private Street ⁶	Wearing Surface	-	-
	Base	2A, 2 RC	4"
	Subbase	Shale	6"
Sidewalks	Wearing Surface	Concrete	4"
	Base	Crushed Aggregate	4"
Curbs	Material	Concrete	18"

¹ All materials and their application shall conform with Penndot, Form 408.

² See Section 4.7.3. for shoulder specifications.

³ Where poor soil conditions exist, additional subbase and base materials may be required.

⁴ The subbase course shall extend 6" in width beyond the finished wearing surface width.

⁵ All materials shall be compacted with a minimum of a ten ton roller.

⁶ Private streets serving more than 5 lots or dwelling units shall be constructed to local street specifications.

4.7.2. Existing Private Streets

Existing private streets shall be upgraded to the standards of the subdivision ordinance (Tables 4-1, 4-2, and 4-4) when being utilized as access to a proposed subdivision.

4.7.3. Road Shoulders

Road shoulders shall be constructed of either 2A "subbase" or 2RC material in accord with PennDOT 408 specifications. This material shall be compacted to the depth of the road base and wearing surface combined and shall have a cross slope in accord with Section 4.5.8.4.

4.7.4 Sidewalks and Curbs

Sidewalks and/or curbs, if required, shall be constructed of portland cement concrete, equal to, or higher in quality, than Class A concrete, in accord with Table 4-4 and PennDOT Form 408 specifications, as amended. Compliance with the Township's Curb and Sidewalk Ordinance, if any, shall also be required.

4.8 BLOCKS

Blocks shall be a maximum of 1,600 feet in length, although the township may grant a waiver to this requirement in the event of unusual topographic conditions.

4.9 LOT SIZE AND BUILDING SETBACK LINES

Minimum lot sizes and setback lines for the township are found in the township zoning code.

4.10. MONUMENTS

Monuments shall be solid steel, aluminum, copper, or brass bars at least 30" x 1/2" diameter and shall be set at all newly established points where lines or lines and curves intersect. Survey caps and underground magnetic markers may also be utilized in conjunction with bars used for monuments.

In subdivisions of 10 lots or greater, a minimum of two permanent reference monuments shall be established in the external boundary of the subdivision where the bar is set in concrete at least 6" x 6" x 30".

4.11. EASEMENTS

4.11.1. Utility Easements

The width and location of utility easements shall be as specified by the particular utility company. To the maximum extent possible easements shall be centered on or located adjacent to side or rear property lines or adjacent to the street right-of-way in the front yard. If feasible, utility easements may also be located within the street right-of-way.

4.11.2. Drainage Easements

Where a subdivision or land development 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 without damaging adjacent property. Drainage easements shall also be provided for the maintenance and protection of storm sewers and other storm water management facilities. Easements shall permit necessary public or private channel maintenance or improvement work and access of equipment, and shall prohibit buildings or other permanent structures. Maintenance responsibilities for private easements shall be provided in accord with Section 2.4.4.3. of this ordinance.

4.12. UTILITIES

Utilities including electric, telephone, and cable television shall be installed underground in accord with the PA Underground Utilities Act No. 287 of 1974. Underground utilities are not required for any of the following situations:

4.12.1. For a residential subdivision of less than five (5) lots bordering an existing street which is presently served by overhead utility service;

4.12.1. For service to a commercial or industrial development;

4.12.1. For a project where a variance under Act 287 has been granted by the Pennsylvania Public Utility Commission.

4.13. SEWAGE FACILITIES

4.13.1. Sewage Disposal Method

Subdivisions shall be connected to a public sewer system in accord with the requirements of the Gregg Township Municipal Authority and

the Pennsylvania Department of Environmental Resources unless connection is not feasible. The Township may permit the following alternatives listed in order of preference:

4.13.1.1. Connection to a private sewer system designed and constructed by the developer in accord with the requirements of the Pennsylvania Department of Environmental Resources.

4.13.1.2. Utilization of on lot sewage disposal facilities in accord with the requirements of the Pennsylvania Department of Environmental Resources.

4.13.2. Sewage Planning Requirements

The developer shall submit documentation with the preliminary plan application that verifies Gregg Township Municipal Authority or Township Sewage Enforcement Officer approval of the proposed sewage disposal method. Additional documentation shall be provided that verifies Pennsylvania Department of Environmental Resources approval.

4.13.2.1. 10 Lots or Less Utilizing On-Lot Facilities

Copies of the approved sewage disposal permits for each lot shall be provided. As an alternative, disposal permits may not be required for every lot, provided that the developer shall submit a Pennsylvania Department of Environmental Resources Component I - Planning Module signed by the Sewage Enforcement Officer which states that the soils for the subdivision are generally suitable for on-lot facilities.

4.13.2.2. More Than 10 Lots Utilizing On-Lot Facilities, Private Sewer System, or Sewer Extension of a Public Sewer System

A copy of the approved Pennsylvania Department of Environmental Resources Planning Module for a Revision or Supplement shall be provided.

4.13.2.3. Subdivision Not Approved For On-Lot Sewage Disposal

The Township may elect to grant subdivision approval without approved on-lot sewage facilities provided the following notation is prominently affixed to the plan:

"Lot #___ is not approved for on-lot sewage disposal. Subdivision plan approval does not guarantee that a permit for on-lot disposal can be obtained. No building or zoning permit for a structure or use requiring sewage facilities shall be issued by the Township for this lot until an on-lot sewage disposal permit has been obtained."

4.14. WATER SUPPLY

4.14.1. Public Water Supply

The subdivision or land development shall be connected to a public water supply company unless the developer provides documentation that such a connection is not feasible. The Township may require that the developer provide a cost feasibility study prepared by a licensed professional engineer as part of the documentation.

4.14.2. On-Lot Water Supply

In the event that the water supply to a proposed subdivision or land development is proposed via individual on-lot wells and where known groundwater problems exist, the Township may require that the developer provide a feasibility study by a licensed professional engineer or hydrogeologist to evaluate the adequacy of water quality and quantity for the proposed development. Prior to subdivision plan approval the developer shall demonstrate that adequate, safe, and reliable water supply exists for the proposed development in accord with the standards of the Safe Water Drinking Act.

4.14.3. Documentation of Available Water Supply

If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the township that the subdivision or development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

4.15. STORM WATER MANAGEMENT

4.15.1. The management of storm water on the site, both during and upon the completion of construction, shall be accomplished in accord with this section. These requirements shall be waived when the project results in less than 20,000 sq.ft. of new impervious coverage. The design of any temporary or permanent facilities or structures and the utilization of a natural drainage system shall be in full compliance with this section and with the interpretations of the Township.

4.15.2. Subdividers are urged to consider alternative solutions for storm water management and to select the most appropriate and economical system for their development project.

Applicants are urged to consult with the Union County Conservation District for guidance in preparing the storm water management plan.

4.15.3. All storm water management facilities including detention basins, sewers, and culverts shall be designed by an individual qualified and/or experienced in their design.

4.15.4. The anticipated peak rate of storm water runoff from the site during and after full development shall not exceed the peak rate of runoff from the site prior to development activities, measured in accordance with the standards and criteria of this section. This rule may be waived for locations within a watershed where retention of storm water would be harmful to the overall control of storm water in that watershed if the concurrence of the Union County Conservation District is obtained.

4.15.5. Storm sewers, swales, culverts, bridges, and related facilities shall be provided to:

4.15.5.1. Permit the unimpeded flow of natural water courses; and

4.15.5.2. Insure the drainage of all points along the line of streets; and

4.15.5.3. Intercept storm water runoff along streets at reasonable intervals related to the extent and grade of the area drained, and to prevent the flooding of intersections and the undue concentration of storm water; and

4.15.5.4. Provide storm water drainage away from on-lot sewage disposal systems; and

4.15.5.5. Insure unrestricted flow of storm water under driveways, and at natural watercourses or drainage swales.

4.15.6. The following criteria shall be utilized for computing runoff:

4.15.6.1. The U.S. Department of Agriculture Soil-Cover Complex Method shall be utilized to compute runoff for the design of storm water runoff rate reduction facilities. The peak runoff rates and volumes shall be determined by using Chapter 2 of the Engineering Field Manual, August 1989, USDA, SCS, and by using Technical Release No. 55, Urban Hydrology for Small Watersheds, USDA, SCS, June 1986, as supplemented, amended and changed from time to time.

To compute design flows for the sizing of storm sewers, inlets, and swales, the Rational Method may be used in lieu of the Soil Cover Complex Method. The Township may also permit the use of the Rational Method for calculation of runoff from sites of ten (10)

acres or less. Any method approved by the Pennsylvania Department of Transportation or the Pennsylvania Department of Environmental Resources may be used to design the waterway areas of bridges.

4.15.6.2. Where farm fields or disturbed earth is the existing natural condition, meadowland shall be used as the starting base for calculations instead of the natural condition.

4.15.6.3. Storm frequencies for 2, 10, and 100 year storm events shall be evaluated and no greater runoff rate shall be permitted after development than what existed prior to development for any of these events. Rainfall frequency data is available from the U.S. Department of Commerce, National Weather Service and the Department of Environmental Resources, Research Publication Number 70.

4.15.7. When existing storm sewers or drainage swales are accessible, the subdivider may connect his storm water drainage system to the existing facilities provided that the township approves the connection.

4.15.8. Design Considerations

4.15.8.1. All storm sewers shall be constructed using PennDOT Form 408 specifications, as amended, unless otherwise dictated by the Township.

4.15.8.2. Storm water roof drains shall not discharge into any municipal sanitary sewer line or over a sidewalk.

4.15.8.3. The minimum pipe size shall have a waterway opening of 1.23 square feet (15" diameter or equivalent arch pipe).

4.15.8.4. Inlets shall be placed at the curb line where a curbed section is installed. Inlets required for parallel or cross drainage without a curbed section shall be set at the centerline of the ditch.

4.15.8.5. Structures shall be PennDOT Type M pre-cast concrete or cast-in-place Class A concrete. Brick or block structures shall not be permitted. Solid concrete block or brick may be incorporated into a structure only for grade adjustment of the casting.

4.15.9. Bridges and culverts shall have ample waterway opening to carry expected flows, based on a minimum storm frequency of twenty-five (25) years. Bridge and culvert construction shall be in accordance with the Pennsylvania Department of Transportation specifications and shall meet the requirements of the Pennsylvania Department of Environmental Resources.

4.15.10. Detention basins for storm water peak discharge storage shall comply with the following criteria:

4.15.10.1. Basins shall be installed prior to any earthmoving or land disturbance which they will serve. The phasing of their construction shall be noted in a narrative and on the plan.

4.15.10.2. Whenever a basin will be located in an area underlain by limestone, a geologic evaluation of the proposed location may be required to determine susceptibility to sinkhole formations. The design of all facilities over limestone formations shall include measures to prevent ground water contamination and, where necessary, sinkhole formation.

4.15.10.3. Soils used for the construction of basins shall have low erodability factors ("K factors").

4.15.10.4. The minimum storage capacity for a detention basin shall be determined by routing the projected post-development 25 year- 24 hour storm through the basin and releasing it at a rate not to exceed the before development 10 year- 24 hour discharge.

4.15.10.5. Energy dissipators and/or level spreaders shall be installed at points where pipes or drainage ways discharge to or from basins. Discharge from basins shall be into a natural waterway or drainage way.

4.15.10.6. Exterior slopes of compacted soil shall not exceed one foot (1') vertical in three feet (3') horizontal and may be further reduced if the soil has unstable characteristics.

4.15.10.7. Interior slopes of the basin shall not exceed one foot (1') vertical in three feet (3') horizontal except with the approval of the Township. Where concrete, stone, or brick walls are used for steeper interior slopes, the basin shall be fenced with a permanent wire fence at least forty-two inches (42") in height and a ramp of durable , non-slip materials for maintenance vehicles shall be provided for basin access.

4.15.10.8. Outlet structures within basins which will control peak discharge flows and distribute the flows by pipes to discharge areas shall be constructed of concrete, polymer-coated steel or aluminum and shall have childproof, non-clogging trash racks over all design openings exceeding twelve (12") inches in diameter, except those openings used to carry perennial stream flows. Small outlet structures may be constructed of Schedule 40 PVC. Where spillways will be used to control peak discharges in excess of the ten (10) year storm, the control weirs shall be constructed of concrete of sufficient mass and structural stability to withstand the pressures of impounded waters and outlet

velocities. Concrete outlet aprons shall be designed as level spreaders and shall extend at a minimum to the toe of the basin slope. The incorporation of any large stone found on the site into the concrete apron to provide a more natural appearance is suggested. Construction shall comply with PennDOT Form 408 specifications.

4.15.10.9. Inlet and outlet structures shall be located at maximum distance from each other. The Township may require a rock filter berm or rock-filled gabions between inlet and outlet areas when the distance is deemed insufficient for sediment trappings.

4.15.10.10. Temporary and permanent grasses or stabilization measures shall be established on the sides of all earthen basins within fifteen (15) days of initial construction.

4.15.10.11. Information and references regarding the design of detention ponds can be found in Soil Conservation Service Engineering Standard 378, "Pond", December 1981 as amended (contact Union County Conservation District for more information).

4.15.11. Provisions shall be required to insure the maintenance of storm water management facilities. An agreement, suitable for recording, shall be entered into between the subdivider and the Township, specifying:

4.15.11.1. The legal entity responsible for maintaining the storm water management system; and

4.15.11.2. That the storm water management structures shall be maintained in proper working order.

4.16. SOIL EROSION AND SEDIMENT CONTROL

4.16.1. In order to prevent accelerated erosion and resulting sedimentation, land disturbance activities shall be conducted only in conformity with the following principles:

4.16.1.1. There shall be no increase in discharge of sediment or other solid materials from the site as a result of storm water runoff; and

4.16.1.2. Erosion and sedimentation devices such as temporary vegetative cover, mulch, temporary detention basins, diversion terraces, rock filter berms, or hay bales appropriate to the scale of operations shall be installed concurrent with earthmoving activities and whenever a situation is created which would contribute to increased erosion; and

4.16.1.3. Earthmoving and the addition of fill shall be minimized where possible and practicable to preserve desirable natural features and the topography of the site. Changes in grade and topography and other earthmoving shall be in accordance with the storm water management plan prepared by the subdivider and approved by the Township; and

4.16.1.4. Stripping of vegetation, regrading or other development shall be done in such a way that will minimize erosion; and

4.16.1.5. Sediment in runoff water shall be trapped and removed to assure adequate capacity in the basins or traps.

4.16.2. Applicants shall submit a narrative describing all proposed earthmoving and grading along with the proposed soil stabilization and site restoration plans. This requirement shall be waived when 20,000 sq. ft. or less of land area is to be disturbed. However, this waiver does not relieve anyone of the responsibility of maintaining a plan on site regardless of project size. Applicants shall also meet the requirements of Chapter 102 of Administrative Code, Title 25, as authorized by the Clean Streams Law, Act 222, as amended, by submitting a Soil Erosion and Sedimentation Control Plan to the Pennsylvania Department of Environmental Resources (required for an earth disturbance of 25 acres or greater).

4.16.3. The Soil Erosion and Sedimentation Control Plan, as required, must be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques. It will be examined for comparison with standards using an erosion control handbook, soil survey, Department of Environmental Resources regulations, and sound erosion control principles as the basis for acceptability.

4.17. FLOODPLAIN MANAGEMENT

4.17.1. Purpose

The purpose of this section is comply with the requirements of the National Flood Insurance Program and the Pennsylvania Floodplain Management Act (Act 166 of 1978), and to minimize future damage from flooding in the Township.

4.17.2. Plan Requirements

4.17.2.1. All subdivision and land development plans for property located within a designated floodplain area must show the location of the 100 year Floodplain Boundary and the location of the Floodway, according to the most current National Flood Insurance Maps for the Township.

4.17.2.2. Where detailed mapping indicating 100 year floodplain and floodway locations is not available, Flood Hazard Boundary Maps, or the best available elevation and floodplain information from other sources shall be used to determine the flood hazard area.

4.17.2.3. Where applicable, and as required by the Pennsylvania Department of Community Affairs, a copy of a Special Permit Application shall be submitted for evaluation along with the subdivision and land development plan.

4.17.3. Design Standards

All subdivision and land development in the 100 year floodplain shall be constructed in accord with Ordinance 88-3, as amended and in accord with the following:

4.17.3.1. The finished elevation of new streets shall be not more than one (1) foot below the 100 year flood elevation.

4.17.3.2. New or replacement water and sanitary sewer facilities shall be located, designed, and constructed to minimize or eliminate flood damages and the infiltration of flood waters.

4.17.3.3. No part of any on-site sewage system shall be located within any identified floodplain area, except in strict compliance with all state and local regulations for such system.

4.17.3.4. All other utilities, such as gas, electrical, and telephone, shall be located and constructed to minimize the chance of impairment during a flood.

4.17.3.5. Any new construction, development, use, activity, or proposed encroachment in the floodway which will cause an increase in flood heights shall be prohibited.

4.17.3.6. In all floodplain areas, all new or substantially improved residential structures shall be elevated at least 1½ feet above the 100 year flood elevation; and, all new or substantially improved non-residential structures shall be elevated at least 1½ feet above the 100 year flood elevation or flood proofed in accord with the flood proofing regulations of the township (see Ordinance 88-3, as amended).

4.18. COMMUNITY FACILITIES

The Township may require the reservation of appropriate land for community facilities in order to serve the proposed subdivision or land development.



ARTICLE V

MOBILE HOME PARKS

5.1 GENERAL REQUIREMENTS

Mobile home park developments shall comply with all applicable requirements of the Township Zoning Code including use regulations, height and coverage requirements, areas and dimensions, special exception use criteria, and with any other applicable codes of the township.

5.2 PLAN REQUIREMENTS

5.2.1. A notation shall be placed on the land development plan stating that the mobile home park owner shall be responsible for maintenance of all park facilities including roads, storm water management facilities, sewage and water facilities, and recreation/open space areas.

5.2.2. All lots and facilities within the mobile home park shall be served by an internal street system build in accordance with the local street specifications of Sections 4.5. and 4.7. of this Ordinance.

5.2.3. The Township shall require that a maximum of ten (10%) of the gross land area of the park shall be set aside, developed, and maintained for the recreation/ open space use of the park residents.

5.2.4. Mobile home park plans shall be prepared in accord with all the applicable plan procedures and requirements as specified in Articles II and III of this Ordinance.

5.2.5. Public or private community wide sewer and water facilities shall be provided for the mobile home park; individual on-lot facilities shall be unacceptable. Mobile home parks shall be served by utilities, facilities, and controls as specified in Article IV of this Ordinance including:

- Utilities - Section 4.12
- Sewage Facilities - Section 4.13
- Water Supply - Section 4.14
- Storm Water Management - Section 4.15
- Soil Erosion and Sedimentation Control -
Section 4.16
- Floodplain Management - Section 4.17
- Community Facilities - Section 4.18

5.3 REQUIRED SITE IMPROVEMENTS

5.3.1. Grading and Ground Cover

The ground surface in all parts of the mobile home park shall be graded to facilitate storm water drainage and shall be seeded for maintenance and erosion control.

5.3.2. Mobile Home Pads

The mobile home pads shall be graded and compacted for durability and shall provide adequate support for the placement of the mobile home unit. Each unit shall be provided with an anchoring system designed to resist the natural forces of wind, floatation, or collapse.

5.3.3. Mobile Home Patio

An all weather patio shall be provided for each mobile home unit with a minimum area of 200 square feet.

5.4 LANDSCAPE PLAN

Mobile home park developers are urged to incorporate landscaping improvements into their project design to enhance the liveability and the visual impact of the park and the surrounding community. Required landscaping and screening improvements are specified in the township zoning code.

ARTICLE VI

LAND DEVELOPMENT REQUIREMENTS

6.1. APPLICABILITY

The standards outlined in this Article shall be applied by the Township in evaluating Land Developments. A specialized type of subdivision, a land development requires the approval of a site plan by the Township utilizing the same procedures required for the approval of a conventional subdivision. Generally the site plan shall show the location of proposed buildings and all facilities included within the development for the common use of occupants or the general public. Facilities that shall be shown on the site plan include driveways, internal streets, parking areas, loading areas, landscaped areas, outdoor recreation facilities, sidewalks and pathways, utilities, and storm water management facilities. The detail and precision required in the preparation of the land development plan is dependent upon the type of land development, specifically whether it is a major or minor land development according to the criteria stated below. In addition, all other applicable standards of this Ordinance and the Township Zoning Code not in conflict herewith shall apply unless otherwise noted in this Article.

6.2. TYPES OF LAND DEVELOPMENT

6.2.1. Minor Land Development

A plan for a minor land development shall be prepared in accord with the plan requirements specified for a SKETCH PLAN in Section 3.2 of this ordinance. A minor land development shall be defined as:

6.2.1.1. a single non-residential building of less than 2,000 square feet; or

6.2.1.2. the placement of two (2) single family detached dwellings on a single lot.

6.2.2. Major Land Development

A major land development shall be prepared in accord with the plan requirements specified for PRELIMINARY AND FINAL PLANS in Sections 3.3. and 3.4. respectively of this Ordinance. A major land development shall include:

6.2.2.1. A non-residential building greater than 2,000 square feet in size; or

6.2.2.2. Two or more non-residential buildings on a single lot; or

6.2.2.3. Four (4) or more residential units or three or more residential structures on a single lot.

6.2.3. Land Development Exceptions

Act 170 of 1988 provides for the exclusion of certain activities from the definition of land development. The following shall not be regarded as land development in Gregg Township although applicable zoning regulations shall apply:

6.2.3.1. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium; or

6.2.3.2. The addition of any accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or

6.2.3.3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclass, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until plans for the expanded area have been approved by proper authorities.

6.3. CLUSTER HOUSING DEVELOPMENTS

6.3.1. Purpose

The following standards and requirements are intended to permit the clustering of detached and attached structures on reduced sized lots and the reservation of open spaces. This type of development shall be designed to achieve:

6.3.1.1. A characteristic of design and site planning in which houses are grouped together on a tract of land and each cluster of homes is set off from others like it by an intervening space that helps give visual definition to each individual cluster; and

6.3.1.2. The preservation and utilization of unusual and important physical features of undeveloped land that is held for the common recreational enjoyment of the adjacent residents or the township at large; and

6.3.1.3. More efficient use of the land and of public facilities required to serve new residential developments.

6.3.2. Development Standards

The following development standards shall be met in addition to the standards specified in the Township Zoning Code (Article VI - CLUSTER SUBDIVISION):

6.3.2.1. All internal streets and driveways within the development shall meet the requirements of Article IV of this Ordinance.

6.3.2.2. Convenient off street parking spaces shall be provided within 200 feet of the dwelling unit served.

6.3.2.3 Access to public streets shall be limited to well defined entrance and exit lanes. They shall be separated by dividers or planting islands.

6.3.2.4 Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Parking and service areas shall be separated from driving lanes.

6.4. MULTIPLE UNIT HOUSING DEVELOPMENTS

6.4.1. The developer shall submit with the land development plan a description of the type of multiple unit housing proposed, indicating the number of dwelling units per structure.

6.4.2. The developer shall submit with the land development or subdivision plan a proposal for the maintenance of all facilities which are shared by residents within the proposed development. If the developer proposes to subdivide and convey individual dwelling units within the development, an agreement which assigns maintenance responsibility for commonly used facilities shall be recorded with the subdivision plan and referenced in the deeds for all properties in the development.

6.4.3. If the developer proposes to subdivide and convey individual dwelling units within the development, an exact legal description of the areas or dwelling units to be conveyed shall be provided.

6.4.4. All internal streets within the development shall meet the requirements of Article IV of this Ordinance.

6.4.5. All pertinent standards from the Township Zoning Code shall apply.

6.4.6. A minimum of 500 square feet of usable open space, exclusive of streets, parking areas, structures, and service areas shall be provided for each dwelling unit within the development.

6.4.7. The minimum building separation shall be forty (40) feet.

6.4.8. Access to public streets shall be limited to well defined entrance and exit lanes. They shall be separated by dividers or planting islands.

6.4.9. Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Parking and service areas shall be separated from driving lanes.

6.5. RECREATIONAL VEHICLE PARK AND CAMPGROUND DEVELOPMENTS

6.5.1. Plan Notations

It shall be noted on the land development plan that:

6.5.1.1. Recreational Vehicle Parks or Campgrounds are designed for intermittent recreational use, and that recreational vehicles used for full time residential occupancy shall not be permitted within the development; and

6.5.1.2. It shall be the responsibility of the park owner to maintain all park facilities, including internal roads, sewage disposal facilities, and areas designated for open space.

6.5.2. Development Standards

6.5.2.1. All internal streets within the development shall meet the requirements of private streets found in Article IV.

6.5.2.2. Developments designed to accommodate travel trailers or recreational vehicles shall be provided with individual sewer hookups at each site or with a community dump station for sewage disposal. Sewage disposal and water supply facilities shall be constructed in accord with the standards of the Department of Environmental Resources and Sections 4.13 and 4.14 of this Ordinance.

6.5.2.3. The maximum number of lots or camping spaces within the development shall not exceed 15 per acre.

6.5.2.4. The minimum site or camping space shall be 30 feet wide by 50 feet deep with a minimum of 30 feet of frontage on the internal street system.

6.5.2.5. A minimum of two (2) off street parking spaces shall be provided for each site or camping space within the development.

6.5.2.6. The Township may require the developer to provide a minimum of ten (10) percent of the gross area of the park or campground for recreation and open space.

6.6. COMMERCIAL AND INDUSTRIAL LAND DEVELOPMENTS

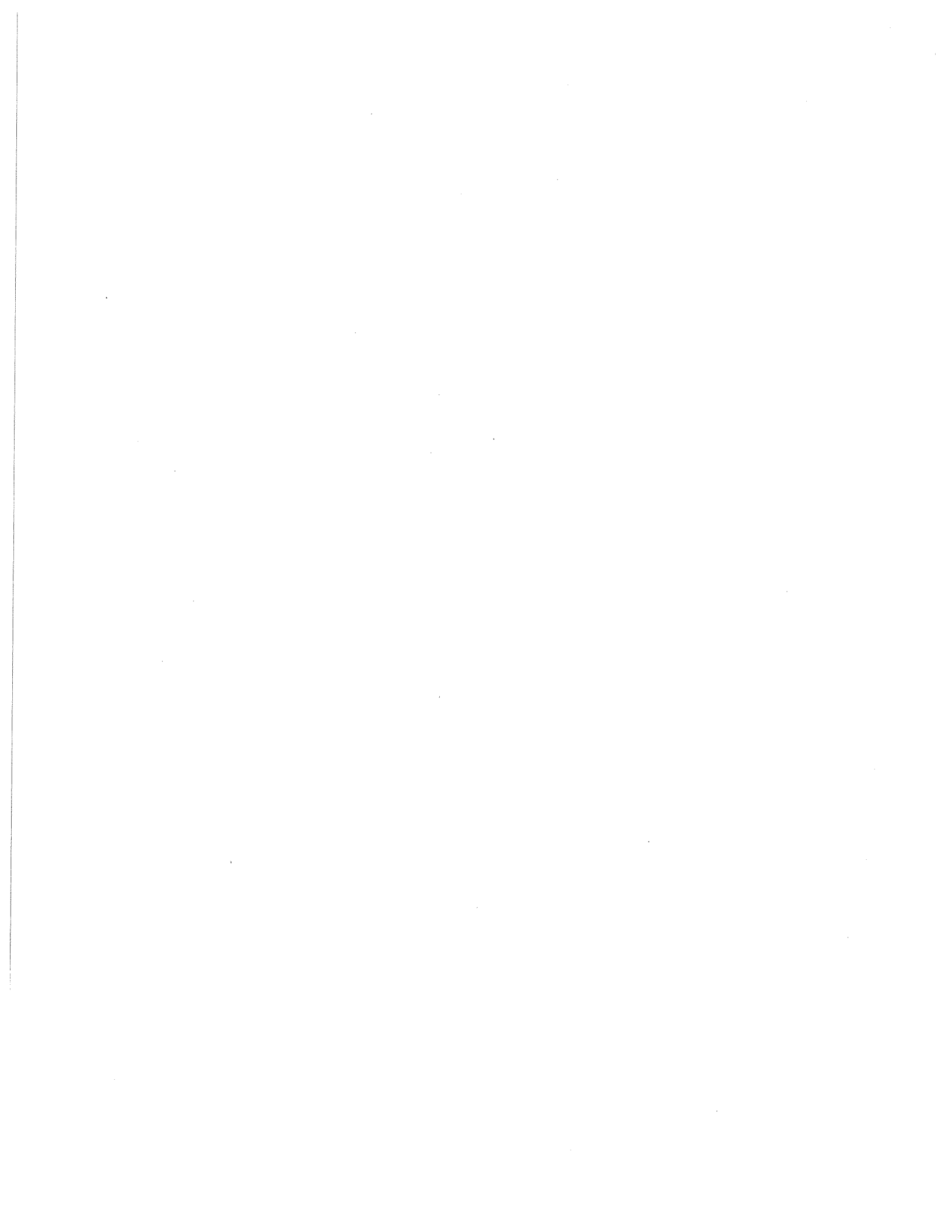
Commercial Land Developments, including, but not limited to shopping centers, motels, and Industrial Land Developments such as industrial parks and multiple tenant industrial buildings shall comply with all applicable standards of the Township Zoning Code. In addition the following standards shall apply:

6.6.1. Access to public streets shall be limited to well defined entrance and exit lanes. They shall be separated by dividers or planting islands.

6.6.2. Painted lines, arrows, and dividers shall be provided and maintained to control parking and internal circulation. Customer parking and driving lanes shall be separated from delivery drives and loading areas.

6.6.3. Screen plantings may be required by the Township where adjacent land use dictates their placement.

6.6.4. All parking areas, service drives, loading areas, driveways, and internal roadways shall be surfaced according to the specifications for collector streets as a minimum.



ARTICLE VII

DEFINITIONS

Except where specified in the following definitions, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future; the singular shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "shall" is intended to be mandatory; and the word "person" includes a partnership or corporation as well as individual.

Accessory Structure - A structure subordinate to, and located on the same lot as the principal building and serving a purpose customarily incidental to the use of the principal building.

Agricultural Purposes - The use of more than ten (10) acres of land for the purpose of producing agricultural commodities which shall include but not be limited to: growing grains, fruits, vegetables, nursery plants, Christmas trees, or timber; raising poultry or livestock; producing agricultural commodities through greenhouse production.

Anchoring System - A system of tie-downs and anchors designed and installed on mobile home pads in accordance with the standards of the Department of Community Affairs to resist the floatation, collapse, and lateral movement of mobile homes.

Applicant - A landowner, developer, or subdivider, as hereinafter defined, who has filed an application for a subdivision, mobile home park, or land development including his heirs, successors, agents and assigns.

Building - Any structure having a roof supported by columns or walls used for shelter, housing, or enclosure of persons, animals, or property.

Building, Principal - A building housing the main or principal use of the lot on which the building is located.

Building, Accessory - A building housing an incidental and subordinate use to the principal use of the lot on which the building is located.

Campground - A tract or tracts of land, or any portion thereof, used for the purpose of providing two or more spaces for travel trailers or tents, with or without a fee charged for the leasing, renting or occupancy of such space.

Cartway - The surface of a street or alley available for vehicular traffic.

Centerline - A line located exactly in the center of the width of the cartway, right-of-way, easement, access, road, or street.

Clear Sight Triangles - An area of unobstructed vision at street intersections or street and driveway intersections defined by lines of sight between points at a given distance from the intersection of the street and/or driveway lines.

Cluster Subdivision - A large scale residential development of ten (10) acres or more, in which individual dwelling units or buildings are grouped together. Modifications or reduction of the minimum yard and lot size requirements of the Township Zoning Ordinance are permitted in exchange for an equivalent amount of land to be preserved for scenic, recreation, or conservation purposes.

County Planning Commission - The Union County Planning Commission.

Community Facility - A building or structure, or non-structural improvement such as an easement for utilities or storm water controls, jointly owned and/or maintained by property owners within a subdivision, or by a governmental agency, to provide a service to the public.

Condominium - A building, a group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Developer - Any landowner, agent of such landowner or lessee with the permission of such landowner, who makes or causes to be made a subdivision or a land development.

Development - See definition of Land Development.

Driveway - That portion of a property which provides vehicular access between dwellings and a public street or right-of-way.

Drop Curb - A section of curbing which is lowered to the street pavement level to permit access into a property or properties.

Dwelling - Any structure, or portion thereof, which is designed or used for residential purposes. The term dwelling shall not be deemed to include motel, rooming house, tourist home, hotel, hospital, or nursing home.

Dwelling, Mobile Home - A single-family detached factory manufactured housing unit build on a chassis. A mobile home shall be constructed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature

of the foundation provided. This term does not include recreation vehicles or travel trailers.

Dwelling, Modular Home - A structure intended for permanent occupancy as a dwelling consisting of prefabricated sections or components constructed according to nationally recognized building codes at another location and transported to the site for assembly, placement upon and attachment to a permanent foundation.

Dwelling, Single Family Attached - See Townhouse.

Dwelling, Single Family Detached - A dwelling designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit and having an additional lot with private yards on all four sides of the house.

Dwelling, Two-Family - Two dwelling units, each of which is attached side to side, or one above the other, each one sharing only one common wall with the other. Each unit shall have individual access to the outside.

Dwelling, Multiple Family - A building designed for or containing two or more dwelling units, sharing access from a common hall, stair, or balcony.

Easement - A defined right of use or privilege granted for a limited use of land for a public or quasi-public purpose.

Flood - A temporary inundation of normally dry land areas.

Flood, One Hundred Year - A flood that, on the average, is likely to occur once every 100 years, or that has a one percent chance of occurring in any given year.

Flood Fringe - That portion of the 100 year floodplain outside the floodway.

Floodplain - A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation. The boundary of this area shall coincide with the boundary of the 100 year flood.

Floodway - The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of a 100 year frequency without cumulatively increasing the water surface elevation more than one (1) foot at any point.

Governing Body - The Board of Township Supervisors, Township of Gregg, County of Union, Commonwealth of Pennsylvania.

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

Improvements Guarantee Agreement - A deposit consisting of cash, a bond, a binding letter of credit, escrow account, or negotiable securities and an agreement guaranteeing the developer will install the required improvements.

Land Development - The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups of other features; or

(iii) a subdivision of land.

Land Owner - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase, a lessee if he is authorized under the lease to exercise the rights of the land owner, or any other person having a proprietary interest in land.

Leveling Area - A safe stopping area at the intersection of streets or the intersection of a driveway and a street which is designed in accordance with the standards of this Ordinance.

Lot - A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

Lot Area - The computed area contained within lot lines exclusive of any street right-of-way.

Lot, Corner - A lot abutting the intersection of two streets.

Lot Depth - The mean horizontal distance between the front and rear lot lines.

Lot, Double Frontage - A lot with opposite ends both abutting on streets.

Lot, Reverse Frontage - A lot extending between and having frontage on an arterial street and on a minor street, with vehicular access being provided solely from the minor street.

Lot, Width - The width of the lot between side lot lines at the front building lines as prescribed by the front yard regulations.

Maintenance Guarantee - A deposit consisting of cash, a bond, a binding letter of credit, escrow account, or negotiable securities and an agreement insuring that the improvements have been properly installed (see section 2.4.4.2.).

Mobile Home - See Dwelling, Mobile Home.

Mobile Home Lot - A parcel of land in a Mobile Home Park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single Mobile Home, which is leased by the park owner to the occupants of the Mobile Home erected on the lot.

Mobile Home Park - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Monument - As utilized in the context of these regulations, a monument shall designate survey reference points utilized in laying out a given development. Each monument shall be constructed and placed as detailed in these regulations (see Section 4.10.).

Municipality - The municipal corporation known as the Township of Gregg, Union County, Pennsylvania.

Pavement - A sub-base, base course, or surface course placed on a sub-grade to support traffic load.

Plan - A map or plat of a subdivision or land development, whether sketch, preliminary or final (see Subdivision Plan).

Planning Commission - The Planning Commission of Gregg Township, Union County, Pennsylvania.

Plat - See Plan.

Recreational Vehicle - A vehicular type of portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational Vehicle Park - Any site upon which two or more recreational vehicles are, or are intended to be located.

Residual Property - The lot or parcel created through subdivision

which is the remaining portion of the parent tract. The residual property shall be considered as an integral part of the proposed subdivision and shall be required to meet the standards of this Ordinance, where determined appropriate by the Township.

Right-of-Way - That portion of land dedicated to the public for use as a street, drain, ditch, stream, utility easement or cross walk.

Right-of-Way, Future - The planned future width of an existing substandard right-of-way based on the criteria established by this Ordinance, applicable Township plans, or PennDOT.

Screen Planting - A visual obstruction or suitable fence or wall at least six feet high or attractive, maintained shrubs or hedges a minimum of four feet high intended as a barrier to visibility, glare and noise between adjacent properties.

Setback - The horizontal distance between a structure and a street line or property line.

Shopping Center - A commercial land development.

Shoulder - That portion of the roadway which is adjacent to the cartway and is provided for lateral support of the pavement and for emergency stopping.

Street - A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane boulevard, highway, road, and any other thoroughfare except an alley.

Street, Alley or Service Drive - A minor right-of-way, privately or publicly owned, which provides a secondary access primarily to the rear of a property.

Street, Arterial - A street serving a large volume of comparatively high speed and long distance traffic, including all streets classified as arterial streets in the Gregg Township Comprehensive Plan.

Street, Collector - A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route to arterial streets. Collector streets are so designated in the Gregg Township Comprehensive Plan.

Street, Cul-de-Sac - A street intersecting another street at one end and terminating at the other in a vehicular turn-around.

Street, Dead-end - A street with only a single outlet.

Street, Marginal Access - A street which is parallel and

adjacent to arterial or limited access highways and is intended to provide access to abutting properties and control intersections along collector or arterial streets.

Street, Minor - Streets within subdivisions and developments, including marginal access streets and cul-de-sac streets, which are designed to afford primary access to abutting property.

Street, Public - All streets and rights-of-way open to public use and maintained by, or dedicated to and accepted by the Township or PennDOT.

Street, Private - All streets and rights-of-way not dedicated, accepted, and maintained as public streets.

Street Right-of-Way Line - The closest edge of the right-of-way as required by this Ordinance.

Street System - All of the public and private streets that make up the highway system of the Township.

Street System, Township - All public streets and rights-of-way maintained by Gregg Township, including minor and collector streets.

Street System, State - All public streets and rights-of-way maintained by the Pennsylvania Department of Transportation, including minor, collector, arterial, and interstate highways.

Structure - Any man made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Subdivider or Developer - Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made a subdivision of land or a land development.

Subdivision - 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, partition by the court for distribution to heirs or devisees, transfer of ownership or building development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new streets or easements of access or any residential dwelling, shall be exempted.

As a further exception, the division of small portions of existing lots, tracts, or parcels of land being acquired by governmental units or public utilities for use in road improvements, utility lines, or utility structures may be exempt from the requirements of this Ordinance as per P.U.C. regulations, state law, or federal

law.

Subdivision Plan - A proposal to subdivide or develop one or more tracts of land. The plan shall include the proposed layout of the subdivision or land development and shall be accompanied by all other supplementary materials required by this Ordinance when submitted for consideration.

Plan, Sketch - An informal plan, not necessarily to exact scale, indicating important features of the tract and its surroundings and the general layout of a proposed subdivision.

Plan, Preliminary - A tentative subdivision plan, in lessor detail than the final plan, indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan.

Plan, Final - A complete and exact subdivision plan prepared for official approval and recording as required by statute.

Surveyor - A licensed professional land surveyor registered in Pennsylvania.

Townhouse - A single-family attached dwelling of three or more adjoining dwelling units, each of which is separated from the other by one or more unpierced firewalls from ground to roof, having individual outside access. Rows of attached townhouses shall not exceed eight dwelling units.

Watercourse - A permanent or intermittent stream, river, spring, brook, creek, channel, ditch, or swale for water whether natural or man made.

Water System - A system for the provision of water to individual lots or the public for domestic, community commercial, or industrial use.

Water System, Public - A water system, as defined by the Pennsylvania Department of Environmental Resources which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

Water System, Private - All water systems which are not public water systems.

ARTICLE VIII

ADMINISTRATION

8.1. WAIVERS OR MODIFICATIONS

The Township Supervisors may grant a waiver or modification to the minimum standards of the Subdivision and Land Development Ordinance when the literal compliance with mandatory provisions is shown to the satisfaction of the Supervisors to be unreasonable, to cause undue hardship, or when an alternative standard can be demonstrated to provide equal or better results. Furthermore, the Supervisors may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.

8.1.1. Procedures

8.1.1.1. All requests for a modification shall be in writing and shall accompany the application for subdivision or land development. The request shall state the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

8.1.1.2. The request for the modification shall be referred to the Planning Commission for advisory comments.

8.1.1.3. The Township Supervisors shall keep a written record of all action on the modification request.

8.2. RECORDS

The Township Supervisors shall keep for the public record all plans upon which it takes action. The Supervisors shall also keep a record of all decisions and actions related thereto.

8.3 REQUIRED FEES

The Board of Supervisors shall by Resolution establish the required subdivision plan application and review fees. All fees shall be payable to Gregg Township.

8.3.1. Subdivision Plan Application Fee

The purpose of the subdivision plan application fee shall be to cover a portion of the plan processing cost incurred by the township.

8.3.2. Review Fees

The Township may charge review fees to cover the actual cost of retaining the municipal engineer or consultant to evaluate subdivision plans or to inspect required improvements.

8.3.3. Disputed Review Fees

8.3.3.1. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten days of the billing date, notify the municipality that such fees are disputed, in which case the municipality shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

8.3.3.2. In the event that the municipality and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the municipality shall follow the procedure for dispute resolution set forth in section 510(g) of Act 170 of 1988, as amended, the Pennsylvania Municipalities Planning Code.

8.4. AMENDMENT

The Township Supervisors may, from time to time, revise, modify, and amend this Ordinance by appropriate action taken at a scheduled public meeting, in accord with Section 505 of Act 170 of 1988, as amended.

8.5. PREVENTIVE REMEDIES

8.5.1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure, or premises. The description by metes and bounds in instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

8.5.2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to Article V of Act 170 of 1988. This authority to deny such a permit or approval shall apply to any of the following applicant:

8.5.2.1. The owner of record at the time of such violation.

8.5.2.2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

8.5.2.3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

8.5.2.4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

8.6 ENFORCEMENT REMEDIES

8.6.1. Any person, partnership, or corporation who or which has violated the provisions of any subdivision or land development ordinance enacted under this act or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the ordinance to have believed that there was no such violation, in

which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

8.6.2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

8.6.3. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

8.7. SEVERABILITY

Should any section, subsection, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of Ordinance as a whole, or of any other part thereof.

8.8. EFFECTIVE DATE

The Gregg Township Subdivision Regulations of 1967 became effective March 6, 1967. The Gregg Township Subdivision and Land Development Ordinance shall become effective to all preliminary and final plans submitted to the Township on or after March 4, 1991, except those final plans for which a preliminary plan had previously been approved. In such case, the Gregg Township Subdivision Regulations of 1967 shall remain effective.

PARK NEWSPAPERS OF SUSQUEHANNA, INC.

PUBLISHER OF
THE DAILY STANDARD AND LEWISBURG DAILY JOURNAL

Proof Of Publication

Commonwealth of Pennsylvania
County of Northumberland
County of Union

Personally appeared before me, the undersigned, a Notary Public in and for said County and State,

Anton VanBuren

who being duly sworn according to law, doth depose and say that he is the

General Manager

for The Daily Standard, a newspaper of general circulation published at Milton, County of Northumberland, Commonwealth of Pennsylvania, which was established January 23, 1890, and the Lewisburg Daily Journal, a newspaper of general circulation, published at Lewisburg, County of Union, Commonwealth of Pennsylvania, which was established March 23, 1887, and that a notice, copy of which is hereto attached, was published in said Standard and Journal on 2/14/91; that affiant is not interested in the subject matter of the attached notice of advertising, and avers that all of the allegations of the statement as to the time, place and character of the publication are true.

Anton VanBuren

Sworn and subscribed before me this

20th day of February, 1991

T-23299

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19 Arch Street
Milton, Pa. 17847
(717) 742-9671

ADVERTISING INVOICE

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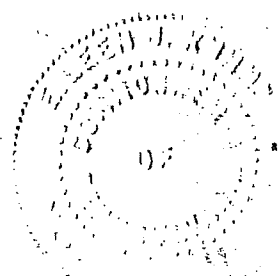
AMOUNT DUE: \$37.28 PAYABLE UPON PRESENTATION

Classification: 001

NOTICE IS HEREBY GIVEN that the Board of Supervisors of Gregg Township, Union County, Pennsylvania, will hold a public

NOTICE IS HEREBY GIVEN that the Board of Supervisors of Gregg Township, Union County, Pennsylvania, will hold a public hearing on March 19, 1991, at the Gregg Township Municipal Building, Russell County, Pennsylvania, for the purpose of considering and adopting the proposed Ordinance and Land Use Ordinance for the Township of Gregg, Union County, Pennsylvania. The said proposed Ordinance is as revised and amendment to the Subdivision Ordinance adopted by the Gregg Township Board of Supervisors on 7/20/88 and currently in effect in the Township. The proposed final draft of the Ordinance is available for review at the Gregg Township Municipal Building, 110 U.S. Court, Union County, Pennsylvania, Office of the Fiscal Officer, James J. Perini, 110 U.S. Court, Union County, Pennsylvania, 1700 Third Street, Union County, Pennsylvania. Any amendments will be made with respect to the Ordinance during the Public Hearing. Advertisements for final passage of the Ordinance given in compliance with Section 505 of the Pennsylvania Code, 55 Pa.C.S. Section 505.

FELICE D. KESSLE
James J. Perini, Esq.
110 U.S. Court
Union County, Pa.
1700 Third Street
Union County, PA 17037
(717) 624-2275



Eileen J. Kuhns

Notarial Seal
Eileen J. Kuhns, Notary Public
Milton Boro, Northumberland County
My Commission Expires Nov. 13, 1993

Member, Pennsylvania Association of Notaries

GREGG TOWNSHIP
UNION COUNTY, PENNSYLVANIA
ORDINANCE NO. 91-01

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Gregg Township, Union County, Pennsylvania, pursuant to the authority granted by the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, reenacted and amended December 21, 1988, P.L. 1329. No. 170, that:

The Board of Supervisors hereby adopts and effects the revised and amended Zoning Ordinance for Gregg Township, and declares that such Ordinance shall be effective immediately upon adoption.

ENACTED, ORDAINED AND ADOPTED by the Board of Supervisors of Gregg Township, Union County, Pennsylvania, this 4th day of March, 1991.

BOARD OF SUPERVISORS OF GREGG TOWNSHIP

By: Edward B. Frantz
Edward B. Frantz, Supervisor

Donald E. Buss
Donald E. Buss, Supervisor

Dianne L. Peeling
Dianne L. Peeling, Supervisor

ATTEST:

Natalie A. Buss, Sec
Natalie A. Buss, Secretary