

Chapter 22

Subdivision and Land Development

Part 1 General Provisions

- §22-101. Short Title; Citation
- §22-102. Purpose
- §22-103. Compliance Required
- §22-104. Other Regulations Adopted by Reference
- §22-105. Conflict of Law
- §22-106. Conformance to Comprehensive Plan
- §22-107. Construction or Guarantee of Improvements Required
- §22-108. Effect of Noncompliance
- §22-109. Prior Applications or Approvals

Part 2 Definitions

- §22-201. Definitions

Part 3 Administration and Enforcement

- §22-301. Enforcement
- §22-302. Administrative and Enforcement Duties
- §22-303. Fees
- §22-304. Review Fees
- §22-305. Transfer Prior to Recording; Permits
- §22-306. Liability for Damage to Township Roads
- §22-307. Reconsideration
- §22-308. Modifications
- §22-309. Amendments
- §22-310. Effect of Plat Approval on Official Map
- §22-311. Preventive Remedies
- §22-312. Enforcement Remedies

Part 4 Preliminary Plat

- §22-401. Preliminary Considerations and Subdivision Feasibility
- §22-402. Application Requirements
- §22-403. Preliminary Plat Requirements
- §22-404. Review
- §22-405. Approval or Disapproval

Part 5

Final Plat

- §22-501. Conditions of Application
- §22-502. Application Requirements
- §22-503. Final Plat Requirements
- §22-504. Agreements and Conditions of Approval
- §22-505. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval
- §22-506. Remedies to Effect Completion of Improvements
- §22-507. Review and Action
- §22-508. Recording Plats and Deeds
- §22-509. Resubdivision Procedure

Part 6

Design Standards and Improvements Specifications

- §22-601. Criteria
- §22-602. Land Requirements
- §22-603. Streets
- §22-604. Blocks
- §22-605. Lots and Parcels
- §22-606. Public Use and Service Areas
- §22-607. Utility Easements
- §22-608. Natural Waterways and Water Bodies
- §22-609. Improvement Specifications Conformance with This and Other Ordinances
- §22-610. Cartway Paving
- §22-611. Curbs
- §22-612. Sidewalks
- §22-613. Monuments
- §22-614. Street Signs
- §22-615. Shade Trees
- §22-616. Sanitary Sewage Disposal
- §22-617. Water Supply
- §22-618. Erosion and Sediment Control
- §22-619. Inspection Procedure
- §22-620. Acceptance of Improvements
- §22-621. Release From Improvement Bond

Part 7

Delivery Format of Drawing Files and Survey Data for All Development Submissions

- §22-701. Development Submissions
- §22-702. Data Format

Part 1**General Provisions****§22-101. Short Title; Citation.**

The provisions of this Chapter shall be known and may be cited as the “Ross Township Subdivision and Land Development Ordinance.”

(Ord. 1166, 8/27/1973, §1161.01)

§22-102. Purpose.

This Chapter is established for the purpose of assuring sites suitable for building purposes and human habitation; to provide for the harmonious development of the Township in accordance with the Comprehensive Development Plan; for the coordination of existing development with proposed development within the Township; and for adequate open spaces, proper traffic flow, recreation, light and air, and proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens.

(Ord. 1166, 8/27/1973, §1161.02)

§22-103. Compliance Required.

Hereafter, no activity covered by these regulations shall be permitted; no land shall be subdivided, no land shall be developed nor improvements to land laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings or properties abutting thereon, except in strict accordance with the requirements and procedures of this Chapter.

(Ord. 1166, 8/27/1973, §1161.03)

§22-104. Other Regulations Adopted by Reference.

The Township Zoning Ordinance [Chapter 27] and other applicable ordinances and regulations of the Township are incorporated herein and made a part hereof by reference.

(Ord. 1166, 8/27/1973, §1161.04)

§22-105. Conflict of Law.

Whenever there is a difference between the minimum standards specified herein and those included in other Township ordinances and regulations or regulations of the Commonwealth, the more stringent requirements shall apply.

(Ord. 1166, 8/27/1973, §1161.05)

§22-106. Conformance to Comprehensive Plan.

The layout or arrangement of the subdivision or land development shall conform to the Comprehensive Plan and to any regulations or maps adopted In furtherance thereof including, but not limited to, the Township Zoning Ordinance [Chapter 27].

(Ord. 1166, 8/27/1973, §1161.06)

§22-107. Construction or Guarantee of Improvements Required.

Hereafter, no lot in a subdivision may be sold; no permit to erect any building upon land in a subdivision may be issued; no cuts, grading or filling permitted; no street, walkway, curbs, gutters, street lights, fire hydrants, shade trees, sanitary sewer, storm sewer, water line or other improvements as may be required shall be constructed, until the improvements required herein have been constructed or guaranteed in accordance with Part 3.

(*Ord. 1166, 8/27/1973, §1161.07*)

§22-108. Effect of Noncompliance.

Hereafter, except as provided in this Chapter, any plat of any subdivision, street or development of land not approved by the Planning Commission or Board of Commissioners in accordance with the provisions and procedures as set forth herein shall be null and void.

(*Ord. 1166, 8/27/1973, §1161.08*)

§22-109. Prior Applications or Approvals.

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

2. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

3. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within 5 years from such approval. Where final approval is preceded by preliminary approval, the 5-year period shall be counted from the date of the preliminary approval.

(*Ord. 1166, 8/27/1973, §1161.09; as amended by Ord. 1726, 10/14/1991, §22-109*)

Part 2**Definitions****§22-201. Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated and:

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” or “subdivider” and “owner” include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual.

D. The word “building” shall be construed as if followed by the phrase “or part thereof.” [Ord. 2288]

E. The word “watercourse” includes channel, creek, ditch, dry run, spring and stream.

F. The words “should” and “may” are permissive; the words “shall” and “will” are mandatory and directive.

G. Words not defined herein shall have the contextual meaning stated in *Webster’s New International Dictionary*, unabridged version, current edition.

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

Application for development - every application, whether preliminary, tentative 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. [Ord. 1726]

Board of Township Commissioners - the entire membership of the Board of Commissioners of the Township.

Building - a structure under roof, used for the shelter or enclosure of persons, animals, or property. The word “building” shall include any part thereof and refers to the main building.

(1) *Building, accessory* - a subordinate building located on the same lot as a main building and clearly incidental and subordinate to the main building. Any portion of a main building devoted to an accessory use is not an accessory building.

(2) *Building, principal* - a building in which is conducted, or is intended to be conducted, the primary use of the lot on which it is located.

[Ord. 2288]

Clear sight triangle - an area of unobstructed vision at intersections defined by lines of sight between points at a distance of 75 feet from the

intersection of street center lines.

Common open space - a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. [Ord. 1726]

Completion bond - a bond in cash or with an approved surety company guaranteeing the satisfactory completion of the improvements to land in accordance with this Chapter.

County - Allegheny County, Commonwealth of Pennsylvania.

County planning agency - the planning agency created by the County of Allegheny, Pennsylvania, pursuant to §201 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10201. [Ord. 2288]

Crosswalk - a publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

Cul-de-sac - a dead-end street with a vehicular turn-around at the dead-end.

Cut - an excavation; the difference in vertical elevation between a point on the surface of original ground and a point on the final grade; the material removed in excavation.

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 space and public facilities. The phrase “provisions of development plan” when used in this Chapter shall mean the written and graphic materials referred to in this definition. [Ord. 1726]

Driveway - an improved surface for vehicular circulation or access on a lot or parcel of land.

Easement - a right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Engineer - a licensed professional engineer registered as such in the Commonwealth.

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 material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed, and includes 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, and includes the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; the material used to make a fill.

Floodplain - a relatively flat or low land area which is subject to partial or complete inundation from any adjoining or nearby stream, river or watercourse and/or any area subject to the unusual rapid accumulation of surface water from any source.

Improvements to land - a construction or installation of any of the following: streets, gutters, culverts, sidewalks, storm sewers, water drainage facilities, utilities (gas, electric, telephone services), water system, fire hydrants, sanitary sewer, septic tanks, street signs, street lights and includes cuts and/or fills and clearing.

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.

(c) "Land development" does not include development which involves:

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

2) The addition of an accessory building, including farm building, 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 the purposes of this subsection, 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 the proper authorities.

[Ord. 1726]

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 condition), a lessee having a remaining term of not less than 40 years, or other person having a proprietary interest in land shall

be deemed to be a landowner for the purpose of these regulations.

Lot - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. [Ord. 1726]

Marker - a metal pipe or pin of at least ½-inch diameter (preferred ¾-inch or 7/8-inch) and at least 24 inches in length (preferred 30 inches to 36 inches).

Mobile home - a transportable, single family dwelling intended for permanent occupancy, 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. [Ord. 1726]

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. [Ord. 1726]

Mobile home park - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. [Ord. 1726]

Modification - permissive waivers from the terms of this Chapter as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Chapter will result in unnecessary hardship, so that the spirit of this Chapter shall be observed and substantial justice done. Such modifications may only be granted by the Board of Commissioners as outlined in §22-308.2. [Ord. 1726]

Monument - a stone or concrete monument with a flat top at least 4 inches in diameter or square, containing a copper or brass dowel (plug), and at least 24 inches in length (preferred 30 inches to 36 inches). The bottom, sides or radius should be at least 2 inches greater than the top, to minimize movement caused by frost.

Municipal authority - a body politic and corporate created under the Municipality Authorities Act, 53 Pa.C.S.A. §5601 *et seq.*, under the former Act of June, 1935, P.L. 463, No. 191, known as the "Municipality Authorities Act of 1935," or under the Act of May 2, 1945, P.L. 382, No. 164, known as the "Municipality Authorities Act of 1945." [Ord. 2288]

Official Map - a map of Ross Township showing the exact location of the lines of existing and proposed public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, openings or closings of same, as adopted by the Township Commissioners.

Open spaces - common greens, parks, other recreation space or generally open areas available to the public through either public dedication or deed covenant.

Plan, major street - that element of the Comprehensive Plan as adopted, which shall show the right-of-way for the use of utilities, the general location, alignment and dimensions and the identification and classification of existing and proposed streets, highways and other thoroughfares.

Plan, Official - the Comprehensive Development 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 or land development will be located.

Plan, preliminary - a tentative map or plan of a subdivision or land development, including all required supplementary data, in lesser detail than a final plat, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plat; such plat shall be prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania.

Planned residential development - an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of this Chapter. [Ord. 1726]

Planning Commission or Township Planning Commission - the Planning Commission of Ross Township.

Plat, final - a complete and exact map or plan of a subdivision or land development, including all required supplementary data, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

Plat of record - the copy of the final plat which contains the required original endorsements and which is intended to be recorded with the County Recorder of Deeds.

Private street - a right-of-way not adopted as a public street by Ross Township, or not having otherwise been adopted as a County, State or Township street.

Professional consultants - persons who provide expert or professional advice including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners. [Ord. 2288]

Public grounds - includes:

(a) Parks, playgrounds, trails, paths and other recreational areas and other public areas.

(b) Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

(c) Publicly owned or operated scenic and historic sites.

[Ord. 1726]

Public hearing - a formal meeting held pursuant to public notice by the Board of Commissioners or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter. [Ord. 1726]

Public meeting - a forum held pursuant to notice under the Sunshine Act, Act of October 15, 1998, P.L. §729, No. 93, §1, 65 Pa.C.S.A. §701 *et seq.* [Ord. 2288]

Public notice - notice published once each week for 2 successive weeks in a newspaper of general circulation in the Township. 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 not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing. [Ord. 1726]

Reserve strip - a parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties, or from another street.

Resubdivision - any replatting or resubdivision of land, limited to changes in lot lines on approved final plats or recorded plats as specified in these regulations. Other replattings shall be considered as constituting a new subdivision of land. (See also “subdivision.”)

Run-off - the surface water discharge or rate of discharge of a given area or watershed, after a fall of rain or snow, that does not enter the soil but runs off the surface of the land.

Sanitary sewage disposal, community - a sanitary sewage collection system managed and operated by a public authority, in which sewage is carried from individual lots by a system of pipes, to a temporary central treatment and disposal plant, generally serving a neighborhood area.

Sanitary sewage disposal, on-site - any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot or tract of lots.

Sanitary sewage disposal, public - a sanitary sewage collection system managed and operated by a public authority, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant. (ALCOSAN).

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 considered sediment.

Slope - the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slope is expressed in a percentage based upon vertical difference in feet/100 feet of horizontal distance.

Soil stabilization - chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

Street - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. [Ord. 1726]

Structure - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. [Ord. 1726]

Subdivider - See “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 lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. [Ord. 1726]

Subdivision and Land Development Ordinance or this Chapter - Ord. 1166, passed August 27, 1973, as amended, which is codified as this Chapter.

Substantially completed - where in the judgment of the Township engineer, at least 90 percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Chapter) 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. [Ord. 1726]

Surveyor - a licensed land surveyor registered by the Commonwealth of Pennsylvania.

Swale - a low lying stretch of land which gathers, or carries, surface water run off.

Township - Ross Township.

Township street - a street adopted as a public street by the Township, or which has become a Township street legally by acts of dominion by the Township over an extended period of time.

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

Water survey - an inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township. [Ord. 1726]

(Ord. 1166, 8/27/1973, §1163.01; as amended by Ord. 1726, 10/14/1991, §22-201; and by Ord. 2288, 4/12/2010)

Part 3**Administration and Enforcement****§22-301. Enforcement.**

The properly authorized official of the Township shall administer the provisions of this Chapter and enforce the decisions of the Board of Commissioners made hereunder, and report any violations to the Board of Commissioners.

(Ord. 1166, 8/27/1973, §1165.01)

§22-302. Administrative and Enforcement Duties.

The duties of the official who administers and enforces this Chapter shall be to:

A. Examine all applications for preliminary and final plats to see if they meet the requirements of §§22-402 and 22-502.

B. Stamp applications with date received and distribute applications and plats as required by this Chapter.

C. File in the record of the Planning Commission all applications received.

D. Certify to the Planning Commission and Township Commissioners, before they review plats, that all submission procedures have been met and all fees paid. Distribute plats and recommendations after action by the Planning Commission and/or Commissioners.

(Ord. 1166, 8/27/1973, §1165.02)

§22-303. Fees.

1. The Board of Commissioners shall establish, by resolution, a collection procedure and schedule of fees to be paid by the subdivider at the time of filing a preliminary plat. The resolution shall also establish a fee for public hearings.

2. The schedule of fees shall be posted in the office of the Township Manager.

3. Charges for field inspection shall be established on the basis of the number of lots to be inspected, including improvements to be provided.

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

(Ord. 1166, 8/27/1973, §1165.03)

§22-304. Review Fees.

Review fees may include reasonable and necessary charges by the municipality's professional consultants 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 charges for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant for comparable services to the Township for services which are not reimbursed or otherwise imposed on applicants. Fees charged to the Township relating to any appeal of a decision on an application shall not be considered review fees and may not be charged to an applicant.

A. The Board of Commissioners shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. Nothing in this paragraph shall prohibit interim itemized billing or municipal escrow or other security requirements. In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than 45 days after the date of transmittal of the bill to the applicant, notify the Township and the Township's professional consultant that such fees are disputed and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's dispute over fees. Failure of the applicant to dispute a bill within 45 days shall be a waiver of the applicant's right to arbitration of that bill under §510(g) of the Municipalities Planning Code, 53 P.S. §10510(g).

B. In the event that the Township's professional consultant 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 Municipalities Planning Code, 53 P.S. §10510(g), provided that the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.

C. Subsequent to a decision on an application, the Board of Commissioners shall submit to the applicant an itemized bill for review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final bill.

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-304; and as amended by Ord. 2288, 4/12/2010*)

§22-305. Transfer Prior to Recording; Permits.

1. No lot in a subdivision shall be sold, no permit to erect, alter or repair any building upon land in a subdivision or development shall be issued, and no building shall be erected in a subdivision or development until a final plat of such subdivision or land development has been approved and properly recorded and until improvements have been either constructed or guaranteed in accordance with §22-504.

2. No person shall connect to any water line, storm, drainage or sanitary sewer, without first obtaining the required permit and paying the proper connection charge.

3. No person shall dig, make any cuts or changes whatsoever in the cartway, gutters or right-of-way without first obtaining a permit and paying the proper fee.

(*Ord. 1166, 8/27/1973, §1165.04*)

§22-306. Liability for Damage to Township Roads.

Where any Township road, including the paved area, gutters, utilities and the right-of-way, is hereafter damaged in any manner whatsoever, the person or persons directly responsible for the damage, the subcontractor and/or general contractor for whom the person or his superiors work, or with whom they have contracted, shall be

jointly liable for any and all damage to the Township road and shall repair the damage within 90 days of any written demand by the Township. All repairs shall meet Township standards and shall be subject to Township inspection. The liability of the developer, if any, shall be determined by the Street Committee of the Township Commissioners with consultation of the Township Engineer and/or Superintendent of Public Works and the Solicitor.

(*Ord. 1166, 8/27/1973, §1165.05*)

§22-307. Reconsideration.

Any subdivider or land developer aggrieved by a finding, decision, or other action of the Township Planning Commission or Board of Commissioners regarding this Chapter, may request and shall receive an opportunity to appear before the Planning Commission or Board of Commissioners, to present additional relevant information and request, in writing, reconsideration of the original finding, decision, or action.

(*Ord. 1166, 8/27/1973, §1165.06; as amended by Ord. 1726, 10/14/1991, §22-307*)

§22-308. Modifications.

1. The Board of Commissioners may grant a modification of the requirements of one or more provisions of this Chapter if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.

2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter involved and the minimum modification necessary.

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

4. The Board of Commissioners shall keep a written record of all action on all requests for modifications.

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-308*)

§22-309. Amendments.

1. Amendments to this Chapter shall become effective only after a public hearing held pursuant to public notice. A brief summary setting forth the principal provisions of the proposed amendment and a reference to the place within the Township where copies of the proposed amendment may be secured or examined shall be incorporated in the public notice. Unless the proposed amendment shall have been prepared by the Planning Commission, the Board of Commissioners shall submit the amendment to the Planning Commission at least 30 days prior to the hearing on such amendment to provide the Planning Commission an opportunity to submit recommendations. In addition, at least 30 days prior to the public hearing on the amendment, the Township shall submit the proposed amendment to the County planning agency for recommendations.

2. Within 30 days after adoption, the Board of Commissioners shall forward a certified copy of the amendment to the County planning agency.

3. Proposed amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this Section, and shall include the time and place of the meeting at which passage will be considered, a reference to a place within the Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Board of Commissioners shall publish the proposed amendment once in a newspaper of general circulation in the Township not more than 60 days nor less than 7 days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:

A. A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.

B. An attested copy of the proposed amendment shall be filed in the County law library (or other County office designated by the County Commissioners).

4. In the event substantial amendments are made in the proposed amendment, before voting upon enactment, the Board of Commissioners shall, at least 10 days prior to enactment, readvertise, in one newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-309*)

§22-310. Effect of Plat Approval on Official Map.

After a plat has been approved and recorded as provided in this Chapter, all streets and public grounds on such plat shall be and become a part of the Official Map of the Township without public hearing.

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-310*)

§22-311. Preventive Remedies.

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 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.

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

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-311*)

§22-312. Enforcement Remedies.

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 dollars 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 magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge 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 fifth day following the date of the determination of a violation by the magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation. [*Ord. 2288*]

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

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. Magisterial district judges shall have initial jurisdiction in proceedings brought under this Section. [*Ord. 2288*]

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-312; and as amended by Ord. 2288, 4/12/2010*)

Part 4**Preliminary Plat****§22-401. Preliminary Considerations and Subdivision Feasibility.**

Initially, the owner or owners of land to be subdivided or developed in accordance with these regulations shall consult with the Planning Commission, the Township Secretary, the Township Engineer, the appropriate sanitary authority and other applicable authority or the Allegheny County Department of Planning and Development prior to the preparation of a preliminary subdivision or development plat. Requirements for major and minor streets, drainage, the relationship to other developments existing and proposed, public areas and the relationship to the overall Comprehensive Plan, should be determined, among others, in advance of the preparation of a preliminary subdivision or land development plat.

(Ord. 1166, 8/27/1973, §1167.01)

§22-402. Application Requirements.

1. *Application Letter.* A letter of application (in two copies) shall be directed to the Planning Commission by the subdivider or developer of any proposed subdivision or land development. Such letter shall indicate the general details of the proposed subdivision or land development, transmit required fees and present any other requirements of this Chapter or the Zoning Ordinance [Chapter 27] now shown on plats.

2. *Application Fee.* In order to defray a part of the cost incurred by the Township for review of plats, review of agreements, inspection of construction operations, inspection of improvements and the acceptance of such improvements, and for inspecting, approving and accepting streets and improvements of preliminary plats, the Commissioners shall establish, by ordinance or resolution, a fee schedule for such costs of review.

3. *Copies of Preliminary Plat and Supplemental Information.* Five prints of each drawing submitted as part of the preliminary subdivision or land development plat and all required supplementary data, prepared as required by the provisions of this Chapter shall be submitted to the office of the Township Manager at least 5 days prior to the Planning Commission meeting at which it is to be presented for filing. At the time of submittal, such fees as may be required by subsection .2 hereof shall be paid to cover the cost of review and processing.

4. *Receipt of Plat Application.* When the application for approval of the plat is received by the Township Manager, the date of receipt shall be stamped thereon.

5. *Filing of Preliminary Development Plat.* At each regularly scheduled monthly meeting of the Planning Commission, the Township Manager shall present for filing all preliminary subdivision and/or development plat applications received since the last scheduled monthly meeting, but not later than 5 days prior to such meeting. Each such application received shall be recorded in the minutes as having been filed with the Planning Commission for review.

(Ord. 1166, 8/27/1973, §1167.02)

§22-403. Preliminary Plat Requirements.1. *Format.*

A. All sheet sizes shall be of a standard size or model and shall be a minimum of any multiple of 8¹/₂" x 11" or 11" x 15", 22" x 30", 30" x 40" or 42" x 60".

B. A title block shall be located in the lower right corner of each sheet. Included in the title block shall be the name of the proposed development or subdivision, 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. Name of owner of record and developer or subdivider, if different than owner, and the surveyor and/or engineer seal of the registered engineer or surveyor responsible for the plat.

C. North point shall be shown on the sheet.

D. Scale shall be no larger than 1" = 100'.

2. *Other Requirements.* Any or all of the following requirements shall be identified by the Planning Commission at the preliminary conference.

A. Names of all abutting land areas, if any, with the book and page numbers where recorded; names of owners of adjacent property.

B. A key map for the purpose of locating the property being subdivided, showing the relationship to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plats existing within 200 feet of any part of the property.

C. Total tract boundaries of the property being subdivided, showing bearings and distances, and a statement of total acreage of the property.

D. Zoning data, including any changes in the existing zoning to be requested by the subdivider or developer; if a zoning district change is being considered or is pending, which might affect the proposed subdivision, the Township shall so notify the subdivider or developer.

E. Contour lines at intervals of 10 feet.

F. Location and elevation of the datum to which contour elevations refer; datum used shall be a known, established bench mark.

G. All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, watercourses and other significant man-made or natural features within the proposed subdivision or development and within 50 feet from the boundaries of the proposed subdivision or development.

H. All existing buildings or other structures, and the approximate location of all existing tree masses, within the proposed area.

I. All existing streets, including streets of record, (recorded but not constructed on or abutting the tract, including names, rights-of-way width, cartway pavement) widths and approximate grades.

J. Copies of existing and proposed deed restrictions, if any.

K. The full plat of proposed subdivision or land development, including.

(1) Location and width of all streets and rights-of-way, with a statement of any conditions governing their uses.

(2) Suggested street names and utility easement locations; street names shall neither duplicate names of other streets nor have phonetic similarity to other streets in the Township or Post Office district.

(3) Proposed building setback lines along each street.

(4) Lot lines with approximate dimensions.

(5) A statement of the intended use of all nonresidential lots and parcels.

(6) Lot numbers and a statement of the total number of lots and parcels, if feasible.

(7) Method of sanitary sewage disposal including sanitary and/or storm sewer and other drainage facilities, location of all lines and any proposed connections with existing facilities, as approved by the Township.

(8) Parks, playgrounds and other areas dedicated or reserved for public use with any conditions governing such use including their acreage. The developer shall be required to set aside or dedicate or reserve, as the case may be, $\frac{2}{100}$ acre of land per dwelling unit planned for the proposed subdivision. The precise location of such areas shall as far as practicable, be deferred until an application for final approval is filed so that flexibility of development, which is a prime objective of this Chapter, can be maintained. The Township shall have the right to determine the specific location of such areas.

In addition, the Township shall have the right to determine whether such areas shall be dedicated to the Township and maintained by the Township, or whether such areas shall be reserved or set aside to an association or organization to be established by the applicant for the ownership and maintenance of such areas; that in such event such organization or association shall not be dissolved nor shall it dispose of such areas by sale or otherwise, except to an organization or association conceived and established to own and maintain such areas, without first offering to dedicate the same to the Township.

In the event that the Township determines that the land proposed to be set aside, dedicated or reserved, as hereinabove set forth, is of such size, topography or location in the proposed development that the Board of Commissioners of the Township would determine that the same is unacceptable to the Township, the Township reserves the right and privilege in lieu of the setting aside or dedication or reservation of such land, to require the developer to pay to the Township cash in such amount as shall be determined by the appraisal of the tract proposed to have been set aside or dedicated or reserved by the developer. Such appraisal shall be made by an independent appraiser to be selected by the Township and the developer and the appraisal fee shall be paid by the developer. The appraisal of such land shall be in accordance with its fair market value as the same is defined in the Eminent Domain Code, 26 Pa.C.S.A. §101 *et seq.*, as of the date upon which the application for final plat approval is approved by the Board of Commissioners of the Township. [Ord. 2288]

(9) Conformance with the design standards and improvement specifications in Part 6.

(10) Grading plan and location of conservation measures used to minimize erosion and sedimentation in accordance with the Township Grading Ordinance [Chapter 9, Part 1]. See also the *Soil and Sedimentation Handbook* available from Allegheny County and advice from the United States Department of Agriculture Soil and Conservation Service available free.

3. *Supplementary Data.* The preliminary plat shall be accompanied by the following supplementary data as applicable:

A. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Department of Environmental Protection and/or the Pennsylvania Department of Transportation. [Ord. 2288]

(Ord. 1166, 8/27/1973, §1167.03; as amended by Ord. 2288, 4/12/2010)

§22-404. Review.

1. *Review of Preliminary Plat.* When an application is received by the Township Manager, copies of the prints and pertinent supplementary data shall be forwarded to the following agencies for appropriate review:

A. Allegheny County Department of Planning and Development one copy. [Ord. 1726]

B. Other cognizant agencies, such as the School Board, if deemed advisable, one copy. No less than three copies of the documents shall be retained for the Township Planning Commission review.

2. *By Allegheny County Department of Planning and Development.* If applicable, one copy of the preliminary subdivision or land development plat shall be transmitted to the Allegheny County Department of Planning and Development by the Township Manager for review and report. [Ord. 1726]

3. *By Other Cognizant Agencies.* Other cognizant agencies should be requested to comment on preliminary plats when deemed in the public interest. Such requests should be made so as to provide the Planning Commission comments from such agencies prior to the Planning Commission's next regularly scheduled meeting.

4. *By the Township Planning Commission.* The Township Planning Commission shall review the preliminary plat during regular or special sessions, in committee or in accordance with the procedure prescribed by the Township Planning Commission. Such review shall be to determine conformance to the standards contained herein or advisable in the public interest.

5. At the next scheduled monthly meeting after the filing of a preliminary plat, the Township Planning Commission shall review all comments received regarding the preliminary plat. After such review, a decision shall be reached regarding the preliminary plat. That the Planning Commission shall give public notice as defined in this Chapter, of every public meeting held by it, together with the agenda for such meeting.

(Ord. 1166, 8/27/1973, §1167.04; as amended by Ord. 1307, 6/26/1978, §1; and by Ord. 1726, 10/14/1991, §22-404)

§22-405. Approval or Disapproval.

1. *Approval of Plats.* All applications for approval of a plat (other than those governed by Article VII of the Municipalities Planning Code, 53 P.S. §10701 *et seq.*), whether preliminary or final, shall be acted upon by the Board of Commissioners within such time limits as may be fixed in this Chapter but the Board of Commissioners shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Board of Commissioners next following the date the application is filed or after a final order of court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application or the final order of the court, the said 90-day period shall be measured from the thirtieth day following the day the application has been filed.

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

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

C. Failure of the Board of Commissioners to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

[*Ord. 2288*]

2. *Effect of Approval.* Approval of the preliminary subdivision or land development plat shall not constitute final acceptance of the subdivision or land development or plats thereof. The procedures outlined in Part 5 must be complied with.

(*Ord. 1166, 8/27/1973, §1167.05; as amended by Ord. 2288, 4/12/2010*)

Part 5**Final Plat****§22-501. Conditions of Application.**

1. Within 6 months after Township Planning Commission approval of the preliminary subdivision or land development plat, a final subdivision or land development plat and all necessary supplementary data shall be delivered to the Township Manager. An extension of time may be granted by the Township Planning Commission upon written request. Otherwise, the plat submitted shall be considered as a new application for preliminary plat approval if delivered after 6 months.

2. The final plat shall conform in all respects to the preliminary plat as previously approved by the Township Planning Commission and shall incorporate all modifications or conditions required at the time of preliminary approval and must be submitted using 2-foot contour intervals.

3. The Township Planning Commission may permit submission of the final plat in sections, each covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plat.

4. Submission of final plats with preliminary plats is discouraged. However, a subdivider or developer may do so at his own risk. The preliminary plat must be considered first, but at the discretion of the Planning Commission, both preliminary and final plats can be approved at the same meeting.

(Ord. 1166, 8/27/1973, §1169.01)

§22-502. Application Requirements.

1. *Application Letter.* A letter of application in three copies shall be directed to the Township Manager by the subdivider or developer. The letter shall specify what changes, additions and deletions have been made to the information which accompanied the preliminary plat, and identify the changes, additions or deletions requested by the Planning Commission. All required fees and drawings shall accompany the letter. Information relative to agreements or requirements not shown on the drawings shall also accompany the letter, as shall a draft of the agreement. See §22-504. Basic format shall be the same as for the preliminary application.

2. *Application Fee.* As may be required by §22-303.

3. *Copies of Final Plat and Supplemental Information.* Eight copies of the final subdivision or land development plat shall be submitted to the Township Manager no later than 5 days prior to the meeting at which the plat is to be filed. The submission shall conform to the specifications as required in §22-503.

4. *Receipt of Plat Application.* When application for approval of the plat is received by the Township Manager, the date of receipt shall be stamped thereon.

5. *Filing of Final Plat.* At each regularly monthly meeting of the Planning Commission, the Township Manager shall present for filing all final subdivision and/or development plat applications received since the last scheduled monthly meeting but no later than 5 days prior to the meeting. Each such application received shall be

recorded in the minutes as having been filed with the Planning Commission for review.
(*Ord. 1166, 8/27/1973, §1169.02*)

§22-503. Final Plat Requirements.

1. *Format.* The final subdivision or land development plat shall conform to the form established in §22-403.

2. *Other Requirements.*

A. The total tract boundary lines of the area being subdivided or developed with accurate distances to $\frac{1}{100}$ of a foot and bearings to $\frac{1}{4}$ of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed 1 foot in 2,000 feet; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider or developer (for example, between separately submitted final plat sections) are not required to be based upon field surveys and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided or developed. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plat, and the placement of the monuments.

B. All final dimensions and bearings of street and lot lines including radii of curves and arcs, and delta angles of all curves.

C. All final lot numbers.

D. All final easements and rights-of-way.

E. Building setback lines.

F. Appropriate spaces for written approval of the plat by the Township Planning Commission, the Commissioners, the County planning agency and the County Recorder of Deeds, and such other legal information as may be required by the current approved Township format. [*Ord. 2288*]

G. Location of permanent conservation measures.

H. All offers of dedication, or covenants governing the reservation and maintenance of undedicated open space.

I. Such private deed restrictions, including anti-lot reduction clauses and building setback agreements, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided or developed.

J. All plats must conform with Part 3 and Part 6.

K. The location of the structure indicating the distance from the various property lines.

L. A landscape rendering.

M. A plan of outdoor lighting [Chapter 27].

N. Screening and buffer areas.

O. Architectural rendering and dimensions of the structure and improvements.

P. Anticipated schedule of development.

Q. Method of stormwater control, with calculations when required.

R. Proposed use, a market study, showing need for proposed development when required by the Planning Commission.

S. Traffic study, when required by the Planning Commission.

(*Ord. 1166, 8/27/1973, §1169.03; as amended by Ord. 2288, 4/12/2010*)

§22-504. Agreements and Conditions of Approval.

1. *Agreements.*

A. Prior to granting final approval of a subdivision or land development plat, the Board of Commissioners shall have the Township Solicitor review the agreement providing that the subdivider or developer shall complete the required improvements and incorporate in the agreement any specific matter which the subdivider or developer shall perform and which is not shown in the plans or maps, and including therein an agreement to provide a completion bond to guarantee performance of such contracts. The agreement, prepared by legal counsel of the subdivider or developer, shall be executed and the proper bonds furnished and all fees paid before a final approval is granted.

B. If there is a case where land development is not intended for the immediate erection of buildings where streets, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements may not be possible to install as a condition precedent to final approval of plats, the Board of Commissioners shall have the Township Solicitor prepare an agreement providing that the subdivider or developer shall commit himself to the above agreements as a condition precedent to the erection of building(s) on lands included in the approved plat.

(*Ord. 1166, 8/27/1973, §1169.04; as amended by Ord. 1726, 10/14/1991, §22-504*)

§22-505. Completion of Improvements or Guarantee 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 otherwise required by this Chapter and any walkways, curbs, gutters, 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 accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees otherwise required by this Chapter, the developer may deposit with the Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including 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 Board of Commissioners 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 is granted by the Board of Commissioners; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

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 posting 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 posted for the completion of the required improvements shall be equal to 110 percent 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 ninetieth 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 financial security equals said 110 percent. Any additional security shall be posted 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 the 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 1 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 additional 10 percent for each 1-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1-year period by using the above bidding procedure.

9. In the case where development is projected over a period of years, the Board of Commissioners may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees 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 Board of Commissioners to release or authorize the release, from time to time, of 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 Board of Commissioners, and the Board of Commissioners shall have 45 days from receipt of such request within which to allow the Township engineer to certify, in writing, to the Board of Commissioners that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Board of Commissioners 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 Board of Commissioners fails to act within said 45-day period, the Board of Commissioners shall be deemed to have approved the release of funds as requested. The Board of Commissioners may, prior to final release at the time of completion and certification by its engineer, require retention of 10 percent of the estimated cost of the aforesaid improvements.

11. Where the Board of Commissioners accepts dedication of all or some of the required improvements following completion, the Board of Commissioners 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 the financial security shall not exceed 15 percent 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 buildings, upon the 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 if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-505*)

§22-506. Remedies to Effect Completion of Improvements.

In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved final plat the Board of Commissioners is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If the proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Commissioners 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 to 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 Township purpose.

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-506*)

§22-507. Review and Action.

1. *Procedure.* Review shall be conducted in the same manner and by the same procedures as set forth in §22-404 for preliminary plats.

2. *Review by Planning Commission.* When all the requirements of this Chapter are met and review is favorable, the Planning Commission shall authorize its Chairman to endorse the plat approved by the Planning Commission, together with the date of such review and forward the Plat to the Township Commissioners. If the final plat is recommended for disapproval, reasons for such review shall be explicitly stated, in writing, citing the provisions of this Chapter relied upon, copies of which shall be distributed by the Secretary of the Planning Commission to the subdivider or developer and the Board of Commissioners. [*Ord. 2288*]

3. *Review by Township Commissioners.* When a final plat has been officially submitted to the Township Commissioners by the Planning Commission, as indicated, such plat shall be placed on the agenda of the Commissioners, for review at their next regularly scheduled meeting. At a regularly scheduled meeting, the Township Commissioners shall review the final plats and the written reports thereon of the Township Planning Commission and other agencies.

4. *Approval of Plats.* All applications for approval of a plat, whether preliminary or final, shall be acted upon by the Board of Commissioners within such time limits as may be fixed in this Chapter but the Board of Commissioners shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Board of Commissioners next following the date the application is filed or after a final order of court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application or the final order of the court, the said 90-day period shall be measured from the thirtieth day following the day the application has been filed.

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

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

C. Failure of the Board of Commissioners to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

[*Ord. 2288*]

(*Ord. 1166, 8/27/1973, §1169.05; as amended by Ord. 2288, 4/12/2010*)

§22-508. Recording Plats and Deeds.

1. Upon the approval of a final plat, the developer shall within 90 days of such final approval, or 90 days after the date of delivery of an approved plat signed by the Board of Commissioners, following completion of conditions imposed from such approval, whichever is later, record such plat in the Allegheny County Real Estate Department.
[*Ord. 2288*]

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.

(*Ord. 1166, 8/27/1973, §1169.06; as amended by Ord. 1726, 10/14/1991, §22-508; and by Ord. 2288, 4/12/2010*)

§22-509. Resubdivision Procedure.

1. These regulations shall not be construed to require the subdivider to comply with resubdivision procedures in each and every case for minor shifts in lot lines because of excessive topography or similar type of development problems. For purposes of review, however, the Township shall be solely responsible for review and approval of resubdivision involving lot line changes. If major street changes or other modifications to easements or rights-of-way are involved, the Allegheny County Department of Planning and Development shall be notified and its recommendations required.

2. Lot lines may be changed from those shown on a recorded plan; provided, that in making such changes:

A. No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Township Zoning Ordinance [Chapter 27].

B. Easements reserved for drainage shall not be changed.

C. No lot shall be created which does not abut a public street.

D. The character of the area shall be maintained.

3. In every case wherein lot lines are changed as permitted above, the subdivider shall:

A. Prepare a record plat and submit such plat for the approval of the Township Planning Commission and the Board of Commissioners which shall specifically identify the previous record plat thus superseded, and then record the plat.

4. If street changes are also necessary, the above procedure shall be followed after approval is received from the Allegheny County Department of Planning and Development.

(Ord. 1166, 8/27/1973, §1169.07)

Part 6**Design Standards and Improvements Specifications****§22-601. Criteria.**

1. *Minimum Standards.* The standards and specifications referenced or contained herein are intended as the minimum for the promotion of the public health, safety and general welfare and to promote and sound development of the Township. In reviewing and approving all subdivision or land development plats, the Board of Commissioners and Planning Commission shall apply them as such.

2. *Consideration for Review and Approval.* The following shall all be considered in the review and approval of any subdivision or land development plat:

A. The relationship of the proposed subdivision or development with previously developed land and undeveloped land in the Township; the provisions for access to the undeveloped land through any proposed subdivision or development; the adequacy of existing and proposed sanitary sewers, storm drainage systems, community facilities, park, playground, school and recreation areas, and conformity to the Comprehensive Plan, to the Zoning Ordinance [Chapter 27] and other applicable ordinances of the Township.

3. *Conflict of Law; Stricter Standard to Govern.* Whenever other Township regulations or State laws or statutes impose more restrictive standards and requirements than those contained herein, such other regulations shall be observed.

4. *Conformance.* All subdivision or land development plats shall be prepared to conform to the applicable design standards and improvement specifications which follow in this Part, and which may be amended from time to time by resolution duly adopted by the Township Board of Commissioners.

(Ord. 1166, 8/27/1973, §1171.01)

§22-602. Land Requirements.

1. *Excavation, Grading and Filling.* No change shall be made in the contour of the land, no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced unless approved in the preliminary and final plat. Such approval, with accompanying grading permit, shall be based on a plan for minimizing erosion and sedimentation unless a determination has been made that such plans are not necessary. Such plan shall conform to the requirements of the Township Grading Ordinance [Chapter 9, Part 1] and Penn DEP regulations where applicable. [Ord. 2288]

2. *Standards for Minimizing Erosion and Sedimentation.* Measures used to control erosion and reduce sedimentation shall, as a minimum, meet the standards and specifications of the Allegheny County Conservation District. The Township Engineer, or other designated official, shall ensure compliance with the appropriate specifications, copies of which are available from the Conservation District office. The subdivider or developer shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and

adequately handle the volume and velocity of surface water run-off.

3. *Flooded Areas and Drainage.* Portions of land which are poorly drained or subject to periodic flooding shall not be developed or subdivided for residential occupancy or for any uses which may involve danger to health, safety and general welfare of the community. Where flood control studies have been conducted by the U.S. Army Corps of Engineers such results shall be utilized in determining developable land.

A. All lots, tracts or parcels shall be graded to provide proper drainage away from structures and dispose of it without ponding, and all land within a development shall be graded to drain and dispose of surface water without ponding.

B. All drainage provisions shall be of such design to adequately handle the surface run-off and carry it to the nearest suitable outlet such as a swale, storm drain or natural watercourse. Where drainage swales are used to divert surface waters away from structures, they shall be sodded or planted as required, and shall be of such slope, shape and size, to conform with accepted engineering practices.

C. Concentration of surface water run-off shall only be permitted in swales or watercourses.

4. *Subsidence.* Land subject to subsidence or underground fires either shall be made safe for the purpose for which it is to be used, or such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.

5. *Steep Slopes.* See steep slope standards in the "Ross Township Grading Ordinance," §9-110.5, "Steep Slopes" [Chapter 9, §9-110.5], which standards are incorporated herein by reference as if set forth in full herein. [Ord. 2288]

(Ord. 1166, 8/27/1973, §1171.02; as amended by Ord. 1816, 12/27/1993; and by Ord. 2288, 4/12/2010)

§22-603. Streets.

1. *General Standards.* The location and width of all streets shall conform to the Official Map or to such parts thereof as may have been adopted by the Township.

A. All streets shall be constructed in accordance with Township specifications.

B. The proposed street system in a recorded subdivision shall extend existing or recorded streets at the same width as the existing street, but in no case at less than the required minimum width, and be so located as to allow proper development of surrounding properties.

C. Where a subdivision or land development abuts an existing street of improper width or alignment, the Township Planning Commission may require the dedication of land sufficient to widen the street or correct the alignment.

D. Minor streets shall be laid out so as to discourage through traffic. Connector and collector streets should be provided to adequately provide for the expected flow of traffic from minor streets.

E. Streets in and bordering a subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and facilitate fire protection.

F. Proposed streets shall be planned suitable to the contour of the land, to

provide buildable lots, to have suitable alignment and grade, and to be able to drain properly in accordance with the standards hereinafter established or established by other ordinances.

G. Half or partial streets will not be permitted.

2. *Street Widths.* Minimum street right-of-way and cartway (pavement) widths shall be shown on the Official Map or Comprehensive Plan, or if not shown on such map or plan, shall be as follows:

Street Type	Minimum Required Widths (in feet)
Expressway	
Right of way	120
Cartway	48
Arterial	
Right of way	80
Cartway	48
Major Collector	
Right of way	60
Cartway	48
Major Connector	
Right of way	50
Cartway	24 [<i>Ord. 2288</i>]
Minor or Local	
Right of way	50
Cartway	24 [<i>Ord. 2288</i>]
Unopened Recorded Street (Private) [<i>Ord. 2288</i>]	
Right of way	40
Cartway	20 [<i>Ord. 2288</i>]
Permanent Cul-de-Sac	
Right of way (radius)	50
Cartway (radius)	40 [<i>Ord. 2288</i>]

Additional right-of-way and cartway widths may be required by the Township Planning Commission for the purpose of promoting the public safety and convenience, or to provide parking in commercial and industrial areas and the areas of high density residential development.

3. *Street Grades.* There shall be a minimum centerline grade of 2 percent. Centerline grades shall not exceed the following:

- A. *Minor Street* - 12 percent.
- B. *Connector Street* - 8 percent.
- C. *Collector Street* - 6 percent.
- D. *Arterial Street* - 5 percent.
- E. *Any Street Intersections* - 4 percent.

Grades shall be designed for maximum visibility.

4. *Horizontal Curves.* Proper sight distance must be provided with respect to horizontal alignment. Measured along the centerline 5 feet above grade, horizontal curves shall be provided to permit the following minimum sight distances:

- A. *Minor Streets* - 120 feet.
- B. *Connector Streets* - 200 feet.
- C. *Collector Streets* - 275 feet.
- D. *Arterial Streets* - 350 feet.

5. *Vertical Curves.* Proper sight distance must be provided with respect to vertical alignment. Measured along the centerline 5 feet above grade, vertical curves shall be provided to permit the following minimum sight distances:

- A. *Minor Streets* - 120 feet.
- B. *Connector Streets* - 200 feet.
- C. *Collector Streets* - 275 feet.
- D. *Arterial Streets* - 350 feet.

6. *Intersections.* Street shall intersect as nearly as possible at right angles. No more than two streets shall intersect at the same point.

A. Intersections with collector or arterial streets shall be located not closer than 1,000 feet apart, measured from centerline to centerline, along the centerline of the major street.

B. Minor street grades may exceed 12 percent if approved by the Township Engineer, but in no case may the grade exceed 14 percent unless approved by the Board of Commissioners.

C. Street curb intersections where curbs are installed, shall be rounded by a tangential arc with a minimum radius of:

- (1) Twenty-five feet for intersections involving only minor streets.
- (2) Thirty feet for all intersections involving a connector or collector street.
- (3) Forty feet for all intersections involving an arterial street.

D. Intersections shall be separated by a distance of not less than 150 feet as measured from centerline to centerline along the street common to both intersections. Minor, collector and connector streets shall not empty into arterial streets at intervals of less than 800 feet.

7. *Sight Distance at Intersections; Obstructions.* Fences, hedges, shrubbery, walls,

planting (except for trees and grass) or other obstructions including signs, shall not be located within the right of way and shall not obscure any intersection. A clear sight triangle shall be maintained at intersections, so that measured along the centerline, there shall be a clear sight triangle of 75 feet minimum (150 feet for arterial streets), from the point of intersection. No obstruction to view will be permitted in this area above the height of 2½ feet and below 10 feet.

8. *Cul-de-Sac or Dead-end Streets.* Cul-de-Sac streets, permanently designed as such, shall not exceed 900 feet in length for FHA. minimums.

A. The centerline grade on a cul-de-sac street shall not exceed 8 percent.

B. Dead-end streets shall be prohibited except for future access to an adjoining property or because of authorized stage development. Such streets shall be provided with a temporary, all-weather turnaround, within the subdivision or development, and the use of such turn-around shall be guaranteed to the public until such time as the street is extended. The outer paving radius shall be 20 feet.

9. *Street Names and Lot Numbers.* Proposed streets, which are obviously in alignment with others already existing and named, shall bear the names of the existing streets.

A. In no case shall the name of a proposed street duplicate or be phonetically similar to an existing street name in either the Township or the postal district in which located. The subdivider or developer shall submit the proposed street names to the Township Manager at the time preliminary discussions are held, prior to filing a preliminary plat.

B. All street names shall be subject to the approval of the Township Board of Commissioners.

C. All lot numbers shall be assigned and approved prior to filing the final plat.

(Ord. 1166, 8/27/1973, §1171.03; as amended by Ord. 2288, 4/12/2010)

§22-604. Blocks.

1. *Layout.* The length, width and shape of blocks shall be determined with due regard to provision of adequate sites for buildings of the type proposed, zoning requirements and topography.

2. *Length.* Blocks shall have a minimum length of 300 feet.

A. In the design of blocks fronting on minor streets longer than 1,000 feet, special consideration shall be given to the requirements of satisfactory fire protection.

B. Where practicable, blocks along arterial and collector streets shall not be less than 1,000 feet long.

3. *Depth.* Residential blocks, including those for garden apartments or townhouses, shall be of sufficient depth to accommodate two tiers of lots, except:

A. Where reverse frontage lots are required along a major traffic street.

B. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township Planning Commission may approve a single tier of lots.

C. Where planned residential development regulations are applied.

4. *Crosswalks.*

A. Crosswalks may be required between streets whenever necessary as determined by the Planning Commission to facilitate pedestrian circulation and to give access to community facilities such as parks, playgrounds or schools.

B. Such crosswalks shall have a right-of-way width of not less than 10 feet and have a paved walk 5 feet in width.

5. *Commercial or Industrial Blocks.* Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provisions shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers. The regulations and controls contained in the Zoning Ordinance [Chapter 27] shall be considered.

6. *Sidewalks.* Paved sidewalks shall be provided in the vicinity of schools, along heavily traveled streets and other locations where the Planning Commission recommends them for public safety. Sidewalks shall be constructed in accordance with Township specifications.

(Ord. 1166, 8/27/1973, §1171.04)

§22-605. Lots and Parcels.

1. *General Standards.* The design and layout of the lots and parcels of a subdivision or land development should demonstrate flexibility, economy and ingenuity in accordance with modern and evolving principles of site planning and development.

A. The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.

B. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

C. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

D. Excessive depth in lots shall be avoided and excessive irregularity in lots shall be avoided. Generally, the depth of residential lots shall be not less than one nor more than two and one-half times their width.

E. Depth and width of parcels intended for nonresidential use shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping and other zoning requirements.

F. If, after subdividing or developing there exist remnants of land, they shall be incorporated in existing or proposed lots, or legally dedicated to public use, if acceptable to the municipality.

2. *Lot Size.* Lot dimensions and areas shall be not less than specified by the provisions of the Zoning Ordinance [Chapter 27] for the zoning district in which the development is located.

3. *Lot Frontage.* All lots shall have direct access to a public street or to a private street if it meets the requirements of these regulations.

A. Double or reverse frontage lots shall be avoided except where required to provide separation of residential uses from major streets, or to overcome specific disadvantages of topography or orientation. Such lots shall have vehicular access solely from one street, excluding service streets.

B. Lot frontage shall be as specified by the provisions of the Zoning Ordinance [Chapter 27].

4. *Building Lines.* Building lines of lots shall not be less than those required by the Zoning Ordinance [Chapter 27].

5. *Grading.* Lots shall be graded to provide drainage away from buildings. The developer or subdivider shall be required to provide drains or other drainage facilities, as approved by the Township Engineer, to drain off surface water within the development or subdivision.

6. *Off-Street Parking.* Each proposed dwelling unit in a subdivision or development shall be provided with off-street parking space as required by the Zoning Ordinance [Chapter 27].

A. High density residential developments shall be provided with the number of paved off-street parking areas as required in the Zoning Ordinance [Chapter 27].

B. Commercial and industrial subdivisions shall provide paved off-street parking areas, in accordance with the Zoning Ordinance [Chapter 27].

C. All off-street parking spaces shall be approximately level, with provisions for drainage, and shall be parallel with the contour lines of the finished grade.

7. *Driveways.* Driveways on corner lots shall be located at least 50 feet from the point of intersection of the nearest street right-of-way lines.

A. Driveways may extend from the right-of-way of the street to the cartway of the street, but shall not change the grade or contour of the street right-of-way, nor shall any person cut into, fill or in any way alter any gutter, curbing, drainage ditch or storm sewer within the right-of-way of a street or easement for the purposes of extending a driveway, or for any other purpose, without first obtaining a permit therefor.

B. Driveways shall have a minimum paved width of 20 feet and a maximum paved width of 35 feet in commercial and industrial districts, excluding any parking bay or turn-around.

C. Entrance to the street shall be at an angle of 75 to 105 degrees with the centerline of the intersecting street.

D. All curb-cuts shall be properly constructed in accordance with State or local regulations and to the satisfaction of the Township Engineer when curbing is provided.

E. Driveways shall not be constructed in such a way as to create a drainage problem on an adjacent property.

F. The maximum grade of driveways in all zoning districts shall not exceed 15 percent.

(Ord. 1166, 8/27/1973, §1171.05; as amended by Ord. 1378, 10/8/1980)

§22-606. Public Use and Service Areas.

1. Provisions shall be made by the subdivider or land developer for suitable space for parks, playgrounds, schools and recreation areas when indicated on the Official Map of the Township. Due consideration shall be given to the preservation of natural features including large trees, groves, waterways, scenic and historical points and other community assets.

2. The amount of land so dedicated for this purpose shall equal or exceed $\frac{2}{100}$ acre of land for each dwelling unit.

3. Any land to be dedicated as a requirement of this section shall be reasonably adaptable for use for active and passive parks and recreation purposes and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of the proposed park and/or recreational area shall include size and shape, topography, geology, tree cover, access and location.

4. Public access to the dedicated land shall be provided either by adjoining street frontage or public easement to the dedicated parcel. The easement shall be sufficiently wide so that maintenance equipment will have reasonably convenient access to the land.

5. The subdivider or developer must establish and assure the future ownership of the permanent open space and recreation land as well as indicating the provisions for the maintenance and control of the open space, if such area is to be held in private ownership. In addition, the Township, at its discretion, may at any time, and from time to time, accept the dedication of such land or any interest therein, for public use and maintenance. The Township need not require as a condition of approval of the subdivision or development that the land be set aside or dedicated for common open space or made available for public use.

6. Where sites for parks, schools, playgrounds or other public uses are located within a subdivision or development area as shown on the Township Official Map or where such sites appear to be desirable, the Board of Commissioners may require their reservation or dedication for such purpose.

7. Areas dedicated or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.

(Ord. 1166, 8/27/1973, §1171.06)

§22-607. Utility Easements.

1. Easements with a minimum width of 15 feet shall be provided for conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.

2. To the fullest extent possible, easements shall be centered on, or adjacent to, rear or side lot lines.

3. Subdividers and land developers shall avail themselves of the facilities provided by the various authorities or public utility companies in determining the proper locations for utility line easements.

(Ord. 1166, 8/27/1973, §1171.07)

§22-608. Natural Waterways and Water Bodies.

1. *General Standards.* Fills along or changes to embankments, dams, channel changes, construction and excavations near all natural streams, watercourses and water bodies, shall be in accordance with the standards of the Dam Safety and Encroachments Act, 32 P.S. §693.1 *et seq.* [Ord. 2288]

2. *Procedure.* Any subdivider or developer who proposes any change or addition to any existing water obstruction, or a change in the course, current or cross-section of any section of any stream or body of water, shall first have obtained written approval from the Department of Environmental Protection as required by the Act cited in subsection .1 hereof. [Ord. 2288]

3. *Sanitary Drains.* All plats submitted for approval must show sanitary drains separated from all other drains. All plats, designs and data of any new sewer system, or for extension of or tapping into any existing sewer system, shall be submitted to the Pennsylvania Department of Environmental Protection, Bureau of Water Quality Management, for its approval before the same are constructed, erected or acquired. All construction will be in accordance with the Clean Streams Act, 35 P.S. §691.1 *et seq.*, and/or as specified and detailed by the Township. [Ord. 2288]

(Ord. 1166, 8/27/1973, §1171.08; as amended by Ord. 2288, 4/12/2010)

§22-609. Improvement Specifications Conformance with This and Other Ordinances.

1. In accordance with the conditions of subdivision and land development specifications, all required improvements to land must be completed in strict accordance with the Township Zoning Ordinance [Chapter 27], other ordinances as applicable, as established in this Chapter, and with the Township Construction Details and Specifications, copies of which may be obtained from the Township Engineer or Secretary, prior to release of the completion bond by the Board of Commissioners.

2. The following improvements, as shown on the plat of record, shall be provided by the developer in accordance with the cited details and/or specifications.

(Ord. 1166, 8/27/1973, §1171.09)

§22-610. Cartway Paving.

All streets intended to be dedicated for public use shall be paved to full cartway width as shown on the final plat. In all cases, paving materials and workmanship shall conform to any and all Township standards, including any Pennsylvania Department of Transportation Standards adopted by the Township. See construction details and specifications on file with the Township Manager.

(Ord. 1166, 8/27/1973, §1171.10)

§22-611. Curbs.

See construction details and specifications on file with the Township Manager.

(Ord. 1166, 8/27/1973, §1171.11)

§22-612. Sidewalks.

Where sidewalks are required, they shall be constructed in accordance with

construction details and specifications on file with the Township Manager.

(*Ord. 1166, 8/27/1973, §1171.12*)

§22-613. Monuments.

1. See construction details and specifications on file with the Township Manager. All monuments shall be placed by a registered engineer or surveyor so that the scored (by an indented cross in the top of the monument) point shall coincide exactly with the point of intersection of the lines being monumented.

2. Monuments shall be set with their top level with the finished grade of the surrounding area.

3. All streets shall be monumented and monument locations shall be shown on the recorded plat.

(*Ord. 1166, 8/27/1973, §1171.13*)

§22-614. Street Signs.

Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to the approval of the Township Commissioners and in accordance with Township standards.

(*Ord. 1166, 8/27/1973, §1171.14*)

§22-615. Shade Trees.

Every effort shall be made by the developer to preserve existing shade trees in the area being subdivided or developed.

(*Ord. 1166, 8/27/1973, §1171.15*)

§22-616. Sanitary Sewage Disposal.

1. Sanitary sewage disposal shall be designed and constructed in accordance with the details and specifications of the Township.

2. Each property shall connect with an approved public sewer system, if accessible. Where the sewer is not yet accessible but is planned for extension to the subdivision, the developer shall install the sewer lines including, lateral connections as may be necessary to provide adequate service to each lot when connection with the sewer system is made. The sewer lines shall have a suitable lamp hole, complete with cast iron ring and cap, at the limits of the subdivision or development, and the laterals shall be capped at the street right-of-way line. Proposed sewer service must be approved by the County and/or State Health Department prior to approval of plans and issuance of permits.

3. Subdivisions of 10 lots or more, if not connected to an approved public sewage disposal system, shall be serviced by a community sanitary sewage disposal system.

4. Sanitary sewers shall carry only sanitary sewage. Storm sewers shall carry only stormwater run-off.

5. When on-site disposal facilities are required, a carefully engineered system shall be installed. Before covering and backfilling, all on-site facilities must be inspected and certified as complying with State, County and Township requirements.

6. Two copies of an accurate sketch of on-site facilities shall be provided showing the location of all important features, including pipe size, the run of the various pipes, the location of the field, location of vents and cleanouts for septic tanks, and septic tank capacity.

(*Ord. 1166, 8/27/1973, §1171.16*)

§22-617. Water Supply.

1. See construction details and specifications on file with the Township Manager.

2. Each property shall connect with an approved public water supply system, if available.

3. If water distribution system cannot be tied-in with an approved public system, an individual well or spring must be installed and operated in full compliance with the latest Pennsylvania Department of Environmental Protection specifications covering such facilities. [*Ord. 2288*]

4. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Commissioners 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. [*Ord. 1726*]

(*Ord. 1166, 8/27/1973, §1171.17; as amended by Ord. 1726, 10/14/1991, §22-617; and by Ord. 2288, 4/12/2010*)

§22-618. Erosion and Sediment Control.

1. Whenever sedimentation is caused by stripping, grading or other development, the developer shall be responsible for such sedimentation. Such sedimentation shall be removed from all adjoining surfaces, drainage systems and watercourses and any damage caused thereby shall be repaired at the developer's expense as quickly as possible.

2. Erosion and sediment control measures, as required, shall be in accordance with details and specifications on file with the Township Manager.

(*Ord. 1166, 8/27/1973, §1171.19*)

§22-619. Inspection Procedure.

No improvements shall be made or approved by the Board of Township Commissioners except in accordance with the following procedure:

A. Forty-eight hours before the developer is ready to prepare the subgrade of the road, he shall notify the Township Manager, in writing.

B. Forty-eight hours before the developer is ready to lay the slag or base of a road, he shall notify the Township Manager, in writing, so that the Township shall make periodic inspections during the course of installation.

C. The developer shall notify the Township Manager, in writing after the

water lines and sanitary sewers, if required, are laid but 48 hours before they are covered over for the Township's inspection.

D. Forty-eight hours before the developer is ready to put the top or final coat on the road, he shall notify the Township Manager to make final inspection. No final paving shall be permitted until such inspection has been made and approval to proceed has been granted.

E. The Township shall make an inspection of the completed road, sewers, drains, fire plugs, drainage facilities and any other required improvements.

G. If the installations conform to the requirements under this Chapter and to the agreement specified in §22-504, the Township, after inspection, shall furnish to the Solicitor and Commissioners a statement to that effect.

H. The Township shall furnish to the Solicitor a description of the road and of the grade at centerline, and the Solicitor will thereupon, or upon request of the developer, prepare an ordinance or resolution for the adoption of the road as a Township road.

I. Where it is contemplated that any street in a partially completed plat of lots may be extensively used by heavy vehicles hauling building materials and equipment, and where such street, if completed, may be damaged during the course of construction of a number of houses, the Township may require the developer to complete the homes or a substantial number of them, prior to the final paving of the street.

J. The inspection of sanitary sewer installations shall be in accordance with the procedures of the applicable sanitary authority with any required notices also being submitted to the Township Manager.

(Ord. 1166, 8/27/1973, §1171.20)

§22-620. Acceptance of Improvements.

1. *Dedication: Recording.* Every street, park, sewer, drainage facility or other improvement shown on a subdivision or development plat that is recorded as provided herein, shall notwithstanding such recording, be deemed to be a private street, park, sewer, drainage facility or other improvement, and the Township shall have no responsibility with respect thereto until such time as the same is offered for dedication to the Township and accepted by it, by ordinance or resolution, and recorded in the office of the Clerk of the Court of Common Pleas, or until it is duly condemned by the Township for public use.

2. *Requirements for Acceptance.* No streets, rights-of-way, sanitary sewer, storm sewer, drainage facilities or other improvements required by this Chapter shall be accepted by ordinance or resolution of the Commissioners, unless prior thereto, there shall be submitted to the Commissioners:

A. A dedication thereof in form approved by the Township Solicitor.

B. Originals of as-built plans in duplicate to the Township Manager.

C. A certificate by the Township that the improvements offered for acceptance have been constructed in accordance with the documents approved by the Supervisors and are now in a condition satisfactory for acceptance.

D. A receipt for all charges and fees required to be paid to the Township.
(*Ord. 1166, 8/27/1973, §1171.21*)

§22-621. Release from Improvement Bond.

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Commissioners, 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 of Commissioners 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 of Commissioners, 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 of Commissioners; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

2. The Board of Commissioners 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 of Commissioners with relation thereto.

3. If the Board of Commissioners or 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 of Commissioners, 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 of Commissioners or the Township Engineer.

6. Where herein reference is made to the Township Engineer, he shall be as a consultant thereto.

7. The Township may prescribe that the applicant shall reimburse the Township for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the Board of Commissioners for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. 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's professional 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 professional consultant to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.

A. The Board of Commissioners shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than 30 days after the date of transmittal of a bill for inspection services, notify the Township and the Township's professional consultant that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within 30 days shall be a waiver of the applicant's right to arbitration of that bill under this Section.

B. Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the Board of Commissioners a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.

C. If the professional consultant and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within 45 days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another professional consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged shall, by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.

D. The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than 50 days after the date of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within 60 days. In the event the Township has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within 60 days reimburse the excess payment.

E. In the event that the Township's professional consultant and applicant cannot agree upon the arbitrator to be appointed within 20 days of the request for appointment of an arbitrator, 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, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who has been retained by, or performed services for, the Township or the applicant within the preceding 5 years.

F. The fee of the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator; otherwise, it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than \$5,000, the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The Board of Commissioners and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.

[*Ord. 2288*]

(*Ord. 1166, 8/27/1973; as added by Ord. 1726, 10/14/1991, §22-621; and as amended by Ord. 2288, 4/12/2010*)

Part 7**Delivery Format of Drawing Files and Survey Data
for All Development Submissions****§22-701. Development Submissions.**

All developmental submissions including subdivisions, site plans, re-zonings and as-built shall be provided in a format useable to GIS.

(Ord. 1946, 8/11/1997, §1001)

§22-702. Data Format.

The following data is required in a format useable to GIS:

A. Survey Data.

(1) Delivered in a .dxf format.

(2) Feature attributes should be stored as text in the same layer as the feature is associated with.

(3) Data should be in State Plane Coordinate System NAD83 Pennsylvania South.

B. As-Built Drawings.

(1) Delivered in a .dxf format.

(2) Feature attributes should be stored as text in the same layer as the feature is associated with.

(3) Data should be in State Plane Coordinate System NAD83 Pennsylvania South.

C. Base Mapping. Each feature type should be separate layers, and should include:

(1) Building Foot Prints.

Residential
Industrial/Commercial
Public
Out (Sheds, Garages, etc.)

(2) Cadastre.

Lot Boundary
Allegheny County Block Number
Allegheny County Sheet Number
Allegheny County Lot Number
Right-of-ways

(3) Nature.

Woodlands
Sand/Mud Areas
Swamps/Wetlands
Nurseries/Orchards

Cultivated Fields

(4) *Lakes.*

- Lakes
- Reservoirs
- Ponds
- Hidden Lakes, Reservoirs or Ponds

(5) *Drainage.*

- Rivers
- Streams
- Drainage Canals or Culverts
- Hidden Streams

(6) *Cultural References.*

- Golf Courses
- Athletic Fields
- Parks
- Cemeteries
- Swimming Pools
- Landfills
- Tank Farms

(7) *Utilities.*

- Utility Transmission Lines
- Utility Transmission Stations
- Water Tanks
- Sewer Plants
- Transmission Line Pylons
- Cross Country Communication Towers
- Cross Country Utility Transmission Poles

(8) *Major Transportation.*

- Road Pavement Edges
- Hidden Road Pavement Edges
- Bridges/Overpass Edges
- Hidden Bridges/Overpass Edges
- Tunnels
- Unpaved/Jeep Trails
- Airfields/Runways
- Other Airfields
- Alley (visible and hidden) Edges
- Walkways/Stairways
- Footpaths

(9) *Minor Transportation.*

- Retaining Walls/Headwalls/Culverts

(10) *Parking.*

- Paved Parking Lots
- Unpaved Parking Lots

(11) *Street Centerlines* (all with street names).

Unknown Roads
 Primary Roads
 Secondary Roads
 Unknown Hidden Bridges/Overpasses
 Unpaved Roads
 Hidden Access Roads
 Connecting Roads
 Jeep Trails
 Walkways
 Stairways
 Footpaths
 Alleyways
 Hidden Alleyways

(12) *Contours* (at 5-foot intervals).

Intermediate Contours
 Hidden Intermediate Contours
 Intermediate Depression Contours
 Hidden Intermediate Depression Contours
 Intermediate Dense Tree Contours
 Hidden Intermediate Dense Tree Contours
 Index Contours
 Hidden Index Contours
 Index Depression Contours
 Hidden Index Depression Contours
 Index Dense Tree Depression Contours
 Intermediate Dense Tree Depression Contours
 Hidden Intermediate Dense Tree Depression Contours
 Index Dense Tree Contours
 Hidden Index Dense Tree Contours

D. *Utility Layers.*(1) *Sanitary Sewer:*

Sanitary Manholes
 Lid Size
 Lid Type
 Is manhole in a flood prone area? (Yes/No)
 Top Elevation
 Pump Stations
 Interconnects
 Lampholes
 Lid Size
 Lid Type
 Is Lamphole in a flood prone area? (Yes/No)
 Top Elevation

Pump Station Overflows
Air Relieve Valves
Clean Outs
Meter Pits
Bends
Sanitary Lines
 Length
 Size
 Material
 Ending Invert Elevation
 Beginning Invert Elevation
 Top Elevation
 Slope
Wyes
 Length
 Size
 Material
 Ending Invert Elevation
 Beginning Invert Elevation
 Top Elevation
 Slope
Stubs
Easements
 Width

(2) *Water:*

Section Valves
 Size
 Install Date
 Manufacturer
 Elevation
Branch Valves
 Size
 Install Date
 Manufacturer
 Elevation
Blow Off Valves
 Size
 Install Date
 Manufacturer
 Elevation
Hydrants
 Size
 Install Date

Manufacturer
Elevation
Residential Meter Pits
Curb Boxes
Interconnects
Storage Tanks
Master Meter Pit
Pump Station
Reducer
Cap
Terminating Pit
Plug
Air Release
Irrigation
Service Valve
Size
Install Date
Manufacturer
Elevation
Water Mains
Length
Size
Material
Service Lines
Length
Size
Material
Branch Lines
Length
Size
Material
Easements
Width
(3) *Storm Sewer:*
Manholes
Top Elevation
Headwalls
Top Elevation
Inlets
Top Elevation

Culverts

Top Elevation

Outfall/Headwall

Top Elevation

Catch Basin

Retention Pond

Overflows

Storm Lines

Size

Material

Ending Invert Elevation

Beginning Invert Elevation

Slope

Easements

Width

(Ord. 1946, 8/11/1997, §1)