



AN ORDINANCE REGULATING THE SUBDIVISION OF LAND AND LAND DEVELOPMENT WITHIN THE BOROUGH OF GRATZ, DAUPHIN COUNTY, PENNSYLVANIA, PROVIDING FOR THE PREPARATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE: REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER: REGULATING SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATING OF STREETS, SEWERS, OTHER FACILITIES, AND PUBLIC IMPROVEMENTS IN CONNECTION WITH SUBDIVISION, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

THE BOROUGH COUNCIL OF THE BOROUGH OF GRATZ, DAUPHIN COUNTY, PENNSYLVANIA, PURSUANT TO ACT 247 ("PENNSYLVANIA MUNICIPALITIES PLANNING CODE") AS AMENDED BY ACT 93 OF 1972, DOES ENACT AND ORDAIN:

ARTICLE I

SHORT TITLE

Section 101. SHORT TITLE

This ordinance shall be known and may be cited as "The GRATZ Borough Subdivision and Land Development Ordinance."

ARTICLE II

PURPOSE, AUTHORITY, APPLICATION AND INTERPRETATION

Section 201. PURPOSE OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

The purpose of this subdivision and land development ordinance is to provide for harmonious development of the municipality and county by:

1. Ensuring the orderly and efficient integration of subdivisions into the development of the Borough of GRATZ.
2. Ensuring sites suitable for building purposes and human habitation.
3. Ensuring conformance of subdivision plans with public improvement plans.

4. Ensuring coordination of inter-municipal public improvement plans and programs.
5. Ensuring the protection of water resources and drainageways.
6. Ensuring the efficient movement of traffic.
7. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.
8. Ensuring the greater health, safety, and welfare of the citizens of the Borough of GRATZ.
9. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.

Section 202. AUTHORITY

The Commission is hereby designated by the Governing Body as the agency having authority to approve for the Borough all Pre-Application Plans and Data.

The Commission is further designated as the agency which shall review and make recommendations on all Preliminary and Final Plats as required herein, prior to final approval on same by Borough Council.

Section 203. DAUPHIN COUNTY REVIEW OF PLANS

Applications for review of subdivision and land development within GRATZ Borough must be forwarded upon receipt to the Dauphin County Planning Commission for review and report, and the Borough shall not approve such applications until the county report is received, or until the expiration of thirty days from the date the application was forwarded to the County. As evidence of this review and report, officials of the County Planning Commission will sign final plats, which have been formally approved by the Borough, before such

plats are presented for recording.

Section 204. APPLICATION OF REGULATIONS

1. No subdivision or land development of any lot, tract, or parcel of land located in the Borough of GRATZ shall be effected; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until a final subdivision plat has been approved by the Borough Council and publicly recorded in the manner prescribed herein; nor otherwise except in strict accordance with the provisions of this ordinance.
2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision plat has been approved by the Borough Council and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.
3. Unit or condominium subdivision of real property is included within the meaning of the subdivision as defined herein and must comply with the subdivision regulations except for lot requirements under Section 504, 1, 2-a through c provided such subdivision is served by a public or common sewage collection and treatment system. Such compliance shall include, but not be limited to, the filing of preliminary and final plats, the dedication and improvement of right-of-way, roads, streets and the payment of fees and charges as established by the governing body.

Preliminary and final plats shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements, appurtenant to each unit and improvements to public right-of-way.

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

Section 205. INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare. Where provisions of this Ordinance impose greater restrictions, or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of a statute, other ordinance, resolution, or regulation imposes greater restrictions than this Ordinance, the provisions of such statute, resolution, ordinance, or regulations shall be controlling.

Section 206. EFFECTIVE DATE

This Ordinance shall take effect on the 7th day of May 1975 and may be amended from time to time in accordance with procedure established by law.

ARTICLE III
DEFINITIONS

Section 301.

The following words and phrases, as used in this Ordinance, shall have the meaning hereby ascribed thereto, unless the context clearly indicates a different meaning.

1. ALLEY (or SERVICE DRIVE): A minor right-of-way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.
2. APPLICANT: (SEE DEVELOPER AND SUBDIVISION): A landowner or developer, as hereinafter defined, who has filed an application for the subdivision or development of a tract of land, including his heirs, successors, and assigns.
3. APPLICANT FOR DEVELOPMENT: Every application, whether preliminary or final, required to be filed and approved prior to start of construction of development including, but not limited to, an application for a building permit for the approval of a subdivision plat or plan or for approval of a development plan.
4. BLOCK: An area bounded by streets.
5. BOROUGH: The Borough of | GRATZ |, Dauphin County, Pennsylvania; Borough Council its agents or authorized representatives.
6. BUILDING LINE: A line parallel to the front, side or rear lot line set so as to provide the required yard.
7. BUILDING SETBACK LINE: (setback): The line within a property defining the required minimum distance

between any enclosed structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

8. CARTWAY OR ROADWAY: That portion of a street or alley which is improved, designated, or intended for vehicular use.
9. CHAIRMAN: The Chairman of the GRATZ Borough Planning Commission.
10. CLEAR-SIGHT TRIANGLE: An area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the street center lines.
11. COOPERATIVE: Ownership in common with others of a parcel of land and of a building or buildings thereon which would normally be used by all the occupants, together with individual rights of occupancy of a particular unit or apartment in such building or buildings or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property and where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.
12. COMMISSION: The GRATZ Borough Planning Commission.
13. COMMON ELEMENTS: Means and includes:
 - a. The land on which the building is located and portions of building which are not included in a unit;
 - b. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of the building;

- c. The yards, parking area and drive ways;
 - d. Portions of the land and building used exclusively for the management, operation or maintenance of the common elements;
 - e. Installations of all central services and utilities;
 - f. All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
 - g. Such other facilities as are designated as common elements.
14. COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designated and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking areas and areas set aside for public facilities. (*) Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.
15. CONDOMINIUM: Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property.
- (*): Public facilities include utility easements for sewer collection, water electric, telephone and gas distribution, transformer, pumping stations, etc.

16. CROSS-WALK: A right-of-way, publicly or privately owned, intended to furnish access for pedestrians.
17. COUNCIL: The elected Council of the Borough of GRATZ .
18. CUT: An excavation. The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in excavation.
19. DEVELOPER: (SEE APPLICANT AND SUBDIVIDER): Any landowner, agent or tenant with permission of such landowner, who makes or cause to be made a subdivision of land or land development.
20. DEVELOPMENT PLAN: The provisions for the development of a tract of land, including a subdivision plat, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, street, ways and parking facilities, common open-space and public facilities. The phrase "provisions of the development plan" when used in this ordinance shall mean written and graphic materials referred to in this definition.
21. DRAINAGE: The flow of water or liquid waste and the method of directing such flow, whether natural or artificial.
22. DRAINAGE FACILITY: Any ditch, gutter, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.

23. DRIVEWAY: A minor vehicular right-of-way providing access between a street and a parking area of garage within a lot or property.
24. DWELLING: A building designed for residential purposes and used as living quarters for one or more persons or families.
25. DWELLING UNIT: One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one (1) family or a single person.
26. DWELLING, SINGLE FAMILY, DETACHED: A building used by one (1) family, having one (1) dwelling unit, and having two (2) side yards.
27. DWELLING, SINGLE FAMILY, SEMI-DETACHED: A building used by one (1) family, having one (1) side yard, and one (1) party wall in common with another building.
28. DWELLING, SINGLE FAMILY, ATTACHED (ROW) (TOWN HOUSE): A building used by one (1) family, and having two (2) party walls in common with other buildings, except end units which shall have one (1) party wall and one (1) side yard.
29. DWELLING, TWO FAMILY, DETACHED: A building used by two (2) families, with one dwelling unit arranged over the other, having (2) side yards.
30. DWELLING, TWO FAMILY, SEMI-DETACHED: A building used by (2) families, with one dwelling unit arranged over the other, having one side yard, and having one party wall in common with another building.
31. DWELLING, MULTI-FAMILY: A building used by three (3) or more families living independently of each other and their own cooking, including apartment houses.

32. DWELLING, GARDEN APARTMENT: A two (2) story multi-family dwelling containing one (1) story dwelling units, under one ownership.
33. EASEMENT, UTILITY: A right-of-way granted for the limited use of land for public or quasi-public purposes.
34. ENGINEER: A registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.
35. ENGINEERING SPECIFICATIONS: The Engineering Specifications of the municipality regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.
36. EROSION: The removal of surface materials by the action of natural elements.
37. EXCAVATION: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.
38. FILL: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.
39. FLOOD PLAIN: The area along a natural watercourse which may from time to time be overflowed by water therefrom.

40. FUTURE RIGHT-OF-WAY: (1) right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads. (2) A right-of-way established to provide future access to or through undeveloped land.
41. GOVERNING BODY: The Borough Council of the Borough of GRATZ , Dauphin County, Pennsylvania.
42. HALF OR PARTIAL STREET: A street, generally parallel with and adjacent to a property line, having a lesser right-of-way width than required for improvement and used as a street in accordance with the Ordinance.
43. IMPROVED PUBLIC STREET: Any street for which the Borough, County or Commonwealth has maintenance responsibility and which is paved with an approved hardtop surface.
44. IMPROVEMENTS: Those physical additions, installations, and changes required to render land suitable for the use intended, including but not limited to grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, street shade trees, and improvements to existing water courses.
45. INTERIOR WALK: A right-of-way for pedestrian use extending from a street into a block or across a block to another street.
46. LAND DEVELOPMENT (SEE SUBDIVISION): (i) The improvement of one or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space 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, (ii) a subdivision of land.

47. LANDOWNER: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee having a remaining term of not less than forty years, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this Ordinance.
48. LOT: A plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer, or improvement.
49. LOT, THROUGH OR DOUBLE FRONTAGE: A lot with front and rear street frontage.
50. LOT AREA: The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street, but including the area of any easement.
51. LOT, NON-CONFORMING: A lot of record at the time of the adoption of this Ordinance, which by reason of area or dimension does not conform to the requirements of this Ordinance.
52. MINOR SUBDIVISION: The subdivision of a single lot, tract, or parcel of land into two (2) lots, tracts, or parcels of land, for the purpose, whether immediate or future, of transfer or ownership or of building development, providing lots, tracts, or parcels of land thereby created having frontage

on an improved public street or streets and providing further that there is not created by the subdivision any new street, streets easement, easements of access or need therefor.

53. MOBILE HOME: "Mobilehome" means a transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.
54. MOBILE HOME LOT: "Mobilehome lot" a parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.
55. MOBILE HOME PARK: "Mobilehome park" a parcel of land under single ownership which has been planned and improved for the placement of mobilehomes for non-transient use, consisting of two or more mobilehome lots.
56. MUNICIPALITY: GRATZ Borough, Dauphin County, Pennsylvania.
57. OWNER: Any person having any title or interest whatsoever in any land subdivision as the word "Subdivision" as hereinafter defined in this Article and Section.
58. PERSON: Any individual or group of individuals, partnership, or corporation.

59. PLAN, CONSTRUCTION IMPROVEMENT: A plan prepared by a registered engineer or surveyor showing the construction details of streets drains, sewers, bridges, culverts, and other improvements as required by this Ordinance.
60. PLAN, OFFICIAL: The Comprehensive Plan and/or Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right-of-way Plan and/or Official Map or other such Plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the municipality in which the subdivision is located.
61. PLAN, SKETCH: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision.
62. PLANNING COMMISSION: GRATZ Borough Planning Commission.
63. PLAT, FINAL: A complete and exact subdivision plan prepared for official recording as required by statute.
64. PLAT, PRELIMINARY: A tentative subdivision plan, in a lesser detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.
65. PROFILE LINE: Means the profile of the center line of the finished surface of the street, which shall be midway between the sidelines of the street.
66. PUBLIC GROUNDS: includes (i) parks, playgrounds, and other public areas and (ii) sites for schools, sewage treatment, refuse disposal, other publicly owned or operated facilities.

67. PUBLIC NOTICE: Notice given not more than thirty days and not less than fourteen days in advance of any public hearing required by this Ordinance. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.
68. RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which has its own motive power or is mounted on or drawn by another vehicle, (including Camping Trailer, Motor Home, Travel Trailer and Truck Camper); and a body width of no more than eight (8) feet and a body length of not more than thirty-five (35) feet when factory equipped for the road, and licensed as such by the Commonwealth.
69. RECREATIONAL VEHICLE PARK OR CAMP GROUND: A parcel of land under single ownership which has been planned and improved for the placement of recreational vehicles or camping equipment for temporary living quarters, for recreational, camping or travel use, on recreational vehicle; or camp ground lots rented for such use, thereby constituting a "land development".
70. RECREATIONAL VEHICLE PARK OR CAMP GROUND LOT: A parcel of abutting a street or private road occupied by one recreational vehicle or camping equipment for temporary living quarters, for recreational, camping, or travel use, together with such open space as is required under the provisions of this Ordinance having not less than

the minimum area and width required by this Ordinance for a recreational vehicle park or camp ground lot.

71. RESERVE STRIP: A narrow parcel of ground separating a street from other adjacent properties.
72. RESIDENT PROPERTY OWNER: Any individual maintaining a voting address in the municipality, within one thousand (1,000) feet of the proposed subdivision, owning real estate in his own or joint names. A tenancy in common or any other means of joint ownership shall be considered as an individual; however, the signature of any single joint owner shall be considered as binding the others.
73. RE-SUBDIVISION: Any subdivision or transfer of land, laid out on a plan which has previously been approved by the Borough Council, which changes or proposes to change property lines and/or public right-of-way not in strict accordance with approved plan.
74. REVERSE FRONTAGE LOT: A lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter.
75. RIGHT-OF-WAY, STREET: A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.
76. RUNOFF: The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.
77. SEDIMENTATION: The process by which mineral or

organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment".

78. SEEPAGE PIT: A covered pit with open-jointed lining through which the septic tank effluent may seep or leach into the surrounding soil.
79. SEPTIC TANK: A watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.
80. SEWAGE DISPOSAL SYSTEM (on site): Any structure designated to dispose of sanitary sewage within the boundaries of the lot.
81. SEWAGE DISPOSAL SYSTEM (PUBLIC): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.
82. SIGHT DISTANCE: The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.
83. SLOPE: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.
84. SOIL PERCOLATION TEST: A field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-site sewage disposal.

85. SOIL STABILIZATION: Chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise to improve its engineering properties.
86. STREET: A public right-of-way which affords primary vehicular and pedestrian access to abutting properties, including street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.
87. MAJOR STREETS:
- a. ARTERIAL STREET: A major street or highway with fast or heavy traffic volumes of considerable continuity used primarily as a traffic artery for communications between large areas.
 - b. COLLECTOR STREETS: A major street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of a residential development and streets for circulation within such a development.
 - c. LIMITED ACCESS HIGHWAY: A major street or highway which carries large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.
88. MINOR STREET: A street used primarily for access to abutting properties.
89. CUL-DE-SAC: A street intersecting another street at one end terminating at the other in a vehicular turn-around.
90. MARGINAL ACCESS STREET: A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to

abutting properties and protection from through traffic.

91. SHOULDERS (Street): The portion of the street, contiguous to the cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of the pavement.
92. SUBDIVIDER (SEE APPLICANT AND DEVELOPMENT): The owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or development under the terms of this Ordinance.
93. SUBDIVISION (SEE LAND DEVELOPMENT): The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: Provided, however, that the division of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access, shall be exempted.
94. SURFACE DRAINAGE PLAN: A plan showing all present and proposed grades and facilities for storm water drainage.
95. SURVEYOR: A licensed surveyor registered by the Commonwealth of Pennsylvania.
96. SWALE: A low lying stretch of land characterized as a depression used to carry surface water runoff.
97. THROUGH LOT: A lot which abuts a street on two or more opposing or non-adjacent sides.

98. TILE DISPOSAL FIELD: A system of open jointed or perforated pipes laid in the upper strata of the soil for absorption.
99. TOP SOIL: Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic uppermost soil layer called the A Horizon.
100. UNDEVELOPED LAND: Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.
101. "UNIT": means a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way, or to a common element or common elements leading to a public street or way or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.
102. WATER FACILITY: Any water works, water supply works, water distribution system, or part thereof designed, intended or constructed to provide or distribute potable water.
103. WATERCOURSE: A stream of water, river, brook, creek, or a channel or ditch for water whether natural or man-made.

ARTICLE IV
PLAT REQUIREMENTS AND PROCESSING PROCEDURES

Section 401.

Whenever a subdivision of land or land development is desired to be effected in the Borough of GRATZ, Dauphin County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed, and processed according to the requirements of this Subdivision and Land Development Ordinance except as follows.

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

- (a) A Final Plat shall be submitted and processed as required under Section 406 using the following procedure:

- (1) Obtain Soil Suitability report from Department of Environmental Resources or their representative and file with the local enforcement officer.
- (2) Obtain Soil Characteristics report and information on erosion and sediment control from the Dauphin County Conservation District through the Soil Conservation Service.
- (3) The final plan (6 copies) prepared by a

registered surveyor or engineer on
17½" x 24" sheets showing the
following:

- (a) Outline of the property from which the lot or lots are being subdivided, scale 1" = 400 feet.
- (b) Bearings and distances of the property taken from the property deed including the primary control point.
- (c) Adjacent landowners names.
- (d) Location on the property map of existing buildings, proposed lots, existing streets, streams, and woods.
- (e) A separate drawing of the proposed lot or lots (scale 1" = 100') with lot areas, lot numbers, lot dimensions, bearings and distances of lot lines, existing street right-of-way and street name and number, building setback lines, contours with a 5 foot interval.
- (f) A location map on the plat (Scale 1: 24,000) showing property location, streets and other pertinent information.
- (g) Additional data needed on the plan.
 - (1) Name and address of owner or subdivider.
 - (2) Name and seal of surveyor or other person responsible for the plan.
Also signed certification by surveyor that plan is correct.
 - (3) Date of plan preparation.
 - (4) Municipality where property is located.
 - (5) North point and scale.

- (6) Certification of ownership and dedicatory statement signed by owner.
- (7) Notary public and recording statement.
- (8) Allow spaces for stamped approval blocks to be signed upon approval by the Borough Council and the Borough Planning Commission's review.
- (9) Location of survey monuments shown by an x on the plat.
- (10) Proposed Protective covenants running with the land, if any.
- (11) Reference to recorded subdivision plats of adjoining platted land and by record name, date and number.

Section 402. PRE-APPLICATION PLANS AND DATA: PROCEDURE

1. Prior to the preparation and filing of the Pre-Application Plans and Data with the Commission, the applicant shall consult the Dauphin County Conservation District, concerning the preparation of plans for erosion and sedimentation control and to secure soil information in order to:
 - (a) Obtain a report indicating the extent and content of erosion and sedimentation control plans needed and whether a permit for earth moving activity may be required from the Department of Environmental Resources under the Rules and Regulations Chapter 102 "Erosion Control" P. L. 1787, June 22, 1937, as amended. (See Section 505-1-b and 505-1-c).
 - (b) Obtain a report on the soil characteristics of the site so that the Commission may determine the type and degree of development the site may accommodate because of the limitations of soils as related to basement and foundation construction, street and park area construction and grading conditions.
2. At this stage, in order to guide the applicant in the requirements for Sewage Plans, the Commission shall inform the applicant of the following:
 - (a) Where an applicant proposes a subdivision or land development containing 3 or more lots, 3 or more dwelling units on a single lot or the development of tracts for commercial industrial or other purposes requiring sewage facilities, unless served by an existing sewage system, or where the official plan of the municipality adequately meets the sewerage

needs of the proposed subdivision, the municipality is required to revise its official plan.

- (b) Where an applicant proposes such a subdivision beyond an existing system or beyond the limits or capacity of the official plan the applicant shall consult the Department of Environmental Resources in regard to the method of sewage disposal.
 - (c) The applicant shall obtain from the Department of Environmental Resources or the Municipality the sewage "Plan Revision Module for Land Development", to aid the municipality in Complying with the planning requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Chapter 71 of Title 25 of the Pennsylvania Code.
 - (d) The applicant shall be required to complete the module as part of the preliminary plat submission in order that the module may be submitted by the municipality to the Department of Environmental Resources for conformance to the official plan or for approval as a revision to the official plan.
3. At this stage, in order to guide the applicant in the determination of the type of sewage facilities which may be acceptable, the Commission shall inform the applicant, based on the location map required under Section 403-8 of the following:
- (a) The proposed site is within an area which may be served by existing sewer systems.
 - (b) The proposed site is within an area for which sewer service has been planned by 1980 and

therefore may require collection and extension to an existing system.

- (c) The proposed site is within an area for which sewer service has been planned by 1980 and therefore may, based on soil conditions, be permitted to have on lot sewage treatment facilities. Where soil conditions are not suitable the applicant may be required to construct a sewage collection and treatment system (package treatment plant) acceptable to the Department of Environmental Resources.
 - (d) The proposed site is beyond any area for which sewer service has been planned and therefore may or may not, based on soil conditions, be permitted to have on lot sewage treatment facilities.
 - (e) The proposed site is beyond any area for which sewer service has been planned and the proposed development would produce large volumes of sewage and the sewage treatment facilities of any type may not be permitted.
4. At this stage, the Commission shall so inform the applicant if his tract is located where a flood hazard exists, in which case the following regulations shall apply:
- (a) The applicant shall prepare a contour map of the proposed area with such contour intervals as the Commission shall determine to be necessary and control devices or plans to raise the level of land above the flood plains, satisfactory to the Commission whenever the Commission shall consider that such are

necessary. No plat shall be approved for which the Commission finds that drainage or flood control protection is necessary until the Commission shall approve the plans for drainage, flood control, or for raising the level of land above the flood plain.

- (b) Land Subject to Flooding - Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger of health, life or property, or aggravate erosion or flood hazard. Such land within the subdivision or land development shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
 - (c) Adequate Building Site - To insure that residents will have sufficient flood-free land upon which to build a house, the Commission may require elevations and flood profiles. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.
 - (d) Street Elevation - The Borough Council shall not approve streets subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas of flood.
5. Nine (9) days prior to regular meeting of the Planning Commission the subdivider shall submit three (3) copies of the pre-application plans and data as further

described under Section 403 to the Borough
of GRATZ Secretary for distribution to the
following:

GRATZ Borough Engineer - 1 copy

GRATZ Borough Planning Commission - 2 copies

and shall ascertain from the Commission those
elements to be considered in the design of the
subdivision.

The submission of such pre-application plans and
data shall not constitute a formal filing with
the municipality.

Section 403. PRE-APPLICATION PLANS AND DATA: SPECIFICATIONS

Pre-Application plans and data shall include the following:

1. General information describing or outlining existing covenants, land characteristics, community facilities and utilities, and information describing the proposed subdivision or land development such as the number of lots, typical lot width and depth, parking areas, business areas, playgrounds, park areas, common open space, other public areas, proposed protective covenants, proposed utilities and street improvements.
2. A copy of the report on Soils Characteristics of the site prepared by Dauphin County Conservation District.
3. A copy of the report from the County Conservation District indicating the extent of Erosion Control Plans needed and whether in his opinion a permit for each earth moving activity may be required from the Department of Environmental Resources.
4. Evidence in writing, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, from the school district in which the subdivision or land development is located containing the review and comments of the school district on the proposed development.
5. A copy of a report, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed

development including possible solutions to such problems as may be thereby identified.

6. A copy of a report, where one hundred (100) or more dwelling units are proposed in a subdivision or land development indicating the general arrangement for storm water drainage, the estimated volume to be generated and the effect of such volumes on the drainageways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.
7. A copy of a report, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, indicating the general arrangement for water supply including the location, source, type, and capacity of the proposed supply to serve the proposed development signed by a registered engineer.
8. Location Map showing the relationship of the proposed subdivision or land development to existing community facilities which serve or influence it including the development name, location of any existing community facilities, traffic arteries, utilities, churches, shopping centers, airports, hospitals, principal places of employment, title, scale, north arrow, and date. (U.S.G.S. scale 1:24,000 or municipal map 1" = 2000')
9. Property Map showing the entire lot, tract or parcel to be affected by the proposed subdivision or land development drawn to a scale of one inch (1") equals one hundred (100') feet or less. A different scale may be used subject to the approval of the Commission.
 - (a) The proposed name of the subdivision or land development.

- (c) Name of registered owner.
 - (d) North point, scale, and date.
 - (e) Name of engineer, surveyor, or other qualified person responsible for the map.
 - (f) Tract boundaries with bearing and distances.
 - (g) Approximate location of water courses, tree masses, rock outcrops, existing buildings, and actual location of sewers, inlets, water mains, easements, fire hydrants, railroads, existing or confirmed streets and their established grades.
 - (h) Adjacent streets.
10. Sketch plan, drawn on a print of the property map, showing in a simple sketch form the proposed layout of streets, lots, and other features, in relation to existing conditions.

Section 404. PRELIMINARY PLATS: PROCEDURE

1. The applicant, nine (9) days prior to the meeting of Commission at which consideration is desired, shall file with the Borough Secretary nine (9) copies of a preliminary plat of the proposed subdivision or land development and other required data and maps. The applicant shall submit concurrently, with the Preliminary Plat, three (3) copies of the sewage "Plan Revision Module for Land Development".
2. The Commission may submit copies of the Preliminary Plat to the Engineer, Public Utilities, the Dauphin County Conservation District and other Public Agencies. The Commission and Borough Council shall act on any such plat within ninety (90) days of its being received. In the event that any alteration of requirements from this Ordinance is requested by the applicant or is deemed necessary by the Commission for approval, the alteration and the reasons for its necessity shall be entered in the records of the Commission.
3. The Borough Council shall determine whether the Plat shall be approved, approved with modifications or disapproved, and shall notify the applicant in writing thereof, including, if approved with modifications or disapproved, a statement of reasons for such action, not later than five days following the decision.
4. Before acting on any subdivision plat, the Borough Council may hold a public hearing thereon after public notice.
5. When the application is not approved in terms as filed the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case,

cite the provisions of the ordinance.

6. Failure of the Borough Council 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.
7. Before taking final action on any submitted plat the Commission shall submit copies of the Preliminary Plat and accompanying data to the Engineer who shall advise the Commission as to the suitability of all engineering details and specifications; to the local office of the Department of Environmental Resources; to the local municipal governing body to all affected public utilities who shall be requested to make recommendations as to the suitability of the utility easements and to the Pennsylvania Department of Transportation where the subdivision or land development will front on an existing or proposed state highway or has a proposed street entering such highway.
8. The Dauphin County Planning Commission shall review the Preliminary Plat and Data and shall return one copy of the plat along with a written report stating their suggestions for modifications and design changes to the Planning Commission within thirty (30) days of their receipt of same or forfeit their right to review.

9. Approval of the Preliminary Plat shall not constitute approval of the Final Subdivision Plan by the Borough Council.

Section 405. PRELIMINARY PLAT: SPECIFICATIONS

1. The preliminary plat shall be drawn on a copy of the property map as required under Section 403-9 and shall show:
 - a. The development or property name.
 - b. The developer's or subdivider's name.
 - c. The municipality's name in which the plat is located.
 - d. Engineer or other person responsible for the plan and the date.
 - e. North point and scale.
 - f. Location map.
 - g. Existing natural features.
 - h. Existing man made features.
 - i. Existing contours at vertical intervals of five (5) feet or less as required by the Planning Commission.
 - j. The layouts, names, and widths of right-of-way, cartway and paving of proposed streets, alleys and easements.
 - k. The layouts of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
 - l. Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.
2. The preliminary plat shall be accompanied by the following data and plans:
 - a. A profile of each street, including grades.
 - b. Location of existing and proposed utility mains.
 - c. Location plans of proposed sanitary, storm water or combined sewers and of any proposed water distribution systems.

- d. A profile of the proposed sanitary and storm sewers and water lines, with invert elevations, and connections to existing systems.
- e. A preliminary Erosion and Sedimentation Plan together with a report of the County Conservation District indicating whether a permit for earth moving activity is required from the Department of Environmental Resources under the Rules and Regulations, Chapter 102, "Erosion Control" P. L. 1987, June 22, 1937, as amended. (See Section 505-1-b and 505-1-c)
- f. A completed sewage "Plan Revision Module for Land Development" to comply with the planning requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Chapter 71 of Title 25 of the Pennsylvania Code for Submission by the municipality to the Department of Environmental Resources.
- g. Evidence in writing of the school districts review and comments as required under Section 403.4.
- h. A report showing the adequacy of streets and highways as required under Section 403.5.
- i. A report showing the adequacy of storm drainage as required under Section 403.6.

Section 406. FINAL PLATS: PROCEDURE

1. The applicant shall, not later than six (6) months after the date of approval of the Preliminary Plat, for that portion he intends to develop, file with the Borough a Final Plat. Such filing shall include as part of the formal submission all the material and other data required under the Final Plat Specifications as listed in Section 407, 1 through 16 of this Ordinance. Further, failure to comply with the time limitation herein provided shall make the approval of the Preliminary Plat null and void unless an extension of time is required by the applicant and for good cause granted by the Borough Council.
2. The Final Plat shall incorporate all the changes and modifications required by the Borough Council, otherwise it shall conform to the approved Preliminary Plat, and it may constitute only that portion of the approved Preliminary Plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all of the requirements of this Ordinance.
3. Two (2) reproducible linen (or other reproducible material of equal quality) copies of the Final Plat and five (5) prints shall be filed by the applicant with the Borough Secretary nine (9) days prior to the meeting of the Planning Commission at which consideration is desired.
4. Before approval of a Final Plat, the Borough Council must be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost

of the required improvements, as estimated by the Engineer, to the satisfaction of the appropriate municipal officials, that all improvements required in Article VI will be installed by the applicant in strict accordance with the standards and specifications of the municipality and within a specified time after approval of the Final Plat. The bond or other security shall be made to and deposited with the municipal officials.

5. When the developer has completed all of the required improvements, the developer shall notify the municipal governing body, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the municipal engineer.
 - a. The municipal governing body shall, within ten days after receipt of such notice, direct and authorize the municipal engineer to inspect all of the required improvements.
 - b. The municipal engineer shall thereupon file a report in writing with the municipal governing body, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty days after receipt by the municipal engineer of the authorization for inspection from the governing body.
 - c. The report shall be made and mailed within thirty days after receipt by the municipal engineer of the aforesaid authorization from the governing body.

- d. The report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the municipal engineer, said report shall contain a statement of reasons for non-approval or rejection.
 - e. The municipal governing body shall notify the developer in writing, by certified or registered mail, of the action of the governing body with relation thereto.
 - f. If the municipal governing body or the municipal engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released of all liability, pursuant to its performance guaranty bond.
 - g. If any portion of the said improvement shall not be approved or shall be rejected by the municipal governing body, the developer shall proceed to complete the same, and upon completion, the same procedure of notification as listed above shall be followed.
6. Before action on any subdivision plat, the Borough Council may hold a public hearing thereon after public notice.
7. The Borough Council shall act on the Final Subdivision or Land Development Plat within ninety (90) days and as prescribed in Section 404, paragraph 2, 3, 5, 6, and 7.

8. No change, erasures, modifications, or revisions shall be made on any Final Plat of a subdivision or land development after approval has been given by the Borough Council and endorsed in writing on the plat, unless the plat is first resubmitted to the Borough Council.
9. Within ninety (90) days after the date of approval of a Final Plat by the Borough Council, the developer shall record an approved duplicate copy thereof in the office of the Recorder of Deeds of Dauphin County and forthwith file with the Borough officials a Recorder's Certificate that the approved plat has been recorded with the Deed Book and page numbers indicated and two (2) copies of the recorded plat.
10. Whenever plat approval by the Borough Council is required the recorder of deeds of the county shall not accept any plat for recording unless such plat officially notes the approval of the Borough Council and review by the Borough Planning Commission and the Dauphin County Planning Commission.

Section 407. FINAL PLAT: SPECIFICATIONS

The Final Plat shall be drawn on reproducible linen, or other reproducible material of equal quality (17½" X 24") in size, with a binding border along the left hand (17½") edge, a scale of 1" = 100', and show:

1. Primary control points, approved by the Engineer, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
2. Tract boundary lines, right-of-way lines of streets, easements, and other right-of-way, and property lines of residential lots and other sites with accurate dimensions, bearing, or deflection angles, and radii, arcs, and central angles of all curves.
3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions, and purposes of easements.
5. Number to identify each lot or parcel in unit, cooperative or condominium subdivisions and/or site.
6. Purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.
7. Building setback lines on all lots or parcels in unit, cooperative or condominium subdivisions and other sites.
8. Locations and description of survey monuments. All permanent reference monuments shown by an "X" on the plat.

9. Names or record owners of adjoining unplatted land.
10. Reference to recorded subdivision plats of adjoining platted land and by record name, date, and number.
11. Certification by a registered surveyor or registered engineer, licensed in the State of Pennsylvania, certifying to accuracy of survey and plat.
12. Certification of title showing that applicant is the owner of land, agent of the land owner or tenant with permission of the landowner.
13. Statement by owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated.
14. Proposed Protective Covenants running with the land, if any.
15. Existing and proposed contours at vertical intervals of five (5') feet or less as determined at the Preliminary Plat stage.
16. Other Data: The Final Plat shall be accompanied by the following data and plans as prescribed by the Borough Council or as required by the laws of the Commonwealth.
 - a. Profiles of streets and alleys showing grades.
 - b. Typical Cross Sections of each type of street, minor street, collector, etc., showing the width of right-of-way, width of cartway, location and width of sidewalks, if required, and location and size of utility mains.
 - c. Plans and profiles of proposed sanitary, and

storm water sewers, with grades and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.

- d. A Final Erosion and Sedimentation Control Plan, showing the location and types of erosion and sediment control measures together with a report, signed by the county Conservation District, indicating that the plan has been prepared and reviewed as required by the "The Clean Streams Law of Pennsylvania". Act 222, July 31, 1973, as amended.
- e. A copy of an application for a permit for earth moving activity or a permit issued and signed by the Department of Environmental Resources as required by the Rules and Regulations, Chapter 102, "Erosion Control", under P. L. 1987, June 22, 1937, as amended. (See Section 505-1-b and 505-1-c)
- f. In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the Final Plat, a covenant with the land assuring the implementation by the lot owners of the Erosion and Sedimentation Control Plan.
- g. A copy of the sewage "Plan Revision Module for Land Development" approved by the Department of Environmental Resources in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Chapter 71 of Title 25 of the Pennsylvania Code.

- h. Such other certificates, affidavits, endorsement, or dedications as may be required by the Borough Council in the enforcement of these regulations.
- i. Location Plan, clearly describing the location of the tract in the Borough. This Plan may appear directly on the Subdivision Plan.

ARTICLE V

DESIGN STANDARDS

Section 501. STREETS

1. General Standards

The arrangement, character, extent, width, grade, and location of all streets shall conform to the Official Map and to the Community Master Plan, if one has been adopted,, and shall be considered in their relation to existing and planned streets, to topographical conditions, the public convenience and safety, and in the appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map or Community Master Plan, the arrangement and other design standards of streets shall conform to the provisions found herein.

- a. The arrangement of streets in new subdivisions shall make provisions for the continuation of existing streets in adjoining areas.
- b. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.
- c. When a new subdivision adjoins unsubdivided land appropriate for subdivision, then the new streets shall be carried to the boundaries of the tract to be subdivided.

2. Alleys

Alleys shall be prohibited in residential districts except where proven to be necessary.

3. Intersections

Intersections involving the junction of more than two (2) streets are prohibited. Right-angle intersections must be used wherever possible; however, in no case shall streets intersect at less than seventy-five (75) degrees.

4. Intersection Curve Radii

At intersection of streets the curbs or edge of pavement radii shall not be less than the following:

<u>Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Collector with Collector Street	thirty-five (35') feet
Collector with Minor Street	twenty-five (25') feet
Minor Street with Minor Street	fifteen (15') feet

Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with or parallel to the chord of, the curb radius corners.

5. Intersection Sight Distances

Proper sight lines must be maintained at all street intersections. Measured along the center line, there must be a clear sight triangle of seventy-five (75') feet (150 feet for Arterial streets) from the point of the intersection, no building or obstruction higher than 30" shall be permitted in this area.

6. Streets Not In Alignment

If streets are not in alignment, the distance between the center lines of streets opening on opposite sides of an existing or proposed street shall be no less than one hundred twenty-five (125') feet.

7. Sight Distance

Sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center line five (5) feet above grade, this sight distance must be as follows:

<u>Type of Street</u>	<u>Sight Distance</u>
Collector	200 feet
Minor	100 feet

8. Curves

Where connecting street lines deflect from each other at any one point by more than 10 degrees, the lines must be connected with a true, circular curve. The minimum radius of the corner line for the curve must be as follows:

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

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

9. Street Widths

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

<u>Streets Type</u>	<u>Right-of-way Width</u>	<u>Cartway Width</u>
Collector street	sixty (60') feet	thirty-six (36') feet
Minor street	fifty (50') feet	thirty-four (34') feet
Cul-de-sac	fifty (50') feet	thirty-four (34') feet
Turn Around of Cul-de-sac	one hundred (100') feet diameter	eight (80') feet diameter to outside curb
Marginal Access street	fifty (50') feet	twenty-six (26') feet
Alley or service drive	twenty (20') feet	twenty (20') feet

(*) Extensions of existing streets which have a right-of-way width of 40' or less may be accepted, provided that Borough Council finds; such extension to be in keeping with the surrounding area and not such as to cause problems in traffic flow or otherwise; that such extension does not exceed 500' in length and Borough Council finds it unlikely that further extension or connection to a wider street will occur; that the minimum right-of-way width shall be 40' and the minimum paved width shall be 30' for such extensions.

- b. Provision for additional street width (right-of-way) may be required when determined to be necessary by Borough Council in specific cases for:
- (1) Public safety and convenience.
 - (2) Parking in commercial and industrial areas and in areas of high density development.
 - (3) Widening of existing streets (right-of-way) where the width does not meet with the requirements of the preceding paragraphs.

10. Cul-de-Sacs or Dead End Streets

Cul-de-Sacs or dead end streets, designed to be so permanently, shall not exceed five hundred (500') feet in length, and shall be provided with a turn around having minimum dimensions for right-of-way and cartway widths as indicated in the preceding section, except in non-residential areas where cul-de-sacs may exceed five hundred (500') feet in length when, under special circumstances, the Borough Council on the recommendation of the Commission deems such additional length is necessary

11. Street Grades

- a. The grades of streets shall not be less than the minimum nor more than the maximum requirements listed below:

<u>Type of Street</u>	<u>Minimum Grade</u>	<u>Maximum Grade</u>
All streets	.5%	
Arterial streets		As determined by the Commission after consultation with the municipality and the Pennsylvania Department of Highways
Collector streets		eight (8%) percent
Minor streets		ten (10%) percent
Alleys		twelve (12%) percent

- b. On minor streets and alleys grades greater than ten (10%) percent shall not be not more than four hundred (400') feet in length.
- c. Vertical curves shall be used in changes of grade exceeding one (1%) percent, and shall be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grade exceeds seven (7%) percent, such leveling areas, shall have a minimum length of sixty (60') feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four (4%) percent.

12. Slopes of Banks Along Streets

The slope of banks along streets measured perpendicular to the street center line shall not exceed the following:

- a. 3 to 1 for fills
- b. 2 to 1 for cuts

13. Partial and Half Streets

The dedication of half streets at the perimeter of a new subdivision is prohibited.

14. Name of Streets

Names of new streets shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", "avenue". In approving the names of streets cognizance may be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation of alignment with an existing or platted street.

Section 502. EASEMENTS

- a. The minimum width of easements shall be fifteen (15') feet for underground public utility facilities, overhead public utility facilities and drainage facilities and wherever possible, easements for public utilities shall be centered on side or rear lot lines.
- b. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the purpose of installing a storm water sewer.

Section 503. BLOCKS

Blocks shall not exceed twelve hundred (1200') feet in length and shall be of sufficient depth to permit two (2) tiers of lots except as otherwise provided for herein.

Section 504. LOTS

The arrangement and other design standards of lots shall conform to the following requirements:

1. Layout of Lots

Every lot shall abut a street. Side lot lines should be substantially at right angles or radial to street lines.

2. Double Frontage

Double frontage lots shall be avoided, except that where desired along limited access highways, lots may face on an interior street, and back on such throughfares. Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.

3. Dimension and Areas of Lots

The dimensions and areas of lots shall conform to the following minimum requirements:

a. Lots Not Served by Public Water and Sewers

Residential lots where not served by public water or sanitary sewers and the land meets the necessary percolation and soil survey standards the width at the building line shall be not less than seventy-five (75') feet wide nor less than fifteen thousand (15,000) square feet in area, per dwelling unit.

b. Lots Served by Public Water Only

Residential lots where served by public water not by sanitary sewers and the land meets the necessary percolation and soil survey standards the width at the building line shall be not less than seventy-five (75') feet wide nor less than ten thousand (10,000) square feet in area, per dwelling unit.

c. Lots Served by Public Water and Public Sanitary Sewers

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

	<u>Minimum lot width measured at the required minimum front setback line</u>	<u>Minimum lot area per dwelling unit</u>
Single Family, Detached Dwelling	60	7200
Single Family, Semi- detached Dwelling	40	5000
Single Family, Attached Dwelling	24	2400
Two-Family, Detached Dwelling	75	5000
Two-Family, Semi- detached Dwelling	60	3000
Multi-Family Dwelling	100	2400

d. Lots for Other than Residential Uses

The lot width and area requirements of properties reserved or laid out for use other than residential shall provide adequate space for yards and off-street, loading, unloading and parking facilities. Subdivision plats for uses other than residential shall be accompanied by plans of contemplated construction of the subdivision lots in sufficient detail to assure that these requirements are being satisfied.

e. Lots Sizes and Percolation Tests

- (1) The applicant shall arrange for percolation tests to be made on the tract in order to provide the data necessary for the platting of lots of adequate size.
- (2) Percolation tests shall be conducted in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Resources.

- (3) The results of these percolation tests shall be submitted with the Final Plan to the Borough Council in a report signed by the subdivider and by the State Department of Environmental Resources.
- (4) From the results of these tests, the lot size shall be established large enough to provide for the specified minimum area required for the absorption field as prescribed in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental Resources", but in no case shall the lot size be less than designated in Section 504, 3-a or Section 504, 3-b.
- (5) Where on-lot water is to be used, the lot shall be large enough so that the water source shall be located not closer to the absorption field than the distance specified in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental Resources".
- (6) The approval of the Borough Council will not be given to a subdivision where on-lot sewage disposal is to be provided, unless the size of lots and the disposal system conforms to the requirements of the standards indicated in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental Resources", but in no case shall the lot size be less than designated in Section 504, 3-a or Section 504, 3-b.

f. Lot Size on Slopes

The minimum lot areas herein established shall be increased in accordance with the Borough Council requirements, based on reports from the Department of Environmental Resources and Conservation Service indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluent are likely to result in hazardous conditions.

g. Corner Lots for Residential Use

Shall have extra width of at least ten (10%) percent of the above required width to permit appropriate building setback from and orientation to both streets.

h. Building Setback Lines

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

<u>Street Type</u>	<u>Minimum Set Back from right-of-way</u>
Arterial Highway	forty (40') feet
Collector Street	thirty (30') feet
Minor street excluding service drives and alleys	twenty-five (25') feet

Where an existing building line is established on at least fifty (50%) percent of the properties in a block in which the proposed subdivision is located or within two hundred (200') feet immediately adjacent to the proposed subdivision, this minimum may be increased or decreased to conform with such established building line.

On a corner lot, the setback from each adjacent street shall be applicable.

i. Side and Rear Building Lines

Side and rear building lines shall not be less than ten (10%) feet from the side and twenty-five (25') feet from the rear lot line.

Section 505. EROSION AND SEDIMENTATION CONTROL

1. General Standards

a. In the event that any person shall intend to make changes in the contour of any land or engage in earth moving activity where earth moving effects

25 acres or more, whether for subdivision; land development or any purpose, such person, who is required to obtain a permit, under Section 102.41, shall obtain a permit from the Department of Environmental Resources in accordance with the requirements of "Rules and Regulations" Chapter 102, EROSION CONTROL authorized under P.L. 1987, June 22, 1937.

- b. Further, under the requirements noted above, the Borough Council shall notify the Department immediately upon receipt of an application for a building permit involving earth moving activity which affects five (5) acres or more of land.
- c. The Borough shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Resources permit until the Department has issued the permit.
- d. An Erosion and Sedimentation Control Plan must be prepared for a single lot or more where subdivision, land development or other earth moving activity is proposed. The plan must be submitted:
 - (1) as required by the Rules and Regulations of the Department of Environmental Resources noted above and
- e. Such Erosion and Sedimentation Control Plan must be submitted to the County Conservation District Directors for review, and a copy of the Plan and Conservation District Directors' review shall be submitted to the Commission as part of the Final submission Section 407, 16-d.

- f. In the preparation of Erosion and Subdivision Plans the person preparing such plans shall consult the Dauphin County Conservation District to determine the erosion and control measures needed to control erosion and reduce sedimentation. The Erosion and Sediment Control Handbook, prepared by the Conservation Districts, Cumberland, Dauphin and Perry Counties, may be helpful in the preparation of such plans. Copies are available in the Conservation District offices in each county.

ARTICLE VI
IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

Section 601.

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

Section 602. MONUMENTS AND MARKERS

1. Monuments must be set:
 - a. at the intersections of all street right-of-way lines
 - b. at the intersection of lines forming angles in the boundaries of the subdivision
 - c. at such intermediate points as may be required by the Engineer.
2. Markers must be set:
 - a. at all corners except those monumented.
 - b. by the time the property is offered for sale.
3. Monuments and markers shall be made of the following size and material:
 - a. Monuments shall be six (6") inches square or four (4") inches in diameter and shall be thirty (30") inches long. Monuments shall be made of concrete, stone or by setting a four (4") inch cast or steel pipe filled with concrete.
 - b. Markers shall be three quarters (3/4") of an inch square or three quarters (3/4") of an inch in diameter, fifteen inches long. Markers shall be made of iron pipes or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented.

They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

Section 603. STREET SURFACING

1. Pavements

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

a. Minor Streets

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

Construction of the surface course shall comply with the specification set forth in Section 420, Bituminous Surface Course IC-2A, of the

Pennsylvania Department of Highway Specifications, 1970, as amended or the surface course shall be one and one-half (1½") inches of ID-2 in accordance with the requirements of the Pennsylvania Department of Transportation publication #190, "Guidelines for Design of Local Roads and Streets".

b. Collector Streets

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

Construction of the surface course shall comply with the specifications set forth in Section 420, Bituminous Surface Course, ID-2A, of the Pennsylvania Department of Highway Specifications, 1970, as amended or the surface course shall be one and one-half (1½") inches of ID-2 in accordance with the requirements of the Pennsylvania Department of Transportation publication #190, "Guidelines for Design of Local Roads and Streets".

2. Shoulders

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

3. Arterial Streets

For the construction of arterial roads or highways, the subdivider shall consult the Borough Council and be governed by the Pennsylvania Department of Transportation for the method of construction to be used.

The Borough Council, on the recommendations of the Commission and the Engineer, shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision.

4. Driveway Entrances

Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, and in no case shall be less than ten (10') feet, the type of surface to be the same as specified above. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

- a. Driveway entrances along streets, where curbs are not required, shall be constructed to provide proper drainage along the streets and from the streets by the continuation of gutters, swales or ditches.

Such continuation may be provided by having an approved pipe of not less than eighteen (18") inches in diameter cross such driveway entrance.

- b. Driveway entrance along streets, where curbs are not required, shall be constructed so that the driveway meets the edge of the cartway as a continuation of the slope from the crown of the street for not less than five (5') feet.

5. Curbs Cuts at Driveway Entrance

The curb height at driveway entrances may be reduced to a minimum of one (1") inch for driveway entrances along streets where curbs are required.

The maximum width of reduced curb height shall be twenty (20') feet for residential driveways and forty (40') feet for commercial or industrial driveways.

Sidewalks, across driveway entrances, where required, shall be constructed in accordance with the requirements in Section 607 in this Ordinance.

Section 604. SEWERS AND WATER

1. Where a public sanitary sewer system is within one thousand (1,000') feet of, or where plans approved by the municipality provide for the installation of such public sanitary sewer facilities to within one thousand (1,000') feet of, a proposed subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system if, in the Borough Council opinion, on the recommendation of the Commission and Engineer, it is feasible

2. Where the installation of a sanitary sewer system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental Resources".
3. Where a water main supply system is within one thousand (1,000') feet of, or where plans approved by the municipality provide for the installation of such public water facilities the subdivider shall provide the subdivision with a complete water main supply system to be connected to the existing or proposed water main supply system in accordance with municipalities specifications.
4. Where installation of a public water main supply system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply approved by the Pennsylvania Department of Environmental Resources, as to source, installation, and quality of water.

Section 605. STORM DRAINAGE

Whenever the evidence available to the Borough Council, or recommendations of the Commission or the Engineer, indicates that natural surface drainage is inadequate, the subdivider shall install storm sewers, culverts and related facilities, as necessary to:

- a. permit the unimpeded flow of natural water courses.
 - b. ensure the drainage of all low points along the line of streets.
 - c. intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained.
 - d. provide positive drainage away from on-site sewage disposal facilities.
1. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in run-off that may occur when all the property at a higher elevation in the same drainage basin is fully developed.

2. Existing Facilities

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

3. Abutting Properties

In the design of storm drainage facilities, special consideration must be given to preventing excess run-off onto adjacent developed or undeveloped properties. In no case may a change be made in the existing topography which would:

- a. result in increasing any portion of the slope steeper than one (1) foot of vertical measurement for three (3') feet of horizontal measurement for fills, or one (1) foot of vertical measurement for two (2') feet of horizontal measurement for cuts within a distance of 20 feet from the property line

unless an adequate retaining wall or other structure is provided.

- b. result in a slope which exceeds the normal angle of slippage of the material involved. All slopes must be protected against erosion.

4. Drainage Upon and On Streets

a. Upon Streets

In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship:

- 1. with established street grade, or
- 2. with the existing street grade where none is established.

b. On Streets

- 1. A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street cartway shall not be less than 1/8 of an inch per foot and not more than 1/3 of an inch per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept runoff. The slope of the street from the property line to the curb shall be not less than 3/4 of an inch per foot.

Section 606. CURBS AND GUTTERS

Wherever a proposed subdivision or land development shall average three or more lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within one thousand (1,000') feet of any existing or recorded subdivision having curbs and gutters, curbs and

gutters shall be installed on each side of the street surface in accordance with the specifications 1, 2, 3, and 4 below. The Borough Council, on the recommendations of the Commission and the Engineer, may require installation of curbs and/or gutters in any subdivision where the bulk of buildings, area or parking, roads, and the gradient of such areas or other evidence indicates that such improvements are necessary for proper drainage.

1. Curbs, gutters, combination curbs and gutters shall be constructed according to the specifications set forth in Section 641, types A, C and D "Plan Cement Concrete Curb Gutter", in the "Pennsylvania Department of Highways Specification", 1970, Form 408, of the Pennsylvania Department of Transportation.
2. Where vertical curbs are provided they shall be not less than six (6") inches wide at the top and seven (7") inches wide at the bottom. The overall depth of the curb shall be not less than twenty (20") inches. The curb shall rest on a six (6") inch crushed stone base.
3. The cross sections of gutters and combination curbs and gutters shall be constructed in accordance with the details shown on approved stone base.
4. Curbs and gutters shall be set and finished to the lines and grades given on the approved drawings.

Section 607. SIDEWALKS

Wherever a proposed subdivision shall average three or more lots per gross acre included in the subdivision, where any subdivision is immediately adjacent to or within

one thousand (1,000') feet of, any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with the (municipality's specifications) or (in accordance with specifications 1, 2, and 3 below).

The Borough Council on recommendation of the Commission and Engineer may require installation of sidewalks in any subdivision where the evidence indicates that sidewalks are necessary for public safety.

1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks must be at least four (4') feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks must be at least five (5') feet wide and located within the street right-of-way.
3. Sidewalks shall be constructed according to the specifications as set forth in Section 676 "Cement Concrete Sidewalks in the Pennsylvania Department of Highways Specifications", 1970, Form 408, as amended, of the Pennsylvania Department of Transportation.
4. In order to provide for the drainage of surface water, sidewalks shall slope from the right-of-way line toward the curb. Such slope shall be 3/8" per foot.

ARTICLE VII
MOBILE HOME PARKS

Section 701. PURPOSE, AUTHORITY AND JURISDICTION

The purpose, authority and jurisdiction for land development as a mobile home park are the same as contained in ARTICLE II of this ordinance.

Section 702. PLAT REQUIREMENTS AND PROCESSING PROCEDURE

The plat requirements and processing procedure for land development as a mobilehome park shall be in accordance with the requirements contained in ARTICLE IV of this ordinance.

Section 703. DESIGN STANDARDS

The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in ARTICLE V of this ordinance except as specified below:

1. STREET WIDTHS IN MOBILEHOME PARKS

- a. The minimum street right-of-way and cartway widths of public or private streets shall be as follows:

STREET RIGHT-OF-WAY AND CARTWAY WIDTHS

<u>STREET TYPE</u>	<u>WIDTH</u>
Collector Streets	
Right-of-way	60 feet
Cartway	24 feet
Minor Streets	
Right-of-way	50 feet
Cartway	20 feet

- b. Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Borough Council, upon the recommendations of the Commission and the Engineer, in specific cases for:
 - (1) Public safety and convenience
 - (2) Where the number of mobilehomes proposed to be located in a mobilehome park exceeds one hundred (100) units.
 - (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

2. LOTS IN MOBILEHOMES PARKS

- a. On land laid out as a mobilehome park, not served by public or mobilehome park water system and public or park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Resources, the lots shall not be less than seventy-five (75') feet wide measured at the minimum required setback line nor less than fifteen thousand (15,000) square feet in area, per mobilehome unit, exclusive of streets and other public uses.
- b. On land laid out as a mobilehome park, served by public or mobilehome park water system and not by public or park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Resources, the lots shall be not less than seventy-five (75') feet wide

measured at the minimum required setback line not less than ten thousand (10,000) square feet in area, per mobilehome unit, exclusive of streets and other public uses.

- c. On land laid out as a mobilehome park, served by both public or mobilehome park water system and public or mobilehome park sewerage collection and treatment system acceptable to the Department of Environmental Resources, the lots shall be not less than sixty (60') feet wide measured at the minimum required setback line nor less than seventy-two hundred (7200) square feet, in area, per mobilehome unit exclusive of streets and other public areas.

3. BUILDING SETBACK LINES

- a. In a mobilehome park, the minimum setback from the right-of-way line of a dedicated public street shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the required right-of-way</u>
Arterial Highway	forty (40) feet
Collector Street	thirty (30) feet
Minor Street	twenty-five (25) feet

- b. In a mobilehome park the setback lines on a private street shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the required right-of-way</u>
Collector Street	fifteen (5) feet
Minor Street	ten (10) feet

4. SIDE AND REAR BUILDING LINES

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

5. OFF-STREET PARKING REQUIREMENTS

- a. In a mobilehome park, paved off-street parking areas shall be provided at the rate of at least two (2) vehicular parking spaces for each mobilehome lot.
- b. Each such off-street parking space shall contain at least two hundred (200) square feet and shall be located within three hundred (300') feet of the mobilehome lot it is intended to serve.

6. OPEN SPACE REQUIREMENTS

- a. In a mobilehome park, not less than ten (10%) percent of the total land area shall be provided for usable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.
- b. Such open space shall be paved or protected with a vegetation growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

7. PARK AREAS FOR NON-RESIDENTIAL USES

- a. In a mobilehome park no part of the park shall be used for a non-residential purpose, except such uses that are specifically required for the direct servicing and well being of park residents and for management and maintenance of the park.

Section 704. IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

In a mobilehome park all improvements, construction requirements, and engineering specifications for the improvements required, shall be provided in accordance with ARTICLE VI of this ordinance and shall also provide the following additional improvements:

1. BUFFER STRIPS

- a. In a mobilehome park, a suitably screened or landscaped buffer strip at least ten (10') feet wide shall be provided by the developer along all of the property lines separating the mobilehome park from adjacent uses.

2. SIGNS AND LIGHTING

- a. Signs may be permitted subject to approval of Borough Council.
- b. All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

3. OTHER SITE IMPROVEMENTS

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

- f. There shall be provided in each Mobilehome Park such other improvements as the Borough Council may require whereby such requirements shall at all times be in the best interests of the Park residents.

Section 705. FEES

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

2. MOBILEHOME PARK PERMITS

Any person intending to develop a tract of land as a mobilehome park shall have a permit from the Borough for each such park, issued in accordance with the following requirements:

- a. Such permit shall be issued by the Borough Code Enforcement Officer (who shall be the Borough Secretary until such separate office is established), upon proper application and submission of evidence of compliance with the provisions of this ordinance and all other applicable legal requirements, and upon payment of a fee provided herein.
- b. Each permit shall be valid for one year, from the date of issue.
- c. Each application for a permit shall be accompanied by a fee, payable to the Borough, of fifteen dollars plus one dollar for each mobilehome park lot in the mobilehome park. The permit fee shall constitute the license fee for the first year commencing with the date of notice of approval of the application.

- d. The first application for a permit for a mobilehome park proposed for development, following the effective date of this ordinance, shall be made on a form provided by the Borough, and shall be submitted together with copies of the following:
- (1) A copy of the approved Final Plat signed by the proper officials.
 - (2) A receipt signed by the recorder of deeds, showing that the mobilehome park plat has been publicly recorded.
 - (3) A permit issued by the Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, Mobilehome Park.
- e. The first application for a permit for a mobilehome park existing on the effective date of this ordinance shall be made on a form provided by the Borough, and shall be submitted together with copies of the following:
- (1) A copy of the plan submitted to the Pennsylvania Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, Mobilehome Parks.
 - (2) A permit issued by the Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, Mobilehome Parks.
 - (3) A receipt signed by the recorder of deeds showing that the mobilehome park plat has been publicly recorded together with the Deed Book and page number indicated and two (2) copies of the recorded plat.
- f. Application for the annual renewal of a license shall be made by the holder of the license on a form provided by the Borough, within fourteen (14) days preceding expiration

of the preceding license period, shall be accompanied by a fee as required in paragraph c above, and by any changes since the preceding license was issued.

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

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

Section 706. ALTERATION OF REQUIREMENTS

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

Section 707. ENFORCEMENT, PENALTIES, SEVERABILITY AND AMENDMENTS

The enforcement, penalties, severability and amendments shall be in accordance with the rules and regulations of ARTICLE X of this ordinance.

ARTICLE VIII

FEEES

Section 801. FILING

At the time of filing the Preliminary Plat, for a tract of land the applicant shall pay by a check payable to the Borough of GRATZ the amount of two (2) dollars for each lot in the proposed subdivision or land development with a minimum total charge of twenty-five (\$25) dollars to cover the Borough Council's cost of reviewing the proposed plats and required maps and data.

Section 802. ENGINEERING

1. On or before the date on which the Final Plat is to be considered by the Borough Council the applicant shall pay by check, payable to the municipality, an amount determined by the Engineer, sufficient to cover costs of:
 - a. Reviewing the Plat's engineering details.
 - b. Inspecting the layouts of the site for conformance to the survey and plan.
 - c. Reviewing the results of percolation tests.
 - d. Preparing cost estimates of required improvements.
 - e. Inspecting required improvements during installation.
 - f. Final inspection on completion of installation of the required improvements.
2. Other engineering fees required to be paid by this Article shall be promptly paid to the Borough of GRATZ by the applicant upon the submission of bills therefore to the applicant from time to time, as such fees are billed to the Borough of GRATZ or Municipal Authority by its or their engineers.

3. Other Fees - Fees for all other permits required for and by the Borough of Halifax for opening roads, connecting to Borough of GRATZ water lines, building construction, etc.
4. The applicant at the time of application shall agree to cover the cost of advertising the Ordinance accepting the deed of dedication and its recording and registration costs.

ARTICLE IX
ALTERATION OF REQUIREMENTS

Section 901.

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship, the Borough Council, on the recommendation of the Commission, may make such reasonable alteration thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done.

Section 902.

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

Section 903.

In subdivisions where lots are created for the purpose of seasonal occupancy (for use on weekends, vacations, or for hunting or fishing), the requirements of these regulations concerning the width and construction of cartways, curbs and sidewalks, and the requirements of plat specifications and procedures, may be modified or waived, subject to the following conditions:

The lot area shall be one (1) acre or larger.

Facilities for water supply and sewage disposal shall be approved by the Pennsylvania Department of Environmental Resources and acceptable to the Borough Council, on the recommendation of the Planning Commission and Engineer.

Section 904.

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

Section 905.

Whenever a request for an alteration of requirements is denied, the Borough Council shall record its action and the grounds for such denial in its minutes. The Borough Council shall transmit a copy of its action and the grounds for such denial of any alteration to the applicant applying for the alteration.

ARTICLE X
ENFORCEMENT, PENALTIES, SEVERABILITY,
AMENDMENTS, AND ENACTMENTS

Section 1001. ADMINISTRATION AND ENFORCEMENT

1. The Governing Body and the Commission shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.

Officials of the Borough having regulatory duties and authorities connected with or appertinent to the subdivision, use or development of land shall have the duties and authority for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other Ordinances of the Borough of GRATZ.

2. Permits required by the Borough of GRATZ, for the erection or alteration of buildings, the installation of sewers, sewage disposal systems, water supply systems or for other appertinent improvements to or use of the land, shall not be issued by any Borough official responsible for such issuance until he has ascertained that the site for such building, alteration, improvement or use is located in a subdivision approved and publicly recorded in accordance with the provisions of this Ordinance regulating the subdivision of land.

Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded Final Plat or other land description acceptable in accordance with the provisions of this

Ordinance, and that it is in compliance with all applicable provisions of this Ordinance.

3. Applications for Sewage Disposal System Permits shall contain all the information necessary to ascertain that the site for the proposed system is acceptable in accordance with the provisions of this Ordinance, the Rules and Regulations of the Department of Environmental Resources and any other requirements of the Borough pertaining to the issuance of such permit.

Section 1002. AMENDMENTS

Amendments to the subdivision and land development Ordinance shall become effective only after a public hearing held pursuant to public notice as defined and in accordance with the "Pennsylvania Municipalities Planning Code" of 1968 as amended, Act 247, Article V, Section 505.

Section 1003. PENALTIES

Any person, partnership, or corporation who, or which, being owner or agent of the owner of any lot, tract or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of a plat of such subdivision, or land development, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person,

or the members of such partnership, or officers of such corporation, or the agent of any of them responsible for such violation, shall:

- a. pay a fine not exceeding one thousand (\$1,000) dollars per lot or parcel or per dwelling within each lot or parcel.

All fines collected for such violations shall be paid over to the Borough of GRATZ .

The description by metes and bounds in instrument of transfer, or other document used in the process of selling or transferring, shall not exempt the seller or transferor from such penalties, or from the remedies herein provided. The Borough of GRATZ may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction, in addition to the penalty herein provided.

Section 1004. SEVERABILITY

If any section, clause, provision, or portion of these regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect any other section, clause, provision, or portion of these regulations.

Section 1005. ADOPTION AND EFFECTIVITY

Adopted and effective this 7th day of May 1975

Attest:

Gilbert Koppenhaver

Secretary
Gratz Borough Council

Signed:

Marlin C. Harris

President
Gratz Borough Council

