

**SUBDIVISION AND  
LAND DEVELOPMENT  
Chapter 22**



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SUBDIVISION AND LAND DEVELOPMENT

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## PART 1

## GENERAL PROVISIONS

**§ 22-101. Short Title. [Ord. 91-12, 10/15/1991, § 1.01]**

This chapter shall be known and may be cited as the "Washington Township Subdivision and Land Development Ordinance."

**§ 22-102. Purpose and Legislative Intent. [Ord. 91-12, 10/15/1991, § 1.02]**

1. The purpose of this chapter is to provide for harmonious development of Washington Township by:
  - A. Assisting in the orderly and efficient integration of subdivisions within the Township.
  - B. Directing subdivision and land development to appropriate locations in consideration of the availability of existing or planned public improvements and the suitability of the site for buildings and human habitation.
  - C. Securing the preservation, protection and conservation of sensitive environmental resources, high quality water resources and drainage-ways.
  - D. Facilitating the safe and efficient movement of traffic by providing the improvements necessary for new land development.
  - E. Securing equitable handling of all subdivision plans by providing uniform standards and procedures.
  - F. Ensuring conformance of subdivision and land development plans with municipal and intermunicipal public improvement plans and programs.
  - G. Providing for the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
  - H. Promoting the greater health, safety and welfare of the citizens of the Township.

**§ 22-103. Adoption Authority. [Ord. 91-12, 10/15/1991, § 1.03]**

The Board of Supervisors of the Township of Washington, pursuant to the Pennsylvania Municipalities Planning Code, Act 1968-247 as reenacted and amended by Act 1988-170, hereby enacts and ordains this chapter as the "Washington Township Subdivision and Land Development Ordinance." This chapter shall apply to all subdivision and land development activities as defined in § 22-106 of this chapter.

**§ 22-104. Abrogation and Greater Restrictions. [Ord. 91-12, 10/15/1991, § 1.04]**

This chapter supersedes any provisions currently in effect with respect to subdivision and land development. However, all other ordinances and regulations shall remain in full force and effect to the extent that those provisions are more restrictive.

**§ 22-105. Municipal Liability. [Ord. 91-12, 10/15/1991, § 1.05]**

The degree of subdivision and land development management sought by the provisions of this chapter is considered reasonable for regulatory purposes. The approval of plans or the issuance of permits by the Township of Washington, its officers or employees shall not be deemed to relieve the developer of responsibility, if any such responsibility exists, to those adversely affected by the development or subdivision of land. Further, Washington Township, through the issuance of a permit or the approval of a plan, assumes no responsibility to either a developer or the adjoining property owner affected by the subdivision or development of land.

**§ 22-106. Right-of-Entry. [Ord. 91-12, 10/15/1991, § 1.08]**

1. Upon presentation of proper credentials, duly authorized representatives of the Township of Washington may enter at reasonable times upon property within the municipality to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this chapter. The landowner shall grant the Township, or its agents, access to the site of the work at all times, while under construction, for the purposes of inspecting the work.
2. In the event of a situation requiring immediate action which threatens the health or safety of the residents of Washington Township, the right-of-entry shall include the right to make improvements to avert a potential health or safety hazard. Upon completion of the remedial activity, the Township or its authorized agent shall return to its former condition as soon as possible provided no further maintenance is required.
3. The Township or its authorized agents shall provide a written notice, 72 hours in advance, by certified mail to the property owner prior to entry onto the property for inspections. Upon arrival, the Township agent shall present identification and request that the owner, manager, lessee or occupant legally in control of the property sign a release granting the inspection. The inspection shall be completed in a courteous and timely manner and the signatory of the release shall be given a copy of the inspection report.
4. In the event that a release to inspect the property is denied, the following steps shall be taken:
  - A. The matter will be officially referred to the Board of Supervisors for action.

- B. The Board may schedule a review at the next scheduled meeting of the Board of Supervisors or, if the situation threatens the health or safety of the residents of Washington Township, the Board may commence a procedure to obtain a search warrant from the district justice.
  - C. Upon receipt of a search warrant to inspect the property, the authorized agent of the Township shall be accompanied by an officer of the county or state police, and the inspection shall be completed in a courteous and timely manner and the owner, manager, lessee or occupant legally in control of the property shall be give a copy of the inspection report.
  - D. The provisions of this section for obtaining a search warrant may be waived only when the Township Board of Supervisors and its authorized agents have good cause that the situation poses an immediate and substantial safety, water pollution or health hazard.
5. The Township may require the correction or alteration of a use or structure in the event that the inspection reveals a code deficiency or violation. The agent of the Township shall provide a written notification requiring specific remedial action to be completed within a reasonable period of time as is deemed necessary according to the severity of the deficiency or violation.

**§ 22-107. County Review. [Ord. 91-12, 10/15/1991, § 1.09]**

Applications of review of subdivision and land development within Washington Township shall be forwarded by the applicant to the County Planning Commission for review and report, together with a fee established by the Dauphin County Planning Commission sufficient to cover the review and report, which fee shall be paid by the applicant. The Township will not approve such application until the County report is received or until the expiration of 30 days from date of the application was received by the County.

**§ 22-108. Application of Regulations. [Ord. 91-12, 10/15/1991, § 1.10]**

1. No subdivision or land development of any lot, tract or parcel of land in Washington Township shall be affected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings thereon unless and until a final development or subdivision plat has been approved by the Board of Supervisors and publicly recorded in the manner prescribed herein; nor otherwise except in strict accordance with the provisions of this chapter.
2. No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued and no building may be erected or altered in a subdivision or land development unless and until a final subdivision plat has been approved by the Board of



Supervisors and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.

3. The provisions of this chapter shall not apply to uses of land or property which are excluded from the definition of land development.

**§ 22-109. Water Supply. [Ord. 91-12, 10/15/1991, as added by Ord. 2005-02, 10/4/2005]**

Every ordinance adopted pursuant to this chapter shall include a provision that, if water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors or Planning Commission, as the case may be, 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.

## PART 2

## DEFINITIONS

**§ 22-201. General Terms. [Ord. 91-12, 10/15/1991, § 2.01]**

1. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meaning indicated:
  - A. Words in the singular include the plural and those in the plural include the singular.
  - B. Words used in the present tense include the future tense.
  - C. The words "person," "subdivider," "developer" and "owner" include a corporation, unincorporated association and a partnership or other legal entity, as well as an individual engaged in the subdivision of land and/or land development.
  - D. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof."
  - E. The word "watercourse" includes channel, creek, ditch, dry run, spring, wetland, stream and river.
  - F. The words "should" and "may" are permissive, the words "must," "shall" and "will" are mandatory and directive.

**§ 22-202. Specific Terms. [Ord. 91-12, 10/15/1991, § 2.02; as amended by Ord. 94-02, 4/20/2004; and by Ord. 2005-02, 10/4/2005]**

Other terms or words used herein shall be interpreted or defined as follows:

**ALLEY (or SERVICE DRIVE)** — A minor right-of-way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.

**APPLICANT** — A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

**APPLICATION FOR DEVELOPMENT** — Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit for the approval of a subdivision, plat or plan or for the approval of a development plan.

**BLOCK** — An area bounded by streets.

BOARD OF SUPERVISORS (SUPERVISORS; BOARD) — The Board of Supervisors of the Township of Washington.

BUILDING SETBACK LINE (SETBACK) — The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way and the line defining side and rear yards, where required.

CAMPGROUND — A tract or tracts of land, or any portions thereof, used for the purpose of providing sites for the temporary use of trailers, recreational vehicles, campers or tents, as hereinafter defined, for camping purposes with or without a fee being charged for the leasing, renting or occupancy of such space.

CAMPING SITE — A parcel of land in an organized camp or campground for the placement of a single trailer and/or tent and the exclusive use of its occupants.

CARTWAY or ROADWAY — That paved portion of a street or alley, excluding shoulders, which is improved, designated or intended for vehicular use.

CERTIFICATION OF REGISTRATION (MOBILE HOME PARK REGISTRATION) — Written approval as issued by the Pennsylvania Department of Environmental Protection, authorizing a person to operate and maintain a mobile home park.

CHAIRMAN — The Chairman of the Washington Township Planning Commission.

COMMISSION — The Planning Commission of the Township of Washington.

COMMON ELEMENTS — Shall be interpreted as including:

- A. The land on which the building is located and portions of building which are not included in a unit.
- B. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of the building.
- C. The yards, parking area and driveways.
- D. Portions of the land and building used exclusively for the management, operation or maintenance of the common elements.
- E. Installations of all central services and utilities.
- F. All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use.
- G. Such other facilities as are designated as common elements.

**COMMON OPEN SPACE** — A parcel or parcels of land or area of water, or a combination of land and water within a development site and designated and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking area and areas set aside for public facilities.<sup>1</sup> Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan a finally approved and as are appropriate for the recreation of residents.

**CONDOMINIUM** — Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property.

**COOPERATIVE** — Ownership in common with other persons of a parcel of land and of a building thereon which would normally be used by all occupants, together with individual rights of occupancy or a particular unit or apartment in such building or buildings or on such parcel of land, which may include dwellings, offices and other types of space in commercial buildings or on property and where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.

**COUNTY** — Dauphin County, Pennsylvania.

**COUNTY PLANNING COMMISSION** — The Planning Commission of Dauphin County.

**CROSSWALKS** — A right-of-way, publicly or privately owned, intended to furnish access for pedestrian use.

**CUT** — An excavation. The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in excavation.

**DEVELOPABLE ACREAGE** — Area remaining after non-buildable area, area restricted from development by ordinance (steep slopes, floodplain, wetlands, etc.) is deducted.

**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.

**DEVELOPMENT PLAN** — The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open

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<sup>1</sup>Public facilities include utility easements for sewer collection, water, electric, telephone and gas distribution, transformer, pumping stations, etc.

space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic material referred to in this definition.

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

**DRAINAGE FACILITY** — Any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision or contiguous land areas.

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

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

**DWELLING UNIT** — One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one family or a single person.

**DWELLING, GARDEN APARTMENT** — A two-story multifamily dwelling containing one story dwelling units under one ownership.

**DWELLING, MULTIFAMILY (APARTMENT BUILDING)** — A building used by three or more families living independently of each other and doing their own cooking, including apartment houses, row houses or townhouses.

**DWELLING, SINGLE-FAMILY ATTACHED (ROW; TOWNHOUSE)** — A building used by one family having two party walls in common with other buildings.

**DWELLING, SINGLE-FAMILY DETACHED** — A building used by one family, having one dwelling unit and having two side yards.

**DWELLING, SINGLE-FAMILY SEMIDETACHED** — A building used by one family having one side yard and having one party wall in common with other buildings.

**DWELLING, TWO-FAMILY DETACHED** — A building used by two families, with one dwelling unit arranged over the other, having two side yards.

**DWELLING, TWO-FAMILY SEMIDETACHED** — A building used by two families, with one dwelling unit arranged over the other, having one side yard and having one party wall in common with another buildings.

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

ENGINEER — A registered professional engineer of Pennsylvania.

ENGINEER, TOWNSHIP — The Engineer designated by the Township to perform the engineering duties specified in this chapter.

ENGINEERING SPECIFICATIONS — The engineering specifications of Washington Township regulating the installation of any required improvement or for any facility installed by any owner, subject of public use.

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

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

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

FLOOD, ONE-HUNDRED-YEAR — A level of flooding that has a one in 100 chance of occurring in any given year.

FLOOD-FRINGE AREA — That portion of the flood-prone area outside of the floodway area.

FLOODPRONE AREA — A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourses and/or any area subject to the usual and rapid accumulation of surface waters from any source.

FLOODWAY AREA — The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one-hundred-year magnitude.

FUTURE RIGHT-OF-WAY —

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

GOVERNING BODY — The Board of Supervisors of the Township of Washington.

IMPROVEMENTS — Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to, grading, paving, curbing, gutters, storm sewers and drains, improvements to existing watercourses, sidewalks, crosswalks, street signs, monuments, water supply facilities and sewerage disposal facilities.

LAND DEVELOPMENT — Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (1) 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.
  - (2) 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.
- B. A subdivision of land. This definition of land development shall not include:
  - (1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium.
  - (2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
  - (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 subclause, 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 initial plans for the expanded area have been approved by proper authorities.

LANDOWNER — The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having proprietary interest in land, shall be deemed to be a landowner for the purpose of this chapter.

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

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

LOT, NONCONFORMING — A lot of record at the time of the adoption of this chapter, which by reason of area or dimension does not conform to the requirements of this chapter.

LOT, REVERSE FRONTAGE — A lot extending between, and having frontage on, an arterial street and a minor street and with vehicular access solely from the latter.

LOT, THROUGH OR DOUBLE FRONTAGE — A lot with front and rear street frontage.

MINOR SUBDIVISION — The subdivision of a single lot, tract or parcel of land into 10 or less lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, streets easements, easements of access or need therefor.

MOBILE HOME — A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

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 designed and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

MUNICIPALITIES PLANNING CODE (MPC) — Pennsylvania Act 247 of 1968, as amended by Act 170 of 1988, and as may be further amended.

MUNICIPALITY — Washington Township.



OWNER — Any person having any title or interest whatsoever in any land subdivision as the word "subdivision" as hereinafter defined in this Part and section.

PERSON — Any individual or group of individuals, partnership or corporation.

PLAN, CONSTRUCTION IMPROVEMENT — A plan prepared by a registered engineer showing the construction details of streets, drains, sewers, bridges, culverts and other improvements as required by this chapter.

PLAN, OFFICIAL — The Comprehensive Plan and/or Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right-of-Way Plan and/or Official Map or other such plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the Township in which the subdivision is located.

PLAN, SKETCH — An informal plan which may be prepared at the option of the applicant for a preapplication meeting, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development, not to be construed as a preliminary or final plan.

PLANNING COMMISSION — Washington Township Planning Commission.

PLAT, FINAL (FINAL PLAN) — A complete and exact subdivision or land development plan prepared for official recording as required by statute.

PLAT, PRELIMINARY (PRELIMINARY PLAN) — A tentative subdivision or land development plan, in less detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.

PROFILE LINE — The profile of the center line of the finished surface of the street, which shall be midway between the sidelines of the streets.

PUBLIC GROUNDS —

- A. Parks, playgrounds, trails, paths and other recreational and other public uses.
- B. Sites for schools, sewage treatment, refuse disposal, other publicly owned or operated facilities.
- C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING — A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.

**PUBLIC MEETING** — A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

**PUBLIC NOTICE** — Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than 30 days prior to and the second publication shall not be less than seven days from the date of the hearing.

**REAL ESTATE** — The land including the building or improvements thereto and its natural assets.

**REAL PROPERTY** — The land and improvements thereto.

**RECREATIONAL VEHICLE** — A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which has its own motive power or is mounted on or drawn by another vehicle (including camping trailer, motor home, travel trailer and truck camper); and body width of no more than eight feet and body length of no more than 32 feet when factory equipped for the road and licensed as such by the commonwealth.

**RESERVE STRIP** — A narrow parcel of ground separating a street from other adjacent properties.

**RESIDENT PROPERTY OWNER** — Any individual maintaining a voting address in the municipality, within 1,000 feet of the proposed subdivision, owning real estate in his own or joint names. A tenancy in common or any other means of joint ownership shall be considered as an individual; however, the signatures of any single joint owner shall be considered as binding the others.

**RESUBDIVISION** — Any subdivision or transfer of land or any part of land which has previously been subdivided as defined in this chapter.

**RIGHT-OF-WAY, STREET** — A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land, alley or however designated.

**RUNOFF** — The surface water discharge or rate of discharge from a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of land.

**SEDIMENTATION** — The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

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

SEPTIC TANK — A watertight tank in which raw sewage is broken down into solid, liquid and gaseous phases to facilitate further treatment and final disposal.

SEWAGE DISPOSAL SYSTEM (PUBLIC) — A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

SHOULDER — The improved but unpaved portion of the street contiguous to the cartway for the accommodation of stopped vehicles, for emergency parking and for the lateral support of these uses.

SIGHT DISTANCES — The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SLOPE — The face of an embankment or cut section or any ground whose surface makes an angle with the plane of the horizon. Slopes are expressed in a ratio based upon vertical difference in feet per one foot change in horizontal distance.

SOIL PERCOLATION TEST — A field test conducted to determine the absorption capacity of soil to a specified depth in a given location of the purpose of determining suitability of soil for a subsurface absorption area.

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

STREET — Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET, CUL-DE-SAC — A street intersecting another street at one end and terminating at the other in a vehicular turn-around.

STREET, MAJOR —

ARTERIAL STREET — A street with a calculated average daily traffic (ADT) volume expected to equal or exceed 1,000.

COLLECTOR STREET — A street with a calculated average daily traffic (ADT) volume expected to equal or exceed 400.

STREET, MARGINAL ACCESS — A minor street which is parallel and adjacent to arterial streets and which provides access to abutting properties and protection from through traffic.

**STREET, MINOR** — A street with a calculated average daily traffic (ADT) volume less than 400.

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

**SUBDIVIDER** — See "applicant" and "developer."

**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 line for the purpose, whether immediate or future or lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided; however, that the division by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, shall be exempted.

**SUBSTANTIALLY COMPLETED** — Where, in the judgment of the Township Engineer, at least 90% (based on the cost of the equipment improvements for which financial security is posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

**SURFACE DRAINAGE PLAN** — A plan showing all present and proposed grades and facilities for stormwater drainage.

**SURVEYOR** — A licensed surveyor registered by the Commonwealth of Pennsylvania.

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

**TILE DISPOSAL FIELD** — A system of open jointed or perforated pipes laid in the upper strata of the soil for absorption.

**TOP SOIL** — Surface soils and subsurface soil which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the upper-most soil layer called the A Horizon.

**TOWNSHIP** — The Township of Washington, Dauphin County, Pennsylvania, Board of Supervisors, its agents or authorized representatives.

**TRAILER** — A vehicular portable structure to be mounted on a chassis or wheels and towed or constructed as an integral part of a self-propelled vehicle for use as temporary dwelling for travel, recreation and vacation commonly known as travel trailers, pick-up coaches, motor homes, camping trailers or recreational vehicles.

UNDEVELOPED LAND — Any land, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.

UNIT — A part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way, or to a common element or common elements leading to a public street or way or to an easement or right-of-way leading to a public street or way and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

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

WATER SURVEY — An inventory of the source, quantity, yield and use of groundwater and surface water resources within a municipality.

WATERCOURSE — A stream of water, river, brook, creek or channel or ditch for water whether natural or man-made.

## PART 3

## PROCESSING PROCEDURES AND PLAN REQUIREMENTS

**§ 22-301. Prior to Submission. [Ord. 91-12, 10/15/1991, § 3.01]**

Copies of this chapter shall be available on request, at cost for the use of any person who desires information concerning subdivision standards and procedures in effect with the Township. Any prospective developer is encouraged to meet with the Township Planning Commission to discuss and review tentative plans and/or the provisions of this chapter.

**§ 22-302. Sketch Plan (Optional to Developer). [Ord. 91-12, 10/15/1991, § 3.02]**

1. Prior to the submission of preliminary plans developers may, at their option, submit a sketch plan to the Township Planning Commission. This will enable the Planning Commission to review the proposal and to make any suggestions or discuss with the developer any proposed plans or factors that may affect his subdivision or development. Submission and review of a sketch plan shall not constitute official submission of a plan to the Township or require to take any action on said plan or to review the same, within any specified period time.
2. The sketch plan should consist of the following:
  - A. The designation, "Sketch Plan."
  - B. An approximate key map showing the generalized location of the tract and adjacent streets.
  - C. Tract boundaries with approximate dimensions.
  - D. North point, topography, physical features and dates.
  - E. Proposed street and lot layout and owner of tract.
3. The Township Planning Commission discussion and review of the sketch plan would normally include the following items:
  - A. Erosion and sediment control needs and equipment.
  - B. Sewage disposal needs and requirements.
  - C. Proposed street layout to consider compatibility with existing and future Township road system.
  - D. Land subject to flooding.
  - E. Consideration of the various permits and requirements of different governmental units and sources of information for each.

**§ 22-303. Processing Procedure. [Ord. 91-12, 10/15/1991, § 3.03]**

1. Whenever a subdivision of land or land development is desired to be effected in Washington Township, Dauphin County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed and processed with the Planning Commission and the Board of Supervisors according to the requirements of this chapter.
2. Where no more than 10 new lots are proposed to be subdivided from an existing tract, or where additional land is proposed to be transferred to an existing lot, the applicant may make a written request to waive the requirements of the preliminary plat stage, provided no new streets or extensions of existing streets are involved and no public improvements are involved. If the waiver is approved by the Board of Supervisors, the applicant may submit a final plat.

**§ 22-304. Preliminary Plat Procedure. [Ord. 91-12, 10/15/1991, § 3.04]**

1. The preliminary plat shall be certified correct by a registered professional land surveyor. It shall be the responsibility of the subdivider to ensure that the preliminary plat meets all the requirements of this chapter and that any coordination with public or private utilities or service agencies is accomplished.
2. Not less than 14 regular business days prior to a regularly scheduled meeting of the Planning Commission, the subdivider shall submit five copies of the preliminary plat along with the applicable review fee to the Washington Township Secretary. Copies of the preliminary plat shall be distributed by the Township Secretary as follows:
  - A. One copy of the plat to the County Planning Commission for its review and comment along with the applicable review fee.
  - B. One copy of the plat to the Township Planning Commission.
  - C. One copy to the County Conservation District for erosion and sediment control review.
  - D. One copy to the Township Engineer.
  - E. One copy shall be held for the Township files.
3. All applications for approval of a plat shall be officially received by the Planning Commission after the application has been filed with the Township Secretary in accordance with Subsection 2 above. No application for approval of a preliminary plat shall be considered complete without the payment of the required fee. The ninety-day period within which official action on the application must be taken by the Township shall be measured as beginning on the date of the meeting at which a complete application is officially

received by the Planning Commission, unless the application is filed more than 30 days prior to a regular Planning Commission meeting, in which case the ninety-day action period shall begin on the 30th day after the application is filed. Official action on applications for approval of a plat shall be made by the Board of Supervisors in accordance with Subsection 7.

4. The Dauphin County Planning Commission and the Dauphin County Conservation District may review and analyze the plat in order to assist the Washington Township Planning Commission in its formal action.
5. At a regular or special Planning Commission meeting following receipt of reports from the agencies listed in Subsection 3 above, but in no case more than 60 days from the time of preliminary plat submission to the Commission, the Planning Commission shall:
  - A. Review the applicant's submission.
  - B. Review all reports received.
  - C. Discuss submission with applicant or applicant's agents.
  - D. Evaluate the plat, reports and discussion.
  - E. Determine whether the preliminary plat meets the objectives and requirements of this chapter and other ordinances of the Township.
  - F. Either recommend approval or disapproval of the preliminary plat.
  - G. Submit its reports to the Board of Supervisors.
6. When the Planning Commission recommends disapproval in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance relied upon.
7. All completed applications for approval of a plat, whether preliminary or final, shall be acted upon by the Board of Supervisors. The Board shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of Planning Commission at which the plat is officially received, unless that scheduled Planning Commission meeting would occur more than 30 days following the filing of the application, in which case the said ninety-day period shall be measured as beginning on the 30th day after the day on which the application is filed.
8. Following receipt of the Township Planning Commission's report and within 90 days, (unless said 90 days is extended in writing by agreement of the applicant) following submission of the completed preliminary plan to the Commission, the Board of Supervisors shall:



- A. Evaluate the applicant's submission, presentation and report to the Township Planning Commission.
  - B. Determine whether the preliminary plat meets the objectives and requirements of this chapter and other ordinances of the Township.
  - C. Either approve, conditionally approve or disapprove the preliminary plat.
  - D. Deliver the written decision of the Board of Supervisors to the applicant personally or mail it to him at his last known address not later than 15 days following the decision.
  - E. Specify, if the application is not approved in terms as filed, the defects found in the application and describe the requirements which have not been met and in each case, cite the provisions of the statute or ordinance relied upon.
9. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall be of like effect.
  10. Approval of the preliminary plan shall constitute conditional approval of the subdivision or land development as to its character and intensity, but shall not constitute approval of the final plat or authorize the sale of lots or construction buildings.
  11. Before acting on any preliminary plan, the Board of Supervisors may hold a public hearing thereon after public notice.
  12. Applications for subdivision and land development shall include a fee sufficient to cover the costs of the review and report, which fee shall be paid by the applicant. Review fees may include reasonable and necessary charges by the Township's professional consultants or Township Engineer for review and report thereon to the Township. Such review fees shall be based upon a schedule established by ordinance or resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charged by the Township Engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
    - A. In the event the applicant disputes the amount of any such review fees the applicant shall, within 10 days of the billing date, notify the Township in writing that such fees are disputed, in which case the

Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

- B. In the event that the Township and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the Township shall follow the procedure for dispute resolution set forth in § 510(g) of the Pennsylvania Municipalities Planning Code (MPC), 53 P.S. § 10510(g).

**§ 22-305. Preliminary Plat Specifications. [Ord. 91-12, 10/15/1991, § 3.05; as amended by Ord. 2005-02, 10/4/2005]**

1. The preliminary plat shall be drawn to a scale as to facilitate a comprehensive overall picture of the proposed subdivision on one sheet of a size not larger than 24 inches by 36 inches on a reproducible mylar or other reproducible material of equal quality and shall show:
  - A. The designation, preliminary plat.
  - B. Proposed subdivision or development name and municipality or municipalities in which located.
  - C. Name, address and telephone number of record owner and developer.
  - D. Name and address of registered engineer or surveyor responsible for preparation of the plan.
  - E. North point, graphic scale, written scale and date, including the month, day and year that the original drawing was completed and the month, day and year that the original drawing was revised for each revision, if any.
  - F. A location map, for the purpose of locating the property being developed, showing the relationship of adjoining property to all streets, roads and municipal boundaries.
  - G. Boundaries of the property being developed showing bearings and distances (if available) and a statement of total acreage of the property and an outline of the property from which the lot or lots are to be divided, at a scale of one inch equals not more than 400 feet.
  - H. Names of record owners of adjoining unplatted lands.
  - I. Reference to recorded subdivision plats or adjoining platted land by recorded name, date and number.
  - J. Existing buildings and other topography and the approximate location of all existing tree masses within the proposed subdivision.

- K. Existing contours of the proposed subdivision at vertical intervals of five feet.
  - L. Purpose of which sites other than residential lots are dedicated or reserved.
  - M. Land subject to flooding according to the Federal Emergency Management Agency (FEMA) Study and Mapping, according to the following provisions:
    - (1) Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may cause danger to health, life or property or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation.
    - (2) To ensure that residents will have sufficient flood free land upon which to build a house, the Planning Commission may require elevations and flood profiles when portions of residential lots are platted within a floodprone area. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.
    - (3) The Planning Commission shall not recommend approval of any street subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas by flood.
  - N. The layouts, names and widths of rights-of-way, cartway and paving of proposed streets, alleys and easements and notes indicating which streets are intended to be dedicated to the Township.
  - O. The layout of lots showing approximate dimensions, lots numbers and approximately area of each lot.
  - P. Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space or other public, semipublic or community purpose.
2. The preliminary plat shall be accompanied by the following data and plans:
- A. A profile of each proposed street, including grades and street cross-sections.
  - B. Location of existing and proposed utility mains.
  - C. Location plans of proposed sewerage system, storm drainage facilities and of any proposed water distribution system.

- D. A preliminary erosion and sedimentation plan showing locations and types of erosion and sediment control measures (vegetation, mulching, structural control, etc). See § 22-405.
- E. A conceptual plan for the proposed sewage treatment and water supply facilities and a completed Department of Environmental Protection sewage "Plan Revision Module" for submission to DEP by the Township in compliance with the planning and testing requirements of the Pennsylvania Sewage Facilities Act, (Chapter 73 and Chapter 72 of Title 25 of the Pa. Code).
- F. A list of subdivisions within 1,000 feet.

**§ 22-306. Final Plat Procedure. [Ord. 91-12, 10/15/1991, § 3.06; as amended by Ord. 2005-02, 10/4/2005]**

1. Not less than 14 regular business days prior to a regularly scheduled meeting of the Planning Commission the subdivider shall submit five copies of the final plat along with the applicable review fee to the Washington Township Secretary. No application for approval of a final plat shall be considered complete unless it is accompanied by the payment of the required fee. Submission of the final plat shall take place no later than five years after the approval of the preliminary plat by the Township Supervisors. If the subdivider does not submit the completed final plat during that time, the approved preliminary plat becomes null and void. However the subdivider may, due to extenuating circumstances, apply for and receive a time extension from the Township Supervisors upon recommendation of the Planning Commission. The duration of a time extension shall be one year in length from the date of its approval. Upon request of the Planning Commission, the subdivider may submit the final plat in sections, each of which cover a portion of the entire proposed subdivision as approved in the preliminary plat. The final plat shall incorporate all the changes and modifications required by the planning commission; otherwise, it shall conform to the preliminary plat.
2. The Township Secretary shall distribute the copies of the final plat as follows:
  - A. One copy to the County Planning Commission for its review and comment along with the applicable review fee.
  - B. One copy to the District Office of the Pennsylvania Department of Transportation for review and mapping of dedicated streets (when applicable).
  - C. One copy of the plat to the Township Planning Commission to be retained for files.

- D. One copy to the County Conservation District for erosion and sediment control review (when applicable).
  - E. One copy to the Township Engineer for review and comment.
3. The Dauphin County Planning Commission, the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection, Township Engineer and the Dauphin County Conservation District may analyze and review the final plat to assist the Washington Township Planning Commission with its formal action on the final plat.
4. At the next regular or special Planning Commission meeting following the receipt of reports from the agencies listed above, the Township Planning Commission shall:
  - A. Review the applicant's submission.
  - B. Review all reports received.
  - C. Discuss submission with the applicant or applicant's agent.
  - D. Evaluate the plat, reports and discussion.
  - E. Determine whether the final plat meets the objectives and requirements of this chapter and other ordinances of the Township.
  - F. Either recommend approval or disapproval of the final plat.
  - G. Submit its report to the Board of Supervisors.
5. When the Planning Commission recommends disapproval in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case cite the provisions of the ordinance relied upon.
6. Following receipt of the Township Planning Commission's report and within the ninety-day period for the Township action as specified in § 22-304(7), unless said period is extended in writing by agreement of the applicant, the Board of Supervisors shall:
  - A. Evaluate the applicant's submission, presentation and report to the Township Planning Commission.
  - B. Determine whether the final plat meets the objectives and requirements of this chapter and other ordinances of the Township.
  - C. Either approve or disapprove the final plat by resolution.
  - D. Inform the applicant of the decision in writing communicated to the applicant personally or mailed to him at address on application not later than 15 days following the decision. When the final plat is not

approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not met and shall, in each case, cite the provisions of the ordinance relied upon.

7. No plat which will require access to a highway under the jurisdiction of the State Department of Transportation (PennDOT) shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to § 420 of the act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law," before driveway access to a state highway is permitted.
8. Before approval of a final plat, the Board of Supervisors must be assured by means of a proper completion guaranty in the form of a bond, the deposit of funds or securities in escrow, or other for satisfactory to the Board, that sufficient funds will be available to cover the cost of the improvements required in Part five and that such improvements will be installed by the applicant in strict accordance with the standards and specifications of the Township and within a specified time after approval of the final plat. The bond or other security shall be made to and deposited with the treasurer of the Washington Township Board of Supervisors as follows:
  - A. Completion of Improvements of Guaranty Thereof Prerequisite to Final Plat Approval.
    - (1) No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition or improved as may be required by this chapter and any walkways, curbs, gutters, streets, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this chapter have been installed. In lieu of the completion of any improvements required as a condition for the final approval of a plat, the applicant shall provide for the deposit with the Township of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements or buffer or screen plantings which may be required.
    - (2) When requested by the developer, in order to facilitate financing, the Township shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security

agreement is not executed within 90 days unless a written extension which is requested in writing by the developer is granted by the Township.

- (3) Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, federal or commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.
- (4) Such financial security shall be posted with a bonding company or federal or commonwealth chartered lending institution chosen by the party posing the financial security, provided said bonding company or lending institution is authorized to conduct such business within the commonwealth.
- (5) Such bond or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- (6) The amount of financial security to be posed for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the additional security equals said 110%. Any additional security shall be posed by the developer in accordance with this subsection.
- (7) The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this

commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

- (8) If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an addition 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 10% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure.
- (9) In the case where development is projected over a period of years, the Township may authorize submission of final plats by section of stages of development subject to such requirements of guaranties as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- (10) As the work of installing the required improvements proceeds, the party posting the financial security may request the Township to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Township, and the Township shall have 45 days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Township that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Township fails to act within said forty-five-day period, the Township shall be deemed to have approved the release of funds as requested. The Township may, prior to final release at the time of completion and certification by its Engineer, require retention of 10% of the estimated cost of the aforesaid improvements.
- (11) Where the Township accepts dedication of all or some of the required improvements following completion, the Township may require the posting of financial security to secure structural integrity of said improvements as well as the



functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements and the amount of financial security shall not exceed 15% of the actual cost of installation of said improvements.

- (12) If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.
- (13) If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including building, upon lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question as such improvements are necessary for the reasonable use of or occupancy of the building or buildings. Any ordinance or statute inconsistent herewith is hereby expressly repealed.

B. Release from Improvement Bond.

- (1) When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Township Board of Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board shall, within 10 days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board and

shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Township Engineer of the aforesaid authorization from the Board; said report shall be detailed and shall indicate approval or rejection of said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

- (2) The Board shall notify the developer, within 15 days of receipt of the Engineer's report, in writing by certified or registered mail of the action of said Board within relation thereto.
- (3) If the Board of the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- (4) If any portion of the said improvements shall not be approved or shall be rejected by the Board, the developer shall proceed to complete the same and, upon completion, the same procedure of notification as outlined herein, shall be followed.
- (5) Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board or the Township Engineer.
- (6) Where herein reference is made to the Township Engineer, he shall be as a consultant thereto.
- (7) The Board may prescribe that the applicant shall reimburse the Township for the reasonable and necessary expenses incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
  - (a) In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within 10 working days of the date of billing, notify the Township that such

expenses are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove a subdivision or land development application of any approval or permit related to development due to the applicant's request over disputed engineer expenses.

- (b) If, within 20 days from the date of billing, the Township and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Township shall jointly, by mutual agreement appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- (c) The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- (d) In the event that the Township and applicant cannot agree upon the professional engineer to be appointed within 20 days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, sitting) shall appoint such engineer, who, in that case, shall be neither the Township Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the applicant within the preceding five years.
- (e) The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000 or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the applicant shall each pay 1/2 of the fee of the appointed professional engineer.

C. Remedies to Effect Completion of Improvements.

- (1) In the event that any improvements which may be required have not been installed as provided in the subdivision and land development ordinance or in accordance with the approved final plat, the Washington Township Board of Supervisors may enforce any corporate bond or other security by appropriate legal and equitable remedies.
- (2) If proceeds of such bond or other security are insufficient to pay the cost of the improvements covered by said security the Board may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action or recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security and not for any other municipal purpose.

**§ 22-307. Final Plat Specifications. [Ord. 91-12, 10/15/1991, § 3.07; as amended by Ord. 2005-02, 10/4/2005]**

1. The final plat shall be drawn on reproducible mylar or other reproducible material of equal quality, no greater than 24 inches by 36 inches, and at a scale of one inch equals not more than 50 feet and shall show:
  - A. The designation "final plat" and primary control points, approved by the Engineer, or description of "ties" to such control points to which all dimensions angles, bearings and similar data on the plat shall be referred.
  - B. Tract boundary lines, rights-of-way of streets, easements and other rights-of-way and property line of residential lots and other sites with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves.
  - C. Name and right-of-way width of each street or other right-of-way.
  - D. Location, dimensions and purpose of easements.
  - E. Number to identify each lot and/or site.
  - F. Purpose for which sites other than residential lots are dedicated or reserved.
  - G. Building setback lines on all lots and other sites.
  - H. Locations and description of survey monuments.
  - I. Names or record owners of adjoining unplatted land.

- J. Reference to recorded subdivision plats of adjoining platted land and by record name, date and numbers.
- K. Surveyed contours at vertical intervals of two feet or less.
- L. Signature and seal by the person responsible for the survey certifying the accuracy of the topographic survey and plan as described in P.L. 534, No. 120 of December 13, 1979.
- M. Certification of title demonstrating that the applicant is the owner of land, agent of the land owner or tenant with permission of the landowner.
- N. Statement by the owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated.
- O. Proposed protective covenants running with the land, if any.
- P. Other Data. The final plat shall be accompanied by the following data and plans as prescribed by the Commission or as required by the laws of the commonwealth.
  - (1) Profiles of streets and alleys showing grades.
  - (2) Typical cross sections of each type of street, minor street, collector, etc., showing the width of right-of-way, width of cartway, location and width of sidewalks, if required, and location and size of utility mains.
  - (3) Plans and profiles of proposed sanitary and stormwater sewers, with grade and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
  - (4) A final Erosion and Sedimentation Control Plan, showing the location and types of erosion and sediment control measures, except where five acres or more are being distributed and new streets are involved, as required by the "Clean Stream Law of Pennsylvania," Act 222, July 31, 1970, as amended. In the case of the exception above such plans shall include a report signed by the County Conservation District indicating that the plan has been reviewed.
  - (5) A copy of an approved permit for earth moving activity or a permit issued and signed by the Department of Environmental Protection as required by the Rules and Regulations, Chapter 102, "Erosion Control," under P.L. 1987, June 22, 1937, as amended. (See §§ 4506.1.a and 4065.1.c).

- (6) In the case of subdivision and land development plans proposed for the sale of lots only the subdivider shall include on the final plat, a covenant of land, assuring the implementation by the lot owners of the Erosion and Sedimentation Control Plan.
  - (7) A copy of the sewage "Plan Revision Module for Land Development" or other equivalent documentation approved by the Department of Environmental Protection.
  - (8) Such other certificates, affidavits, endorsements or dedications as may be required by the Commission in the enforcement of these regulations.
  - (9) Where a mobile home park is proposed, a certificate of registration from the Pennsylvania Department of Environmental Protection, as required under Title 25, Rules and Regulations, Part 1, subpart D, Article II, Chapter 179, "Mobile Home Parks."
  - (10) When the subdivision of land development is proposed fronting on the existing street, except for a state highway, the required additional right-of-way shall be dedicated for the lots or land development proposed and the dedication shall not be required for the remaining portion of the property except where the remaining portion of the property is less than one required lot width, then the required right-of-way for all the property fronting on the existing street shall be shown on the plat and a signed dedicatory statement shall be shown on the final plat.
  - (11) If the water supply 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 that the subdivision is to be supplied by a certified 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.
- Q. Subdivision or development name and municipality or municipalities in which located.
- R. Name, address, telephone number of record owner and developer.
- S. Name and address of registered engineer or surveyor responsible for preparation of the plant.

- T. North point, graphic scale, written scale and date, including the month, day and year that the original drawing was completed and the month, day and year that the original drawing was revised for each revision, if any.
- U. Land subject to flooding according to the Federal Emergency Management Agency (FEMA) Study and Mapping, according to the following provisions:
  - (1) Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy nor for such other use as may cause danger to health, life or property or aggregate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation.
  - (2) To ensure that residents will have sufficient flood free land upon which to build a house, the Planning Commission may require elevations and flood profiles when portions of residential lots are platted within a flood prone area. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.
  - (3) The Planning Commission shall not recommend approval of any street subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas by flood.

**§ 22-308. Recording of Plats and Deeds. [Ord. 91-12, 10/15/1991; as added by Ord. 2005-02, 10/4/2005]**

1. Upon approval of a final plat, the developer shall within 90 days of such approval or 90 days after the date of delivery of an approved plat signed by the Board of Supervisors, following completion of conditions imposed for such approval, whichever is later, record such plat in the Office of the Recorder of Deeds of Dauphin County. Whenever such plat approval is required by the Township, the Recorder of Deeds shall not accept any plat for recording, unless such plat officially notes the approval of the Board of Supervisors and review by the Dauphin County Planning Commission.
2. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

PART 4

DESIGN STANDARDS

§ 22-401. Streets. [Ord. 91-12, 10/15/1991, § 4.01]

1. General Standards. The arrangements, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in the appropriate relation to the proposed uses of the land to be served by such streets. The arrangement and other design standards of streets shall conform to the provisions found herein.
  - A. The arrangement of streets in new subdivisions shall make provisions for the continuation of existing streets in adjoining areas.
  - B. Where adjoining area are not subdivided, the arrangement of streets in new subdivisions shall make provisions for the proper continuation of streets.
  - C. When a new subdivision adjoins unsubdivided land appropriate for subdivision, then the new streets shall be carried to the boundaries of the tract to be subdivided.
2. Alleys. Alleys shall be prohibited in residential districts except where necessary to meet the provisions of Subsection 1.
3. Intersection. Intersections involving the junction or more than two streets are prohibited. Right angle intersections must be used wherever practicable, however, in no case shall streets intersect at less than 75°.
4. Intersection Curve Radii. At intersections of streets the radius of the curb or edge of pavement radii shall not be less than the following:

<b>Intersection</b>	<b>Minimum Simple Curve Radius of Curb or Edge of Pavement</b>
Collector with Collector Street	35 feet
Collector with Minor Street	25 feet
Minor Street with Minor Street	15 feet

5. Corner Properties. Property lines of corner properties adjacent to intersections shall be substantially concentric with curb lines or edge of pavement.
6. Intersection Sight Distance. Proper sight lines must be maintained at all intersections in accordance with the standards provided by the Pennsylvania Department of Transportation (PennDOT).



- 7. Streets Not in Alignment. If streets are not in alignment, the distance between the center lines of streets opening on opposite sides of an existing or proposed street shall be not less than 125 feet.
- 8. Sight Distances. Sight distances must be provided with respect to both horizontal and vertical alignment in accordance with PennDOT criteria and in consideration of street classification and design speed.
- 9. Curves. Where connecting street lines deflect from each other at any one point by more than 2°, the line must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

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

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

- 10. Street Widths. Minimum street right-of-way and cartway widths shall be as specified in Appendix 1, except as modified below:
  - A. Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Township Supervisors in specific cases for:
    - (1) Public safety and convenience.
    - (2) Parking in commercial and industrial areas and in areas of high density development.
    - (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.
  - B. Where curbs are required the cartway width (between curbs) shall be as indicated in the engineering specifications of the Township.
  - C. When the subdivision or land development is proposed fronting on an existing street, except for a state highway, the required additional right-of-way shall be dedicated for the lots or land development proposed and the dedication shall not be required for the remaining portion of the property. The required right-of-way for all of the property fronting on the existing street shall be shown on the plat and a signed dedicatory statement shall be shown on the final plat.
- 11. Street Pavement Requirements. Minimum pavement depths shall be as specified in Appendix 2.

12. Cul-de-sac or Dead End Streets. Cul-de-sacs or dead end streets, designed to be so permanently, shall not exceed 700 feet in length and shall be provided with a turn around having minimum dimensions for right-of-way and cartway widths as indicated in Appendix 1.
13. Street Grades. Street grades shall not be less than 0.75% and not greater than 10%. Vertical curves shall be used in changes of grade when the algebraic difference exceeds 1% and shall be designed to ensure the maximum safe sight distance. All intersections shall be provided with leveling areas extending a minimum of 100 feet in each direction. No street within leveling areas shall have a grade which exceeds 4%.
14. Slope of Banks Along Streets. The slope of banks along streets measured perpendicular to the street center line shall be no steeper than one foot of vertical measurement for two feet of horizontal measurement. Such slopes shall be suitably planted with perennial grasses or other vegetative cover to prevent erosion. On fills greater than 10 feet in height, guard rails shall be provided in accordance with the standards required by PennDOT.
15. Partial and Half Streets. The dedication of half streets at the perimeter of new subdivisions is prohibited.
16. Names of Streets. Names of new streets shall not duplicate or approximate existing or platted street names or approximate such names by use of suffixes such as "land," "drive," "way," "court," "avenue." In approving the names of streets consideration should be given to existing or platted street names within the postal delivery district serviced by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or plated street.
17. Sidewalks and Handicapped Access. Sidewalks shall generally be required for residential and commercial areas and shall not be less than four feet wide. The Board of Supervisors may adjust the required width or waive the requirement for sidewalks in consideration of both the intended use and the adjoining existing uses. All commercial areas shall be provided with ramps and safe parking and access suitable for handicapped persons.

**§ 22-402. Easements. [Ord. 91-12, 10/15/1991, § 4.02]**

1. The minimum width of easements shall be 20 feet for all facilities except as modified in Subsection 2. Wherever possible, easements for public utilities shall be centered on side or rear lot lines. Additional width may be required by the Supervisors depending on the purpose of the easement.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel or stream and extending a minimum of 10 feet from the defined edge of all watercourses; the actual width should be adequate to preserve the

unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating or protecting such drainage facilities or for the purpose of installing a stormwater sewer.

3. The applicant shall provide the Supervisors with a statement from a utility company as to easement adequacy.

**§ 22-403. Blocks. [Ord. 91-12, 10/15/1991, § 4.03]**

Blocks shall not exceed 1,200 feet in length and shall be in sufficient depth of permit two tiers of lots, except as otherwise provided for herein.

**§ 22-404. Lots. [Ord. 91-12, 10/15/1991, § 4.04]**

1. The arrangement and other design standards of lots shall conform to the following requirements.
  - A. Layouts of Lots. Every lot shall abut a street. Side lot lines should be substantially at right angles or radial to street lines.
  - B. Double Frontage. Double frontage lots shall be avoided, except that, where desired along arterial streets, reverse frontage lots may face on an interior street and back on such thoroughfares. Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.
  - C. Minimum Frontage. Lots which do not meet the minimum frontage requirements as established below, which may commonly be referred to as "flag lots," shall not be permitted.
  - D. Dimension and Areas of Lots. The dimensions and areas of lots shall conform to the following requirements:
    - (1) Lots not Served by Public Water and Public Sanitary Sewers. Residential lots not served by public water or public sanitary sewers, which may be provided with approved initial and replacement on-lot sewage disposal system areas shall not be less than 120 feet wide measured at the front building setback line, nor less than 43,560 square feet in area, per dwelling unit.
    - (2) Lots Served by Public Water Only. Residential lots served by public water and not by public sanitary sewers, which may be provided with approved initial and replacement on-lot sewage disposal system areas shall not be less than 100 feet wide measured at the front building setback line, nor less than 25,000 square feet in area, per dwelling unit.
    - (3) Lots Served by Public Sanitary Sewers and by Private Water Supply. Residential lots served by public sewers and by private

water supply shall not be less than 100 feet wide measured at the front building setback line, nor less than 15,000 square feet in area, per dwelling unit.

- (4) Wedge-Shaped Lots. In the case of wedge-shaped lots along a turnaround at the end of a permanent cul-de-sac, lot side lines shall be aligned along a radius originating at the center point of the turnaround.
- (5) Lots Served by Public Water and Public Sanitary Sewers. Residential lots served by both public water and public sanitary sewers shall conform to the following requirements:

Dwelling Type	Width	Minimum
		Lot Area
SF/D	80 feet	10,000 square feet
SF/S-D	50 feet	7,500 square feet
SF/A	24 feet	3,600 square feet
TF/D	80 feet	6,000 square feet
TF/S-D	60 feet	4,500 square feet
M	120 feet	3,000 square feet

**KEY**

- SF/D Single-family Detached
- SF/S-D Single-family Semidetached
- SF/A Single-family Attached
- TF/D Two-family, Detached
- TF/S-D Two-family, Semidetached
- MF Multifamily Dwelling

- (6) Lots for Other Than Residential Uses. The lot width and area requirements of properties reserved or laid out for uses other than residential shall provide space for yards and off-street loading, unloading and parking facilities. Subdivision plats for uses other than residential shall be accomplished by plans of contemplated construction on the subdivision lots in sufficient detail to assure that these requirements are being satisfied.
- (7) Lot Sizes and Sewage Facility Requirements. The applicant shall provide certification, in the form of a completed sewage facilities planning module, to the Township Supervisors that each proposed lot has been approved in accordance with the standards of the Department and all applicable legal requirements of the Township.

- (8) Lot Sizes on Slopes. In areas of steep slopes, surface runoff and subsurface drainage of septic tank effluent are likely to result in hazardous conditions. The minimum lot areas herein established shall be increased by 50% where the natural grade of the absorption field exceeds 15%.
- (9) Corner Lots for Residential Use. Corner lots designed for residential use shall have extra width of at least 10% of the above required width to permit appropriate building setback from, and orientation to, both streets.

E. Building Setback Lines. Building setback lines must conform to this chapter.

- (1) The minimum setback from the right-of-way line shall be as follows:

<b>Street Type</b>	<b>Minimum Setback from Right-of-Way</b>
Arterial	60 feet
Collector	35 feet
Minor (excluding service drive and alleys)	35 feet

- (2) Where an existing building line is established on at least 50% of the properties in a block in which the proposed subdivision is located or within 200 feet immediately adjacent to the proposed subdivision, the required minimum may be increased or decreased to conform with such established building line.
- (3) On a corner lot, the setback from each adjacent street shall be applicable.
- (4) Building setback lines for buildings in excess of three stories shall have a minimum setback equal to the height of the building above the ground surface at the side of the building nearest the street right-of-way.

F. Side and Rear Building Lines. Building lines shall not be less than 15 feet from the side lot lines and 25 feet from the rear lot lines. Building lines shall not be less than 25 feet from the boundary lines of adjoining tracts.

G. Space Between Buildings for Land Development.

- (1) The space between buildings where land development is proposed shall be provided in accordance with the following schedule:

Distance	Space Between Buildings in Feet
F to F	70 feet
F to S	50 feet
F to R	70 feet
S to R	30 feet
S to S	30 feet
R to R	50 feet
C to C	20 feet

**KEY**

- F - Front
- S - Side
- R - Rear
- C - Corner

- (2) The space between buildings shall be increased one foot for each additional foot that the height of the building exceeds 35 feet.

H. Accessory Buildings.

- (1) When the subdivision of lots is proposed, no accessory building may be erected in front of the principal building and in the side or rear may not be built closer to the property line than the minimum required setback.
- (2) When a land development is proposed, no more than one accessory building shall be permitted for each lot and such accessory building may be located within the side to rear, side to side or rear to rear spaces between building and shall meet the required setback from the property lines. An accessory building shall not be permitted in the front to front, front to side, front to rear or corner to corner spaces between buildings.

**§ 22-405. Erosion and Sediment Control. [Ord. 91-12, 10/15/1991, § 4.05; as amended by Ord. 2005-02, 10/4/2005]**

- 1. The Board of Supervisors shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Protection permit until the Department has issued a permit and/or plans are completed in accordance with Chapter 102, Rules and Regulations of DEP as amended.
- 2. Further, under the requirements noted above, the Board of Supervisors shall notify the Department of Environmental Protection immediately upon

receipt of an application for a building permit involving earth moving activity which disturbs the cover of five acres or more of land.

3. Measures shall be used to control erosion and reduce sedimentation which at a minimum meet the standards and specifications of the County Conservation District and the rules and regulations of the Department of Environmental Protection, Chapter 102 and the Pennsylvania Clean Streams Law, Act 222, July 31, 1970, as amended. The Township Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, copies of which are available from the District or the Township.

**§ 22-406. Grading and Drainage. [Ord. 91-12, 10/15/1991, § 4.06]**

1. Where practical, stormwater shall be managed to promote groundwater recharge and avoid any net increase in runoff from the site due to development.
2. In order to provide more suitable sites for building and other uses, to improve surface drainage and to control erosion, the following requirements shall be met:
  - A. All land, lots, tracts or parcels shall be graded where necessary to provide proper drainage away from buildings and dispose of it without uncontrolled ponding or runoff.
  - B. All drainage provisions shall be designed to adequately handle the surface runoff and carry it to the nearest suitable storm drain or natural water course. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded or planted.
  - C. Concentration of surface water runoff shall only be permitted in swales, watercourses or approved retaining ponds or detention basins. Such earthen facilities shall be provided with appropriate vegetative cover.
  - D. Driveways and streets shall be designed and constructed to prevent water runoff flowing directly onto streets.
  - E. Excavation and fills:
    - (1) Cut and fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by the Board of Supervisors when handled under special conditions.
    - (2) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations of the sloping surfaces of fills.

- (3) Cut and fills shall not endanger adjoining property.
- (4) Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- (5) Fills shall not encroach on natural watercourses or constructed channels.
- (6) Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.
- (7) Grading shall be done in such a way so as to avoid the diversion of water onto the property of another landowner.
- (8) During grading operations, necessary measures for dust control shall be exercised.
- (9) Grading equipment will not be allowed to cross streams. Provisions will be made for the installation of culverts and bridges.

3. Stormwater Management Facilities.

A. Computations for determining stormwater runoff and for the design of stormwater management facilities shall be based upon either the soil-cover-complex method or the rational method. Runoff from sites with drainage areas with less than 10 acres may be calculated by the rational method. Sites with drainage areas of 10 to 20 acres may be calculated by the rational method or by the soil-cover-complex method. Drainage areas in excess of 20 acres shall be calculated by the soil-cover-complex method. Computations based upon an alternative method may be accepted upon recommendation of the Township Engineer.

- (1) Permanent control measures/facilities shall be designed to assure that the maximum rate of stormwater runoff is no greater after development than prior to development at all points of discharge from the subject site for design storms of 2, 10, 25 and one-hundred-year storm events. In those cases, however, where existing storm drainage facilities and/or road embankments control predevelopment discharge from the site, predevelopment conditions shall be simulated in the postdevelopment design for all of the above referenced storm events.
- (2) Calculations of the predevelopment peak discharge shall presume a good condition meadow cover for open areas. Where the site contains existing impervious surface, up to 50% of the impervious area may be considered as an existing



predevelopment condition. The engineer preparing the calculations shall provide a signed and dated statement indicating that he/she has been to the site for the purpose of conducting a visual inspection in order to determine the existing ground cover. The date of the site inspection shall be included in said statement.

- (3) Land development proposals involving parking lots in excess of one acre, uses involving handling of chemicals, grease, oil, solvents and/or other potential contaminants, commercial degreasing and car washing operations shall, in addition to the above, incorporate into the stormwater management plan measures/facilities to maintain predevelopment stormwater quality at all points of discharge from the site.
- B. All stormwater detention ponds shall be designed in accordance with the above criteria. Calculations shall be accompanied by the following supporting data:
- (1) Either singular or composite inflow and outflow hydrographs.
  - (2) Stage-storage data.
  - (3) Stage-discharge data.
  - (4) Storage-routing calculations.
  - (5) Other data as required by the Township Engineer.
- C. Detention ponds based on graphical or short cut methods are prohibited.
- D. Emergency spillways as a minimum shall be set at an elevation to allow discharge from the pond during the twenty-five-year storm. In no case, however, shall the composited outflow from the primary release device(s) and the emergency spillway exceed predevelopment rates.
- E. Spillways shall be provided structural stability. As such, locating spillways within the embankment is prohibited unless adequate reinforcing is provided.
- F. Vertical pipes, inlets and other surface water receiving structures shall be installed with trash racks or so designed to control trash accumulation.
4. Storm Drainage Facilities.
- A. All piping used in the stormwater drainage system shall be CMP galvanized steel, aluminum alloy or reinforced concrete. A minimum

pipe size of 18 inches in diameter shall be used in all roadway systems proposed for dedication to the Township. A minimum pipe size of 12 inches in diameter is permitted on private facilities which receive no off-site drainage. Pipes shall be designed so as to provide a minimum velocity of 2 1/2 feet per second when flowing full. Arch pipe may be used in lieu of round pipe where cover or utility conditions exist.

- B. All storm drainage piping discharging to the ground surface shall be provided with either reinforced concrete headwalls or metal pipe end sections compatible with the pipe size involved. A rip rap apron of adequate length shall be provided at all surface discharge points in order to minimize erosion. The apron shall extend to the crown of the pipe. Rip rap size shall be determined by flow velocity leaving the system.
- C. Storm drainage inlets shall be provided at all low points and hydraulically intermediate points on a system. Location spacing of inlets shall be based on the hydraulic capacity of each inlet related to the flow received and the amount of flow bypass from upstream inlets. Inlets shall be placed so street drainage shall not cross intersections or 1/2 of the width of the adjacent travel lane.
- D. All street inlet tops shall be a combination curb/gutter inlet referred to as PennDOT Type "c" with a 10 inches curb reveal to allow an automatic depressed condition to exist when used on eight inches curb. Weepholes shall be provided on all inlet tops. In private parking areas, streets and yard areas with no curbing, Type "M" inlet tops shall be used.
- E. Culverts, pipes and storm sewers shall be designed for a ten-year storm with a five minute time of concentration (Tc). Designs based upon calculation of actual Tc will be allowed if pipe size exceeds 36 inches in diameter based upon said five minute Tc. Supporting documentation verifying the same is required. In the event, however, that a culvert passes beneath a public roadway it shall be designed in such a manner to prevent the roadway from inundation during a twenty-five-year storm.
- F. All natural drainage ways and existing contouring of predevelopment drainage patterns shall be preserved to the maximum extent possible. Post-development drainage patterns shall simulate predevelopment patterns.
- G. Maximum permitted velocities for drainage swales are as follows:
  - (1) Three feet per second where only sparse vegetation can be established.

- (2) Four feet per second under normal conditions where vegetation can be established by seeding.
- (3) Five feet per second where a dense, vigorous sod can be quickly established or where water can be temporarily diverted during establishment of vegetation.
- (4) Six feet per second where well established sod is in existence.
- (5) For lined water carrying channels the following velocities are required:

<b>Channel Lining</b>	<b>Maximum Velocity</b>
Six inch rock rip rap	six feet per second
Nine inch rock rip rap	eight feet per second
Asphalt	seven feet per second
Durable bedrock	eight feet per second
Twelve-inch rock rip rap	nine feet per second
Concrete or steel	12 feet per second

- (6) The normal maximum velocity of open channel flows shall not exceed 19 feet per second.

H. Energy dissipaters/erosion control devices shall be placed at the outlets of all pipes where flow velocities exceed maximum permitted channel velocities.

**§ 22-407. Responsibilities. [Ord. 91-12, 10/15/1991, § 4.07]**

- 1. Whenever sedimentation is caused by stripping vegetation, regrading or other development it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expenses as quickly as possible.
- 2. Maintenance of all drainage facilities and watercourses within any division or land development is the responsibility of the developer until they are accepted by the Township or a bona fide homeowners association, after which they become the responsibility of the accepting party.
- 3. It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream, watercourse or swale or upon the floodplain or right-of-way thereof, to maintain as nearly as possible, in its present state, the stream, watercourse, swale, floodplain or right-of-way during the activity and to return it to its original or equal condition after such activity is completed.

4. Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to their point of open discharge at the property line or at a communal watercourse within the property.
5. No person, corporation or other entity shall block, impede the flow or alter, construct any structure, or deposit any material or thing or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Township.
6. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way, conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage, extending at least 10 feet from the defined edges of such watercourse.



## PART 5

## IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

**§ 22-501. Requirement of Subdivider. [Ord. 91-12, 10/15/1991, § 5.01]**

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

**§ 22-502. Monuments and Markers. [Ord. 91-12, 10/15/1991, § 5.02]**

1. Monuments must be set:
  - A. At the intersections of all street right-of-way lines.
  - B. At the intersections of lines forming angles in the boundaries of the subdivision.
  - C. At such intermediate points as may be required by the Township Engineer.
2. Markers must be set:
  - A. At all lot corners except those monumented.
  - B. By the time the property is offered for sale.
3. Monuments and markers shall be made of the following size and material:
  - A. Monuments shall be six inches square or four inches in diameter and shall be 30 inches long. Monuments shall be made of concrete, stone or by setting a four-inch cast iron or steel pipe filled with concrete.
  - B. Markers shall be 3/4 of an inch square or 3/4 of an inch in diameter, 30 inches long. Markers shall be made of iron pipes or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They may be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

**§ 22-503. Street Surfacing. [Ord. 91-12, 10/15/1991, § 5.03]**

1. Pavements.
  - A. Streets must be surfaced to the grades and dimensions drawn on the plans, profiles and cross-sections submitted by the applicant and approved by the Supervisors. Before paving the street surface, the

applicant must install the required utilities and provide, where necessary, adequate storm water drainage for the street, acceptable to the Supervisors.

- B. The pavement base and wearing surface must be in accordance with, and constructed in accordance with the Pennsylvania Department of Transportation, Form 408 Specification, latest edition, as amended.
  - C. For the construction of arterial roads or highways, the subdivider shall consult the Commission and be governed by the Pennsylvania Department of Transportation Specifications for the method of construction to be used.
  - D. The Supervisors shall decide if a collector or arterial street is required as a direct result of the construction of the subdivision in which case the applicant is responsible for paving the additional width required.
2. Driveway Entrances.
- A. Where a proposed driveway provides access onto a Township road a permit shall be required to connect said driveway. Construction shall be in accordance with the permit ordinance.
  - B. Where a proposed driveway provides access onto a state highway (legislative route, Pennsylvania route or United States route) the design of such driveway access and drainage shall be prepared in accordance with the requirements of the Pennsylvania Department of Transportation and shall be subject to the approval and issuance of permits by the Department.
  - C. Subdivisions and land developments shall minimize the number of curb cuts or access points to arterial highways by installing collector or service roads.

**§ 22-504. Sewers and Water. [Ord. 91-12, 10/15/1991, § 5.04; as amended by Ord. 2005-02, 10/4/2005]**

- 1. All proposed sewage facilities shall be provided in accordance with the Township official sewage facilities plan.
- 2. Where the installation of a sanitary sewer system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, the initial individual on-lot sewage disposal system required and approved by the Township and shall designate by deed covenant an easement for an approved on-lot sewage disposal system replacement area.
- 3. Where the water main supply system exists or is planned to be available within a feasible connection distance, the subdivider shall provide the

subdivision with a complete water main supply system to be connected in the existing or proposed water main supply system in accordance with the Township specifications.

4. Where installation of a public water main supply system is not feasible, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply in accordance with the "rules and regulations" of the Pennsylvania Department of Environmental Protection and in accordance with the provisions of this section as to source and installation.
5. Public water supply facilities will be designed so as to provide adequate supply and pressure for domestic use and for firefighting purposes as determined by the Township Engineer. Public water supply wells should conform to current and future Pennsylvania Department of Environmental Protection standards for public water supply wells.
6. Water supply wells for drinking water shall be completed by a DEP certified water well driller who shall maintain an accurate description of well construction, testing, sampling, disinfection and include a description of rock types and depths encountered as well as water bearing zones and estimated yields. Wells shall be permitted in accordance with Township regulations.

**§ 22-505. Storm Drainage. [Ord. 91-12, 10/15/1991, § 5.05]**

Whenever the evidence to the Township Supervisors and/or the recommendation of the Planning Commission indicates existing surface drainage is inadequate, the subdivider shall install storm sewers, culverts and related facilities designed by a registered professional engineers, in accordance with the design specifications as provided in Part 4.

**§ 22-506. Curbs, Gutters, and Sidewalks. [Ord. 91-12, 10/15/1991, § 5.06; as amended by Ord. 2016-01, 9/6/2016]**

Wherever a proposed subdivision or land development shall average three or more lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within 1,000 feet of any existing or recorded subdivision having curbs, curbs shall be installed on each side of the street surface in accordance with the Township specifications. The Township Supervisors may require installation of curbs, gutters, and sidewalks in any subdivision where the evidence indicates that such improvements are necessary.

**§ 22-507. Street Signs.<sup>2</sup> [Ord. 91-12, 10/15/1991, § 5.08]**

1. The subdivision or land development shall be provided with street names signs at all intersections. Such signs shall conform to Township

<sup>2</sup>Editor's Note: Former § 22-507, Sidewalks (Ord. 91-12, 10/15/1991, § 5.07) was repealed by Ord. 2016-01, 9/6/2016, which ordinance also renumbered former §§ 22-508 through 22-510 as §§ 22-507 through 22-509, respectively.



specifications and shall be installed by the subdivider or developer at his expense in a manner specified by the Township Engineer. Street names shall be subject to approval by the Board of Supervisors and the postal authorities.

2. The subdivider or developer shall have a traffic study performed by a professional engineer to determine the need for traffic control. Traffic control signs for intersections, safety warning signs and speed limit signs shall be provided by the developer or subdivider as necessary.

**§ 22-508. As-Built Plans. [Ord. 91-12, 10/15/1991, § 5.09]**

The subdivider or developer will furnish the Township with as-built plans for streets, water systems, sanitary sewer systems and storm sewer systems within the subdivision or land development.

**§ 22-509. Recreational Areas or Facilities. [Ord. 91-12, 10/15/1991; as added by Ord. 04-02, 4/20/2004; and as amended by Ord. 2009-01, 2/3/2009]**

1. General Requirements for Land for Residential, Commercial, Industrial and Institutional Use. The applicant or developer shall, as a condition to final plan approval, and subject to the standards for acceptance set forth hereafter, provide for the development of recreational areas or facilities by either the dedication of land suitable therefor or, upon agreement with the applicant or developer, the payment of a fee in lieu of such dedication in accordance with the hereinafter established standards:
  - A. The land to be dedicated or reserved must be of suitable size, dimensions, topography, access and general character for the proposed use and must be located in an area identified by the Parks and Recreation Committee as having a need for additional recreation facilities.
  - B. The amount of land to be dedicated or reserved shall be not less than 0.02 acre for each developable acre shown on the final plan.
  - C. The Board of Supervisors, if the developer voluntarily agrees, may also accept one or more, or a combination, of the following:
    - (1) The construction of recreational facilities by the developer;
    - (2) The payment of fee in lieu; or
    - (3) The private reservation of land.
  - D. All the following additional requirements shall apply:
    - (1) The land or fees, or combination thereof, are to be used only for the purpose of providing, acquiring, operating or maintaining park or recreational facilities reasonably accessible to the development. **[Amended by Ord. 2016-01, 9/6/2016]**

- (2) The Township has a formally adopted recreation plan, and the park and recreational facilities are in accordance with definite principles and standards contained in this chapter.
- (3) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreation facilities by future inhabitants of the development or subdivision.
- (4) A fee authorized under this section shall, upon its receipt by the Township, be deposited in an interest-bearing account, clearly identifying the specific recreation facilities for which the fee was received. Interest earned on this account shall become funds of this account. Funds from this account shall be expended only in properly allocable portions of the cost incurred to construct the specific recreation facilities for which the funds were collected.
- (5) Upon request of any person who paid any fee under this section, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township had used the fee paid for a purpose other than the purposes set forth in this section, in accordance with the provisions of the Municipalities Planning Code, § 503.11. **[Amended by Ord. 2016-01, 9/6/2016]**

E. Exemptions from this section:

- (1) Family Exemption. The subdivision and development of lots conveyed between members of the same family is exempt from the requirements of this section if the subdivision and development is used exclusively for personal use between members of the same family. Land development for multifamily use or commercial use is not exempt hereunder.

F. Fees in Lieu. The amount of such fee to be charged is to be established by separate resolution of the Board of Supervisors and must be submitted to the Township prior to the recording of the subdivision and/or land development plan.



PART 6

MOBILE HOME PARKS

**§ 22-601. General.** [Ord. 91-12, 10/15/1991, § 6.01; as amended by Ord. 2005-02, 10/4/2005]

1. **Grant of Power.** The governing body of each municipality may regulate subdivisions and land development within the municipality by enacting a subdivision and land development ordinance. Provisions regulating mobile homes parks shall be set forth in separate and distinct articles of any subdivision and land development ordinance adopted pursuant to the "Pennsylvania Municipalities Planning Code," Act 257, as amended by Act 93, 1972, Article V, § 501.
2. **Purpose, Authority and Jurisdiction.** The purpose, authority and jurisdiction for land development as a mobile home park are the same as contained in Part 1 of this chapter.
3. **Plat Requirements and Processing Procedure.** The plat requirements and processing procedure for land development as a mobile home park shall be in accordance with the requirements contained in Part 3 of this chapter. It is noted that prior to the start of construction of a mobile home park the requirements of the Department of Environmental Protection, Chapter 179, Title 25, "Rules and Regulations," must be fulfilled by the developer.

**§ 22-602. Design Standards.** [Ord. 91-12, 10/15/1991, § 6.02; as amended by Ord. 2005-02, 10/4/2005]

1. The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in Part 4 of this chapter except as specified below:
  - A. **Street Widths in Mobile Home Parks.**
    - (1) The minimum right-of-way and cartway widths of public or private streets shall be as follows:

**Street Right-of-Way and Cart Widths**

<b>Street Types</b>	<b>Width</b>
<b>Collector Streets</b>	
Right-of-Way	50 feet
Cartway	34 feet
<b>Minor Streets</b>	
Right-of-Way	50 feet
Cartway	34 feet

- (2) Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Township Supervisors in specific cases where:
  - (a) The required traffic study indicates a modification to ensure public safety and convenience.
  - (b) The number of mobile homes proposed to be located in a mobile home park exceeds 100 units.
  - (c) Existing street width does not meet the requirements of the preceding paragraphs.

B. Lots in Mobile Home Parks.

- (1) On-lot Sewer and Water. On land laid out as a mobile home park not served by both a public or mobile home park water system and a public or park sewerage collection and treatment system, where the lots have met the necessary percolation and treatment system, where the lots have been approved by the Department of Environmental Protection, and where all other applicable legal requirements of the Township have been met, the lots shall not be less than 120 wide measured at the minimum required front setback line nor less than 43,560 square feet in area per mobile home unit, exclusive of streets and other public uses.
- (2) On-lot Water with Public Sewer. On land laid out as a mobile home park, served by a public or mobile home park sewerage collection and treatment system but not served by a public or mobile home park water supply system, where the lots have met the necessary percolation and soil survey requirements and have been approved by the Department of Environmental Protection, and where all other applicable legal requirements of the Township have been met, the lots shall be not less than 80 feet wide measured at the minimum required setback line nor less than 15,000 square feet in area, per mobile home unit, exclusive of streets and other public uses.
- (3) Public Sewer and Water. On land laid out as a mobile home park, served by both a public or mobile home park water system and a public or mobile home park sewerage collection and treatment system acceptable to the Department of Environmental Protection, and where all other applicable legal requirements of the Township have been met, the lots shall be not less than 70 feet wide measured at the minimum required setback line nor less than 7,500 square feet in area, per mobile home unit exclusive of streets and other public areas.

C. Building Setback Lines.

- (1) In a mobile home park the minimum setback line from the right-of-way line of a dedicated public street shall be as follows:

<b>Street Type</b>	<b>Minimum Setback</b>
Arterial Highway	60 feet
Collector Street	30 feet
Minor Street	30 feet

- (2) In a mobile home park the setback lines from the right-of-way of a private street shall be as follows:

<b>Street Type</b>	<b>Minimum Setback</b>
Collector Street	30 feet
Minor Street	30 feet

- D. Side and Rear Building Lines. In a mobile home park, side and rear building lines shall not be less than 10 feet from the side and rear lot lines of each mobile home lot and not less than 25 feet from the mobile home park property lines on the sides and rear not adjacent to a dedicated public street right-of-way.

E. Off-Street Parking Requirements.

- (1) In a mobile home park, paved off-street parking areas shall be provided at the rate of not less than two vehicular parking spaces for each mobile home lot.
- (2) Each such off-street parking space shall contain not less than 200 square feet and shall be located within 300 feet of the mobile home lot it is intended to serve.

- F. Park Areas for Nonresidential Uses. In a mobile home park no part of the park shall be used for a nonresidential purpose except such uses that are specifically required for the direct servicing and well being of park residents and for management and maintenance of the park.

**§ 22-603. Improvement and Construction Requirements. [Ord. 91-12, 10/15/1991, § 6.03; as amended by Ord. 2005-02, 10/4/2005]**

1. In a mobile home park all improvements, construction requirements and engineering specifications for the improvements required shall be provided in accordance with Part 5 of this chapter and shall also provide the following additional improvements.

- A. Buffer Strips. In a mobile home park, a visual screen or landscaped buffer strip consisting of year-round full vegetative screening at least

10 feet wide, shall be provided by the developer along all the property lines separating the mobile home park from adjacent areas.

B. Signs and Lighting.

- (1) Signs may be permitted subject to approval of the Supervisors.
- (2) All means of ingress, egress, walkways, streets and parking lots shall be adequately lighted.

C. Sidewalks.

- (1) General Requirements. All walks shall provide safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain between individual mobile homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
- (2) Common Walk System. Where a common walk shall be connected to common walks, or to streets or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two feet.
- (3) Individual Walks. All mobile home spaces shall be connected to common walks, or to streets or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two feet.

D. Other Site Improvements.

- (1) An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- (2) Tie downs to prevent the movement of the mobile home by natural causes shall be provided for each mobile home.
- (3) Each mobile home lot shall be provided with a four-inch concrete slab of a stable surface at least 10 feet by 18 feet in size for use as a terrace and so located so as to be adjoining and parallel to the mobile home and not extend into the front, side or rear yard. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected. A separate and similar slab shall be provided for the connection of water and sewage service.
- (4) Individual tenants at the mobile home park may construct attached enclosures or covered patios to individual mobile

homes provided that such enclosure does not encroach into the front, side or rear yard areas. A yard area is that area between a lot line or right-of-way line and the adjacent setback line.

- (5) Provision shall be made by the park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the mobile home park shall be subject to the approval of the State Department of Environmental Protection.

**§ 22-604. Fees. [Ord. 91-12, 10/15/1991, § 6.04; as amended by Ord. 2005-02, 10/4/2005]**

1. At the time of filing of the preliminary plat and final plat for the development of a tract of land for a mobile home park the applicant shall be required to pay to the Township fees in accordance with the requirements of Part 8 of this chapter and secure a permit.
2. Mobile Home Park Permits. Any person intending to develop a tract of land as a mobile home park in the Township shall have a permit from the Township for each such park, issued in accordance with the following requirements:
  - A. Such permit shall be issued by the Township Board of Supervisors, upon proper application and submission of evidence of compliance with the provisions of this chapter and all other applicable legal requirements, and upon payment of a fee provided herein.
  - B. Each permit shall be valid for one year from the date of issue.
  - C. Each application for a permit shall be accompanied by a fee, payable to the Township, in the amount as established by Township resolution. The permit fee shall constitute the license fee for the first year with the date of notice of approve of the application.
  - D. The first application for a permit for a mobile home park following the effective date of this chapter shall be made to the Township Board of Supervisors on a form provided and shall be submitted together with copies of the following:
    - (1) A copy of the approved final plat signed by the proper officials.
    - (2) A receipt signed by the Recorder of Deeds showing that the mobile home park plat has been publicly recorded.
    - (3) A permit issued by the Department of Environmental Protection by Chapter 179, Title 25, "Rules and Regulations, Mobile Home Park."



- E. Application for the annual renewal of a license shall be made by the holder of the license, to the Township Board of Supervisors on a form provided, within 14 days preceding expiration of the preceding license period, shall be accompanied by a fee as established by the Township and by any changes since the preceding license was issued. The Board shall inspect each mobile home park prior to issuance of a license for conformance with the provisions of this chapter and all of the applicable legal requirements.
- F. It shall be incumbent upon the proprietor or a mobile home park to keep a register and to report therein the name of person or head of family occupying each said mobile home, showing date of entry on said land, serial number and make and size of trailer and the names of all person using or living in said mobile home park.
- G. Said register and mobile home park shall be subject to inspection by the Township Code Enforcement Officer annually or upon the written request of the Township Supervisors or a resident at the park.

**§ 22-605. Alteration of Requirements. [Ord. 91-12, 10/15/1991, § 6.05]**

The application for any alteration of requirements shall be in accordance with the requirements of Part 8 of this chapter.

**§ 22-606. Enforcement, Severability and Amendments. [Ord. 91-12, 10/15/1991, § 6.06; as amended by Ord. 2005-02, 10/4/2005]**

The enforcement, severability and amendments shall be in accordance with the rules and regulations of Part 10 of this chapter.

## PART 7

## CAMPGROUNDS

**§ 22-701. Definitions. [Ord. 91-12, 10/15/1991, § 7.01]**

For the definition of words related to land development as a campground, the definitions contained in Part 2 of this chapter shall apply. For convenience, the definitions related to campgrounds are repeated here.

**CAMPGROUND** — A tract or tracts of land, or any portions thereof, used for the purpose of providing sites for the temporary use of trailers, recreational vehicles, campers or tents, as hereinafter defined, for camping purposes with or without a fee being charged for the leasing, renting or occupancy of such space.

**CAMPING SITE** — A parcel of land in an organized group or campground for the placement of a single trailer and/or tent and the exclusive use of its occupants.

**PERSON** — Any individual, partnership, corporation, association, municipality, county, authority, Commonwealth of Pennsylvania or any other private or public entity.

**RECREATIONAL VEHICLE** — A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which has its own motive power or is mounted on or drawn by another vehicle (including camping trailer, motor home, travel trailer and truck camper); and body width of no more than eight feet and body length of no more than 32 feet when factory equipped for the road and licensed as such by the commonwealth.

**TENTS** — A portable lodging unit usually made out of skins, canvas, plastic or strong cloth stretched and usually sustained by poles and is dependent upon separate toilet and lavatory facilities.

**TRAILER** — A vehicular portable structure to be mounted on a chassis or wheels and towed or constructed as an integral part of a self-propelled vehicle for use as temporary dwelling for travel, recreation and vacation commonly known as travel trailers, pickup coaches, motor homes, camping trailers or recreational vehicles.

**§ 22-702. Plat Requirements and Processing Procedure. [Ord. 91-12, 10/15/1991, § 7.02; as amended by Ord. 2005-02, 10/4/2005]**

The plat requirements and processing procedure for land development as a campground shall be in accordance with the requirements contained in Part 3 of this chapter. It is noted that the requirements of the Pennsylvania Department of Health, 28 Pa. Code, Chapter 19, must be fulfilled by the developer prior to the start of construction.

**§ 22-703. Design Standards.** [Ord. 91-12, 10/15/1991, § 7.03; as amended by Ord. 2005-02, 10/4/2005]

1. The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in Part 4 of this chapter except as specified below:
  - A. Street Widths in Campgrounds.
    - (1) Design and construction standards for public streets shall be as contained in Parts 4 and 5 of this chapter.
    - (2) Private Streets and Roads. Each camping site shall front upon an approved street or road:
      - (a) One-way streets and roads with camping site parking shall have an improved surface of no less than 12 feet.
      - (b) Two-way streets and roads with camping site parking shall have an improved surface of no less than 20 feet.
      - (c) Streets and roads shall be graded to provide positive drainage from the road surface. Drains and culverts shall be provided as necessary to maintain proper drainage.
      - (d) Streets and roads shall have a maximum grade of 10% except for sections of no more than 400 feet in length which may exceed 10%, but in no case shall exceed 12%.
      - (e) Streets and roads shall be all weather constructed. Road oil, calcium or other suitable material shall be applied in an amount and frequency as necessary to control dust.
  - B. Lots in Recreational Vehicle Parks or Campgrounds.
    - (1) On land laid out as a recreational vehicle park or campground the lot shall be not less than 40 feet wide nor less than 3,000 square feet in area for each recreational vehicle or campground lot, exclusive of streets and other public areas, provided that water and sewers are provided in accordance with standards of, and approved by, the Pennsylvania Department of Health. Each camp site shall provide a clear, level, well-drained pad for accommodating the trailer, camper or tent.
    - (2) Parking shall be provided on each camping site. Camping site parking shall provide a clean, level, well-drained area of no less than eight feet by 20 feet dimensions.

- C. Building Setback Lines. In a recreational vehicle park or campground the minimum setback from the right-of-way line of a dedicated public street shall be as designated. Setback lines on private streets shall not be less than 25 feet from the edge of cartway of the private street. Side and rear building lines shall not be less than 10 feet from the lot line on each side and from the rear lot line of each recreational vehicle or campground lot and not less than 25 feet from the recreational vehicle park or campground property line on the sides and rear not adjacent to a dedicated public street right-of-way.

**§ 22-704. Improvement and Construction Requirements. [Ord. 91-12, 10/15/1991, § 7.04]**

1. In a campground park all improvements, construction requirements and engineering specifications for the improvements required shall be provided in accordance with Part 5 of this chapter and shall also provide the following additional improvements.
  - A. Buffer Strips. In a campground a suitably screened or landscaped buffer strip at least 20 feet wide, approved by the Commission, shall be provided by the developer along all the property lines separating the campground from adjacent uses.
  - B. Signs and Lighting.
    - (1) Signs may be permitted subject to the approval of the Commission.
    - (2) All means of ingress, egress, walkways, streets and parking lots shall be adequately lighted.

**§ 22-705. Fees and Permits. [Ord. 91-12, 10/15/1991, § 7.05; as amended by Ord. 2005-02, 10/4/2005]**

1. Fees. At the time of filing the preliminary plat and final plat for the development of a tract of land for a campground, the applicant shall be required to pay the Township fees in accordance with the requirements of Part 8 of this chapter and secure a permit.
2. Campground Permits. Any person intending to develop a tract of land as a campground in the Township shall have a permit from the Township for each campground issued in accordance with the following requirements:
  - A. Such permit will be issued by the Township Code Enforcement Officer, upon proper application and submission of evidence of compliance with the provisions of this chapter and all other applicable legal requirements, and upon payment of a fee provided herein.
  - B. Each permit shall be valid for one year from the date of issue.

- C. Each application for a permit shall be accompanied by a fee, payable to the Township, as established by the Township resolution. The permit fee shall constitute the license for first year commencing with the date of notice of approval of the application.
  - D. The first application for a permit for a campground following the effective date of this chapter shall be made to the Township Code Enforcement Officer on a form provided by him and shall be submitted together with copies of the following:
    - (1) A copy of the approved final plat signed by the proper officials.
    - (2) A receipt signed by the Recorder of Deeds showing that the campground plat has been publicly recorded.
    - (3) A permit issued by the Pennsylvania Department of Health, 28 Pa. Code, Chapter 19.
  - E. Application for the annual renewal of a license shall be made by the holder of the license, to the Township Code Enforcement Officer on a form provided by him, within 14 days preceding expiration of the preceding license period, shall be accompanied by a fee as required and by any changes since the preceding license was issued. The Township Code Enforcement Officer shall inspect each campground prior to the issuance of a license for conformance with the provisions of this chapter and all of the applicable legal requirements.
3. Records and Guest Register. Each campground shall have an office in which shall be kept copies of all records pertaining to the management and supervision of the campground. Such records shall be available for inspection by the authorized officers of the Township and shall be on display in a conspicuous place on the premises at all times. It shall be the duty of the owner or his agents to keep a register of the "head of the family" accommodated in the campers or tents, their regular home address and the number and description of their automobiles or other vehicles. Said register shall be open at all times to the inspection by any authorized official of the Washington Township Board of Supervisors. The owner or his agent shall prescribe rules and regulations for the management at the campground and make adequate provision for the enforcement of such rules.
4. Revocation of Permit. Whenever, upon inspection of any campground, it is determined that conditions or practices exist which are in violation of any provisions of this chapter, or any regulations adopted pursuant thereto, the Township Supervisors or their representative shall give notice in writing to the person to whom the permit was issued, such notice to consist of a listing of the violated paragraphs of this chapter and shall advise them that unless such conditions or practices are corrected within the period of time specified in the notice, the permit to operate will be suspended. At the end of such period, each campground shall be reinspected and, if such conditions or

practices have not been corrected, the Township Supervisors shall give notice in writing of a hearing for the suspension of the campground permit to the person to whom the permit is issued.



## PART 8

## FEES

**§ 22-801. Fee Resolution. [Ord. 91-12, 10/15/1991, § 8.01]**

1. The Township Supervisors shall establish, by resolution, a collection procedure and schedule of fees to be paid by the applicant at the time of submission of a preliminary plat or final plat.
2. Fees for all other permits required for and by the Township shall be established by resolution.
3. Said schedule of fees shall be posted in the office of the Township Supervisors.

**§ 22-802. Engineering Fees. [Ord. 91-12, 10/15/1991, § 8.02]**

1. Engineering fees required to be paid in accordance with this chapter shall be promptly paid to the Township by the applicant for the below listed services:
  - A. Reviewing that plat's engineering details.
  - B. Inspecting the layout of the site for conformance to the survey and plan.
  - C. Reviewing planning modules for land development.
  - D. Reviewing cost estimates of required improvements as submitted by the developer.
  - E. Inspecting required improvements during construction.
  - F. Final inspection of completion of installation of the required improvements.
  - G. Such other technical services as deemed necessary or required by the Township.
2. The engineering fees required to be paid by this chapter shall be promptly paid to the Township by the applicant upon the submission of bills therefor to the applicant, from time to time, as such fees are billed to the Township by its Engineer.

**§ 22-803. Other Fees. [Ord. 91-12, 10/15/1991, § 8.03]**

Fees as established under § 22-801 of this Part shall be paid by the applicant to the Township prior to the issuance of any permit required for and by the Township of Washington for opening roads, connection to Township utilities, building construction, mobile home parks, campgrounds or otherwise as duly adopted. The



applicant shall be responsible to pay the cost of advertising, recording and registering any ordinance for accepting the deed of dedication.

## PART 9

## MODIFICATION OF REQUIREMENTS

**§ 22-901. Special Conditions. [Ord. 91-12, 10/15/1991, § 9.01]**

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship the Board of Supervisors, after review by the Planning Commission, may make such reasonable modifications thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done.

**§ 22-902. Applications for Modifications. [Ord. 91-12, 10/15/1991, § 9.02]**

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

**§ 22-903. Modification Action by Planning Commission. [Ord. 91-12, 10/15/1991, § 9.03]**

Applications for any modification shall be reviewed by the Planning Commission. After review, the Planning Commission shall submit its recommendation to the Board of Supervisors in writing along with the reasons for such recommendations.

**§ 22-904. Modification Action by the Board of Supervisors. [Ord. 91-12, 10/15/1991, § 9.04]**

1. In modifying any requirements, the Board of Supervisors shall record its action and the grounds for the modification of a requirement to the applicant applying for the modification.
2. Whenever a request for the modification of a requirement is denied, the Board of Supervisors shall record its action and the grounds for such denial in its minutes. The Board of Supervisors shall transmit a copy of the action and the grounds for such denial of any modification to the applicant applying for the modification.



PART 10  
ENFORCEMENT**§ 22-1001. Administration and Enforcement. [Ord. 91-12, 10/15/1991, § 10.01; as amended by Ord. 2005-02, 10/4/2005]**

1. The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this chapter, as specified or implied herein. Officials of the Township having regulatory duties and authorities connected with or appurtenant to the subdivision, use or development of land shall have the duties and authorities for the controlling of enforcement of the provisions of this chapter, as specified or implied herein in other ordinances of the Township.
2. Permits required by the Township, for the erection or alteration of buildings, the installation of sewers or sewage disposal systems or for other appurtenant improvements to, or use of the land, shall not be issued by any Township official responsible for such issuance until he has ascertained that the site for such building, alteration, improvements or use is located in such subdivision approved and publicly recorded in accordance with the provisions of this chapter regulating the subdivision of land. Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded final plat or other land description acceptable in accordance with the provisions of this chapter and that it is in compliance with all applicable provisions of this chapter. If the building permit is issued erroneously or prior to proper approval, it is void.
3. The Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information necessary to ascertain that the site of the proposed system is acceptable in accordance with the provisions of this chapter and the rules and regulations of the Department of Environmental Protection and any requirements of the Township pertaining to the issuance of such permit.

**§ 22-1002. Amendments. [Ord. 91-12, 10/15/1991, § 10.02]**

Amendments to this chapter shall become effective only after a public hearing held pursuant to public notice as defined herein and in accordance with the "Pennsylvania Municipalities Planning Code" of 1968, Act 247, as amended.

**§ 22-1003. Preventive Remedies. [Ord. 91-12, 10/15/1991; as added by Ord. 2005-02, 10/4/2005]**

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 the 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.
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 this chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
    - A. The owner of record at the time of such violation.
    - B. 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.
    - C. 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.
    - D. 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 acquire compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

**§ 22-1004. Enforcement Remedies; Jurisdiction. [Ord. 91-12, 10/15/1991, § 10.03; as amended by Ord. 2005-02, 10/4/2005]**

1. Any person, partnership, or corporation who or which has violated the provisions of this chapter 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 judgement, 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 this chapter 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 5th 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.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending the final adjudication of the violation and judgment.
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.
4. District justices shall have initial jurisdiction in proceedings brought under this section.



22 Attachment 1

Township of Washington

**Street Right-Of-Way And Cartway Widths**

<b>Street Type</b>	<b>Width</b>
Arterial	As specified by the Pennsylvania Department of Transportation
Collector	
Right-of-Way	50 feet
Cartway	20 feet
<sup>1</sup> Shoulders	2 @ 6 feet each (12 feet)
	Total 32 feet
Minor	
Right-of-Way	50 feet
Cartway	20 feet
<sup>1</sup> Shoulders	2 @ 4 feet each (8 feet)
	Total 28 feet
Cul-de-Sac Turn Around	
Right-of-Way	100 feet
Cartway	80 feet
Alley or Service	
Right-of-Way	33 feet
Cartway	18 feet
Marginal Access	
Cartway	18 feet

Streets with curbing: Increase total width by four feet – two feet each side, except cul-de-sac turn around.

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<sup>1</sup> Shoulder area to be constructed with full depth pavement.



22 Attachment 2

Township of Washington

**STREET PAVEMENT REQUIREMENTS**

<b>Flexible Pavement</b>	<b>Type</b>	<b>Minor Streets</b>	<b>Collector Streets</b>
Surface	ID-2	1.5"	4.0"*
Base	Bit. Conc.	4.5"	6.0"
Subbase		6.0"	6.0"
or:			
Surface	ID-2	4.0"*	4.0"*
Base	Crushed Agg.	6.0"	6.0"
Subbase		6.0"	8.0"

NOTES:

1. \*Surface shall consist of 1.5 inch wearing course and a 2.5 inch binder course.

SOURCES:

1. PennDOT Form 408, latest edition, as amended.
2. Seldom Used Specs. PennDOT Publication #418 (1987), Section 312.