

Mount Pleasant Township

Adams County, Pennsylvania

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

2018-01

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AN ORDINANCE ESTABLISHING REGULATIONS AND STANDARDS FOR THE SUBDIVISION AND DEVELOPMENT OF LAND WITHIN THE TOWNSHIP OF MOUNT PLEASANT; ESTABLISHING PROCEDURE FOR APPLICATION AND ADMINISTRATION OF THESE REGULATIONS AND STANDARDS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; ESTABLISHING REGULATIONS AND STANDARDS FOR MOBILE HOMES AND MOBILE HOME PARKS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE REPEALS ALL OTHER SUBDIVISION ORDINANCES PREVIOUSLY ADOPTED.

BE IT ORDAINED by the Supervisors of the Township of Mount Pleasant, Adams County, Pennsylvania, as follows:

ARTICLE I - SHORT TITLE, PURPOSE, AND JURISDICTION

101 SHORT TITLE

This Ordinance shall be known and may be cited as "The Mount Pleasant Township Subdivision and Land Development Ordinance."

102 PURPOSE

This Ordinance is enacted for the purpose of assuring suitable sites for building purposes and human habitation and to provide for the harmonious development of the Township of Mount Pleasant for the proper coordination of proposed streets, parks, or other facilities for insuring adequate open space for traffic, recreation, light, and air, and for the proper distribution of population, thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens of Mount Pleasant Township. The approval of any subdivision plan shall be based upon considerations set forth as following:

1. Recognition of a desirable relationship of the development proposed to the general land form, topographic and geologic character, to natural drainage and surface water runoff, and to the ground water table.
2. Recognition of a desirable standard of subdivision design, including adequate provision for pedestrian and vehicular traffic, and for suitable building sites for the contemplated land use.
3. Preservation of such natural assets as ponds, streams, shrubs, trees, and watershed areas.
4. Provisions for adequate and safe water supply, sewage disposal, storm drainage and other utilities.

103 AUTHORITY AND JURISDICTION

The authority of the Township Supervisors to adopt this Ordinance regulating subdivision and land development within Mount Pleasant Township is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, Act No. 247 as reenacted and amended by Act 170. No subdivision or land development of any lot, tract, or parcel of land shall be made. No streets, sanitary sewers, storm sewers, water mains, or other improvements 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 abutting thereon, except in accordance with the provisions of this Ordinance. No lot in a subdivision may be sold, or transferred, 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 in a subdivision or land development unless and until a plan for the subdivision or land development has been approved by the Board of Township Supervisors and recorded, and until the improvements required by the Board of Township Supervisors in connection therewith have either been constructed in strict accordance with the standards and specifications of the Township or guaranteed as provided in this Ordinance.

104 INTERPRETATION

The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other ordinance, regulation, or requirement, the more restrictive provisions shall apply.

105 COUNTY REVIEW

All applications for subdivision and/or land development approval within Adams County shall be forwarded upon receipt to the Adams County Office of Planning and Development for review and report. Such action shall occur at the Preliminary and Final Plan stages, and the Township shall not take action on said plans until the county report is received or until the expiration of thirty (30) days from the date the plans were forwarded to the county.

106 MUNICIPAL LIABILITY

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the municipality or by any official or employee thereof, of the practicability or safety of the proposed, use and shall create no liability upon the municipality, its officials, or employees.

ARTICLE II - DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have meaning as given in the Article.

- Words in the present tense shall include the future.
- The singular includes the plural.
- The word "shall" is mandatory; the word "may" is optional.
- The word "person" means an individual, corporation, partnership, firm, association, company, or any other similar entity.

ACCESSORY STRUCTURE - a subordinate structure incidental to and located on the same lot as the principal structure.

ACCESS DRIVE - a private vehicular access between a street and a parking area or garage within a lot or property.

ADJACENT - When used to describe lots, it shall mean lots that share a common property or lot line or that are separated by only a street, waterway, or similar feature.

AGENT - any person, other than the applicant, who, acting for the applicant submits to the Township Supervisors subdivision or land development plans for the purpose of obtaining approval thereof.

AGRICULTURAL PURPOSE - The use of a tract at least ten (10) acres in size for the purpose of active cultivation or animal raising as a means of obtaining income.

ALLEY - A minor right-of-way privately or publicly owned, primarily for service access to the rear or side of properties.

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

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

BLOCK - An area bounded by streets.

BUILDING - Any structure on a lot, having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or property. (See also "Structure").

BUILDING SET BACK LINES - A line established by law or agreement, usually parallel to property lines, beyond which a structure may not extend. This does apply to uncovered entrances, platforms, porches, patios, and steps.

CARBONATE ROCK - Rock types that are affected by dissolution weathering processes caused by slightly acidic groundwater. Examples include limestone and dolomite.

CARTWAY - The surface of a street or road available for vehicular traffic.

CAVERN - Interconnected solution features within the bedrock.

CLAY LINER - Fine-grained soil with a hydraulic conductivity of 1×10^{-7} cm/s or less that is used in the construction of a liner that limits the rate of surface water intrusion into the subsurface.

CLEAR SIGHT TRIANGLE - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

CLOSED DEPRESSION - A bowl-shaped depression in the land surface characterized by internal drainage. A ghost lake is a closed depression that has visible standing water after a heavy rainfall event.

CONTOUR LINE - A line on a topographical map connecting points of like elevation.

COUNTY - The County of Adams, Commonwealth of Pennsylvania.

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

CURB - the raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

CURB LINE - A line formed by the face of the existing curb, or in its absence, the outer edge of the shoulder, along which curbing is or may be located.

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

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

DWELLING - A building used as non-transient living quarters, but not including a boarding house, hotel, motel, hospital, nursing home or dormitory. A dwelling may include a use that meets the definition of a "sectional home."

DWELLING UNIT - A single habitable living unit occupied by only one "family." See definition of "family." Each dwelling unit shall have: a) its own toilet, bath or shower, sink, sleeping and cooking facilities and b) separate access to the outside or to a common hallway or balcony that connects to outside access at ground level. A dwelling unit shall not include either or both of the following: a) two or more separate living areas that are completely separated by interior walls so as to prevent interior access from one living area to another, or b) two separate and distinct sets of kitchen facilities.

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

ENGINEER. TOWNSHIP - The Township Engineer or any consultant designated by the Board of Township Supervisors to review a subdivision plan and perform the duties of Engineer in behalf of the Township.

ENGINEERING SPECIFICATIONS - The engineering specifications of the municipality regulating the installation of any required improvements or for any facility installed by any owner, subject to public use.

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

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

FAMILY - One or more individuals related by blood, marriage or adoption (including persons receiving formal foster care) or up to 4 unrelated individuals who maintain a common household and live within one dwelling unit. A family shall also expressly include numbers of unrelated persons provided by the Group Home provision of the Zoning Ordinance.

FAULT - A fracture in bedrock along which movement has taken place.

FILL - (1) 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 there from; (2) The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade; (3) The material used to make fill.

FLOOD:

FLOOD PRONE AREA - A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude.

ONE HUNDRED (100) YEAR FLOOD - A flood having an average frequency of occurring on the order of once in one hundred (100) years, although the flood may occur in any year.

REGULATORY FLOOD ELEVATION - The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.

FRONTAGE - The portion of a lot abutting the street right-of-way.

IMPROVEMENTS - Physical changes to the land, including, but not limited to: buildings, structures, pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs, water supply facilities, and sewage disposal facilities that may be necessary to produce useable and desirable lots.

KARST PROCESS - The dissolution of Carbonate Rock by slightly acidic groundwater, also known as dissolution weathering.

LAND DEVELOPMENT - any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - a. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - b. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common area, leaseholds, condominiums, building groups or other features.
2. A subdivision of land.
3. "Land Development" does not include development which involves the addition of an accessory structure, including farm structures, on a lot or lots subordinate to an existing principle structure.

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

LINEAMENTS - Aligned topographic features that reflect the presence of faults and fractures.

LOT - A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. A "lot" may or may not coincide with a lot of record and includes one or more adjacent pieces, parcels or plots of land of record held in single and separate ownership, including adjacent pieces, parcels or plots bisected by public or private streets. The area and depth of a lot shall be measured to the legal right-of-way line of the street, and all lots shall front on public or private streets.

LOT, CORNER - A lot abutting on 2 or more intersecting streets which has an interior angle of less than 135 degrees at the intersection of right-of-way lines of two streets.

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

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

LOT AREA - The horizontal land area contained within the lot lines of a lot (measured in acres or square feet). For the purposes of determining compliance with the minimum lot area requirements of the Zoning Ordinance, certain areas shall be excluded in the calculation. See the Zoning Ordinance for specific regulations.

LOT LINES - The property lines bounding a lot.

LOT WIDTH - The horizontal distance between the side lot lines measured at the minimum prescribed front yard setback line, unless otherwise stated. In the event of a curved lot line, such lot width at the minimum prescribed front yard setback line shall be measured along the curve. Where buildings are permitted to be attached, the lot width shall be measured from the center of the party wall. Where a pie-shaped lot fronts upon a cul-de-sac, the minimum lot width may be reduced to 75 percent of the width that would otherwise be required.

MOBILE/MANUFACTURED HOME - A type of single family detached dwelling that meets all of the following requirements: a) is transportable in a single piece, or two substantial pieces designed to be joined into one integral unit capable of again being separated for towing, b) is designed for permanent occupancy, c) which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, d) is constructed so that it may be used with or without a permanent foundation and e) is not a "Recreation Vehicle." The terms "Mobile Home" and "Manufactured Home" have the same meaning. This term is different from a "Sectional Home,"

MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, office or place of assembly containing one (1) unit, (single wide) or in two (2) double wide units designed to be Joined into one (1) 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 with a permanent foundation.

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes

MPC - The Pennsylvania Municipalities Planning Code, Act of July 31, 1968 P.L. 805, No. 247, as reenacted and amended.

MUNICIPALITY - Mount Pleasant Township, Adams County, PA

PARCEL - Any tract or contiguous tracts of land in the same ownership and contained in the same deed. Land separated by an existing State or Township road shall be considered contiguous.

PERSON - any individual, firm, trust, partnership, public or private association or corporation, or other entity.

PLAN, SKETCH - An informal plan, not necessarily to exact scale, indicating existing features of a tract, its surroundings, and the general layout of a proposed subdivision or land development.

PLAN, PRELIMINARY - A tentative subdivision or land development plan, in 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.

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

PLANNING COMMISSION - The Planning Commission of Mount Pleasant Township.

PROFESSIONAL CONSULTANTS - Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

PUBLIC GROUNDS - Parks, playgrounds, and other public areas and sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities.

PUBLIC HEARING - A formal meeting held pursuant to public notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

PUBLIC NOTICE - Notice published once a week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time, place, and date of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

RECREATIONAL VEHICLE - a vehicle which is designed for human occupancy under transient circumstances, such as camping, travel, or other recreation, sometimes variously known as a "travel trailer", or a "camping trailer".

RE-SUBDIVISION - Any replatting or resubdivision of land limited to change in lot lines on an approved final plan or recorded plan.

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

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 of the surface of the land.

SALDO - The Mount Pleasant Township Subdivision and Land Development Ordinance.

SECTIONAL HOME - A type of dwelling that meets a definition of single family detached dwelling, single family semi-detached dwelling, townhouse or low-rise apartment that is substantially but not wholly produced in two or more major sections off the site and then is assembled and completed on the site, and that does not meet the definition of a "mobile/ manufactured home" and that is supported structurally by its exterior walls and that rests on a permanent foundation.

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."

SINKHOLE - Localized and surface subsidence or collapse due to Karst Processes. Sinkholes are categorized as solution sinkholes, collapse sinkholes and subsidence sinkholes.

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.

SLOPE - The face of an embankment or cut section; any ground whose surface makes an angle with the plan of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

SPRING - Where groundwater flows naturally out of the bedrock or the overlying soil mantle onto the land surface.

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

ARTERIAL STREET - A major street or highway with fast or heavy traffic volumes of considerable continuity, used primarily as a traffic artery for intercommunications among large areas.

COLLECTOR STREET - A major street or highway which carries traffic from minor streets to arterial streets.

MINOR STREET - A street used primarily for access to abutting properties.

CUL-DE-SAC - A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

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 traffic.

PRIVATE STREET - A privately owned and maintained access provided for by a tract, easement or other legal measures.

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

SUBDIVIDER - 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.

SUBDIVISION - The division or re-division of a lot, tract, or parcel of land, by any means, into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership of building, or lot development, provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings, shall be exempted.

SUBSTANTIALLY COMPLETED - Where, in the judgment of the township engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to Section 516) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURFACE DRAINAGE PLAN - A plan showing all present and proposed grades and facilities for storm water drainage.

SURVEYOR, REGISTERED - A person duly registered as a Professional Surveyor by the State of Pennsylvania

TOP SOIL - Surface soils and subsurface soils which presumably are fertile soils, and soil material ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the "A" horizon.

TOWNSHIP - Mount Pleasant Township, Adams County, PA

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

WATERCOURSE - A stream of water, river, brook, creek, or a channel of a perceptible extent, with definite periodically flowing water.

WATER SURVEY - An inventory of the source, quantity, yield and use of groundwater and surface water resources within the Township.

WETLANDS - Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

ZONING ORDINANCE - The Mount Pleasant Township Zoning Ordinance

ARTICLE III – APPLICATION PROCEDURES AND PLAT REQUIREMENTS

301 PRE-APPLICATION PROCEDURES

1. Copies of this Ordinance shall be available for use by any person seeking information concerning land development and/or subdivision standards and procedures in effect within the Township. Any prospective developer or subdivider may meet with the Township Planning Commission to discuss and review tentative plans and/or provisions of this Ordinance.
2. Prior to the final plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act as administered by the Pennsylvania Department of Environmental Protection as to the requirements of that Act.
3. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development. At the same time, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development. Land that is subject to flooding shall not be platted for residential occupancy or for any other use that may endanger health, life, or property. Such land within a subdivision shall be set aside for such uses and shall not be endangered by periodic or occasional flooding and shall not produce unsatisfactory living conditions.

302 SKETCH PLAN

Prior to the submission of a Preliminary Plan, developers are encouraged, but not required, to submit a sketch plan to the Township Planning Commission. This will enable the Planning Commission to review the proposal for factors that may affect the development.

A sketch plan should contain at least the following information:

1. Location map.
2. General information concerning any community facilities and/or any other significant man-made or natural features that will affect the proposal.
3. A property map at a legible scale showing the specific parcel of land or site involved.
4. A sketch of the proposed development drawn at a scale no smaller than one (1) inch equaling one hundred (100) feet showing the proposed layout of streets and lots, and other features of the subdivision.

303 PRELIMINARY PLAN PROCEDURES

In proposed developments where all proposed lots or parcels will abut an existing public right-of-way, the submission of a Preliminary Plan is not required. However, all other applicable requirements and specifications shall remain the same.

303-A SUBMISSION OF THE PRELIMINARY PLAN

1. Preliminary Plans and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary or such other official as may be designated by the Supervisors not more than thirty (30) days or less than twenty (20) days in advance of a regularly scheduled Planning Commission meeting.

2. Submission shall consist of the following:
 - a. Two (2) copies of the appropriate application form available from the Township.
 - b. Five (5) blue-line or black-line paper prints of the Preliminary Plan showing all the information required in Section 304.
 - c. Five (5) copies of all other required documentation.
 - d. A filing fee as established in Article VI of this Ordinance.
3. Within fourteen (14) days of receipt of the plan by the Township, the Township Secretary or other official as may be designated by the Supervisors shall review the plan and accompanying documentation to determine if they are, on their face, in the proper form and contain all information required by this Ordinance.
 - a. If the plan is found to be deficient, it shall be returned to the applicant with a letter detailing the deficiencies of the plan.
 - b. If the plan is found to be acceptable, it shall be placed on the agenda of the next regularly scheduled Planning Commission meeting. Acceptance of the plan shall not constitute a waiver of any deficiencies or defects in the plan.
4. Any preliminary plan that has been revised to address review comments by the Township or its professional consultants shall be submitted not less than 10 days in advance of a regularly scheduled Planning Commission meeting.
5. Any revised plan shall be submitted along with a response letter addressing review comments and describing any and all changes made to the plan.

303-B DISTRIBUTION OF PRELIMINARY PLAN FOR REVIEW AND COMMENT

Copies of the Preliminary Plan and accompanying documentation shall be immediately distributed by the Township Secretary as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the Township Engineer.
2. One (1) copy of the application, plan, and accompanying documentation to the Township Sewage Enforcement Officer.
3. One (1) copy of the application, plan, and accompanying documentation to the Adams County Office of Planning and Development.
4. The remaining copies of the application, plan, and accompanying documentation to the Township Planning Commission.

303-C ACTION ON PRELIMINARY PLAN BY THE PLANNING COMMISSION.

1. The Township Planning Commission shall, at one or more public meetings, review all Preliminary Plans and make a recommendation thereon to the Board of Supervisors.

303-D ACTION ON PRELIMINARY PLAN BY THE BOARD OF SUPERVISORS

1. The Board of Supervisors shall consider the Preliminary Plan at a regularly scheduled or special meeting. If the Plan is to be considered at a special meeting, the developer shall be so notified, and in addition, the Board of Supervisors may also schedule a public hearing pursuant to public notice, before taking any action on the Plan. The Board of Supervisors shall consider any recommendation of the Planning Commission, but shall not be restricted from acting on a Preliminary Plan if a recommendation has not been received.
2. Action on a Preliminary Plan shall be taken by the Board of Supervisors and communicated to the developer not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application was filed. In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals to whom the Plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.
3. The decision of the Board of Supervisors concerning the Plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made. If a Plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Township Planning Commission.
4. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required by this Ordinance shall be deemed an approval of the Plan in terms as presented unless the developer has agreed to an extension of time.
5. Approval of the Preliminary Plan shall not constitute approval of the Final Plan for any purpose or reason, but shall constitute conditional approval of the proposed development as to its general character and layout.
6. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinances shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the plan for such approval was duly submitted.
7. The decision of the Board of Supervisors approving the plan may be based on certain conditions, in which event the Developer shall then have ten (10) days within which to accept in writing the conditions imposed. If the Developer fails to accept the conditions within such ten-day period, the approval of the plan shall be rescinded and the plan shall be automatically disapproved.

304 PRELIMINARY PLAN REQUIREMENTS

The Preliminary Plan submission shall be prepared by a registered surveyor or engineer and be drawn on reproducible stable transparency, using black ink to all data including approval signatures.

Scale:

- Tracts of one (1) acre or less shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.
- Tracts of one (1) to ten (1) acres shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than one (1) inch equals two hundred (200) feet.
- Tracts to be used for commercial, industrial, or high-density housing development shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.

304-A INFORMATION REQUIRED

The Preliminary Plan shall show;

1. Name of the proposed subdivision, and of the municipality in which it is located.
2. Name and address of subdivider.
3. Name, address, license number, and seal of the professional engineer or registered surveyor who prepared the drawings.
4. Date of original submission and of each subsequent revised submission.
5. True or magnetic north point.
6. Graphic scale.
7. Written scale.
8. Certification that the plan is accurate and correct and has been prepared in accordance with the Professional Engineers' Registration Law.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.

10. The total tract boundary lines of the area being subdivided showing distances to hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate field survey performed in accordance with the “minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/NSPS Land Title Surveys.” In addition, the following shall be required:
 - a. In cases where a large portion of the parent tract remains in excess of 10 acres, and the property description contained in the current deed of record has an error of less than 1:5,000, the remainder boundary can be shown as a deed plotting otherwise the total tract boundary shall be determined by accurate field survey.
 - b. All property corners shall be shown and labeled as to what monument was found or set.
 - c. The total area of the property being subdivided shall be listed.
 - d. A licensed professional land surveyor shall certify the boundary.
11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed references. When adjacent properties are part of a recorded plat, only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of at least five (5) feet for land with average slope exceeding four (4) percent.
14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark. Datum shall be referenced to a U.S.G.S. bench mark when public sewer or public water is proposed, and/or the development is in excess of 10 lots.
15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.
16. If the subdivision proposes a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersections.
17. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, and sidewalks.
18. The location (and elevation, if established) of all existing and proposed street monuments.
19. Location of existing and proposed rights-of-way and easements.
20. Lot numbers and statement of the total number of lots and parcels.
21. Lot lines with approximate dimensions.
22. The building set back lines for each lot, or other site.
23. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.

24. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.
25. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
26. The location of any existing bodies of water or watercourses, tree masses, buildings, or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed structure.
27. A well isolation distance circle. Isolation distance circle should not cross property lines if a new well or property line is proposed unless approval is granted by the neighboring property owner.
28. Location, size, and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines), and location of all manholes, inlets, and culverts. This data may be submitted as a separate plan.
29. Location, size, and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.
30. Location of drainage structures, including marshes, ponds, streams, or similar conditions.
31. Location of parks, playgrounds, and other area to be dedicated or reserved for public use, with any conditions governing such use.
32. Where the development lies partially or completely in any flood prone area, or where the development borders on any flood prone area, the Preliminary Plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.
33. The plan shall indicate compliance with the Mount Pleasant Township Zoning Ordinance.

304-B SUPPLEMENTARY DATA REQUIRED

The Preliminary Plan shall be accompanied by the following supplementary data where applicable:

1. A development schedule. When the schedule calls for development to exceed a 1 year timeframe, the schedule shall be updated annually.
2. A plan revision module for land development as required by the Pennsylvania Department of Environmental Protection.
3. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act.

4. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.
5. Typical street cross section drawings for all proposed streets.
6. Tentative profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades.
7. The applicant shall, if requested by the Township, submit a feasibility report concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be submitted in conjunction with the Preliminary Plan for review and recommendations by the Pennsylvania Department of Environmental Protection.
8. A stormwater management plan in accordance with the Mount Pleasant Township Stormwater Management Ordinance.
9. Where the Preliminary Plan covers only a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be submitted. The street system of the unsubmitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
10. Where the land included in the subject application has an electric transmission line, a gas pipeline, or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building set back and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.
11. Groundwater Availability Studies. At the time of Preliminary Plan submittal, the applicant shall provide a groundwater availability study in accordance with the following requirements:
 - a. A feasibility report is required by the preliminary plan for proposed development in accordance with §304-B.6 and/or §306-B.7, or its replacement, in which lots will rely on groundwater as the primary source of drinking water, processed water or in irrigation water shall include an assessment of groundwater supply of the proposed development.
 - b. A professional geologist licensed in the Commonwealth of Pennsylvania shall complete the assessment of groundwater supply.
 - c. An assessment of groundwater supply is required for all proposed land development projects when any of the following conditions are present:
 - (1) A proposed residential or nonresidential use with a groundwater withdrawal rate greater than a total of 1,900 gallons per day from a single well or a combination of wells, or a proposed residential development, which contains up to five lots when each or any lot is less than 80,000 square feet in size.
 - (2) All proposed residential developments, including phased-development, containing five or more lots of any size.

- d. The assessment of groundwater supply shall contain the following components:
- (1) Background Information.
 - (a) Literature review to determine mapped geology of site.
 - (b) Pennsylvania Geologic Survey and Susquehanna River Basin Commission well inventory search to locate existing nearby wells, especially high rate municipal and industrial production wells, determine total withdrawal rates for these wells.
 - (c) Inventory of surrounding properties for existing domestic wells, determine total withdrawal rates for these wells.
 - (d) Locations of septic systems and other potential contaminant sources within 100 feet of perimeter of proposed development.
 - (2) Define/map the boundary of the surface watershed in which the proposed site is located (use relevant USGS 7.5 minute topographic map as a base map). The approximate property boundary for the development shall be included in the USGS topographic map.
 - (3) The locations of all test wells (both pumped and observation) along with the proposed lot boundaries should be located on an accurate site plot plan or base map.
 - (4) Define known sources of groundwater contamination within the mapped watershed boundary and the potential impact of this contamination on the proposed groundwater use.
 - (5) Define existing municipal and industrial demands on groundwater resources located within 0.5 mile of the proposed development site.
 - (6) Calculate a water budget for the subject site from available information contained in published literature and government sources for the geologic formation(s) occupying the site. The budget calculations should document long-term average precipitation (inches per year, in/yr), total surface runoff (in/yr), evapotranspiration (in/yr) and groundwater recharge rates (in/yr and gallons per day per acre). The long-term average groundwater recharge rate should be reduced by 40% to estimate the annual amount of groundwater recharge expected during years of drought conditions.
 - (7) Confirm that there are no nearby groundwater users whose withdrawal would inhibit the development from meeting its proposed groundwater usage rate.
 - (8) Divide the total annual groundwater recharge calculated for drought conditions resource available under drought conditions by 400 gpd (1 Equivalent Dwelling Unit, EDU) to calculate the maximum number of residential building lots that can be adequately supplied by the groundwater resource underlying the subject development site.
 - (9) The installation and testing of new water supply wells for residential developments shall be included in the assessment of each lot for up to 20 lots.
 - (10) For a development of 21 or more lots, one new test well shall be installed for each lot up to 20 lots, plus one new well on 25% of the remaining lots.

- (11) The installation and testing of new water supply wells for nonresidential developments shall be included in the assessment on the frequency given below:
 - (a) For a nonresidential user proposing to withdraw 25,000 GPD or less, one new test well shall be installed.
 - (b) For a nonresidential user proposing to withdraw more than 25,000 gpd but less than 100,000 gpd, two new test wells shall be installed.
 - (c) For a nonresidential user proposing to withdraw 100,000 gpd or more, three new test wells shall be installed.
- (12) For residential developments, 24-hour constant rate pump test followed by a 6-hour recovery test shall be conducted on the following frequency:
 - (a) One pump test and recovery test will be performed on one new well for a development proposing five lots or less.
 - (b) One pump test and recovery test will be performed on two different wells for a development proposing six to 20 lots.
 - (c) One pump test and recovery test will be performed on three different wells for a development proposing more than 20 lots.
- (13) For nonresidential developments, a 24-hour constant rate pump test followed by a 6-hour recovery test shall be conducted on the following frequency:
 - (a) One pump test and recovery test will be performed on one new well for a development proposing up to 25,000 gpd total withdrawal.
 - (b) One pump test and recovery test will be performed on two different wells for a development proposing more than 25,000 gpd but less than 100,000 gpd total withdrawal.
 - (c) A pump test and recovery test will be performed on three different wells for a development proposing more than 100,000 gpd.
- (14) During the performance of each pump/recovery test, time-draw down measurements (within accuracy of one-tenth foot) shall be taken from the pumped well and at least one nearby observation well. The time-draw down measurements must be taken in both the pumped well and the observation well at the following frequency:
 - (a) For first 15-minutes of the test, one reading every 1 minute.
 - (b) For 15 to 60-minute test interval, one reading every 5 minutes.
 - (c) For 60 to 300-minute test interval, one reading every 30 minutes.
 - (d) For 300 to termination of pumping phase, one reading every 60 minutes.
 - (e) Repeat frequency for recovery phase of test.

- (15) All observation wells must be located within 200 feet horizontal distance from the pumped well being tested. The observation well can be either an existing domestic well, but only if the domestic well is not actively pumped for the entire duration of tests (pumping and recovery phases) and its construction details (total depth and cased depth) are compatible with the new well being tested or a new supply well on an adjacent lot if that adjacent well is also located within 200 feet horizontal distance from the well being tested and its construction details (total depth and cased depth) are compatible with the new well being tested, or a new well specifically installed as an observation well for test purposes and scheduled for permanent abandonment following relevant Township requirements after the testing has been completed.
- (16) The time-draw down data collected from each pump test should be used to define the local aquifer characteristics, including transmissivity, coefficient of storage and the expected long-term yield of the well(s) being tested. The expected distance draw down relationships and impact on surrounding water users from the proposed groundwater withdrawal should also be addressed in the assessment. A groundwater availability analysis should be included in the assessment to demonstrate that there are sufficient groundwater resources within the drainage basin to support both existing uses and the proposed withdrawal. Raw time-draw down data should be included in the assessment report.
- (17) Water samples for chemical analyses should be collected from the pumped wells within 1 hour of the scheduled end of the pumping phase of each test. Samples shall be analyzed at a PADEP certified laboratory for pH, Total Suspended Solids, Total Dissolved Solids, Iron, Nitrate Nitrogen and Coliform Bacteria. A copy of the laboratory analysis report for each water sample shall be included in the assessment.
- (18) All water supply wells to be used for domestic purposes shall have a minimum yield of 1.0 gpm.

12. Carbonate Assessment.

- a. All plans where the subject property contains Carbonate features, or if such features are present within five hundred (500) feet of the property lines, shall submit a Carbonate Assessment. Carbonate features include depressions, Closed Depressions, fissures, Lineaments, Faults, Ghost Lakes, bedrock outcrops, Sinkholes, seasonal high-water levels, soil mottling, Springs, surface drainage entering the ground, disappearing lakes or streams, and Caverns. If the subject property does not contain any Carbonate features and none are present within five hundred (500) feet of the property lines, then a licensed professional engineer or surveyor shall certify to same on the plan instead of providing the Carbonate Assessment.
- b. The Carbonate Assessment shall be prepared by a licensed professional civil engineer with expertise in geotechnical engineering or a licensed professional geologist, each of said experts being licensed in their field of expertise by the Commonwealth of Pennsylvania. A list of the engineer's or geologist's qualifications shall be submitted to the Township prior to the commencement of the site's evaluation. The Township reserves the right to reject any report that in its opinion was authored by an individual or firm that does not possess the background to properly assess the site conditions as they relate to this Ordinance. The Carbonate Assessment must be signed by the licensed professional.

- c. The content of the Carbonate Assessment shall include, but not be limited to, the following:
 - (1) A description of existing characteristics of the property with respect to geology, topography, ground and surface water hydrology, soils, vegetation, and existing improvements and uses of the property.
 - (2) A map, at a scale of no smaller than one inch equals one hundred (100) feet and a contour interval of two (2) feet, indicating the location of the property, all proposed and existing improvements, and any Carbonate features located on the property or within five hundred (500) feet of the property lines.
 - (3) Information indicating the presence of any of the following Carbonate features: depressions, Closed Depressions, fissures, Lineaments, Faults, Ghost Lakes, bedrock outcrops, Sinkholes, seasonal high-water levels, soil mottling, Springs, surface drainage entering the ground, disappearing lakes or streams, and Caverns.
 - (4) A recommended plan for the repair or remediation of surface or subsurface Carbonate features that may impact the proposed development as well as the adjacent improved or unimproved properties.
 - (5) A plan indicating the existing and proposed drainage conditions, locations of all proposed public and private sewage disposal systems, and the location of existing private and public water supplies on adjoining properties within one thousand (1,000) feet of applicant property.
 - (6) A statement that the proposed improvements are or are not recommended in light of the existing Carbonate features.
- d. The information in the Carbonate Assessment shall be based upon new or previously published data no older than five (5) years, and field surveys, which may include test borings, excavation of test pits, air track probes, and other surface or subsurface geophysical methods.
- e. The Carbonate Assessment shall remain on file with the Township for review by prospective purchasers.
- f. Restrictions in presence of carbonate features.
 - (1) No buildings, structures, or stormwater management basin shall be placed in or over the following features if unremediated: Sinkholes, Closed Depressions, Lineaments, or Faults.
 - (2) Buildings, structures, and stormwater management basins shall be located no closer than one hundred (100) feet from the rim of unremediated Sinkholes, and no closer than fifty (50) feet from unremediated Lineaments, Faults, or Closed Depressions.
 - (3) Outflow from a stormwater management basin and/or post-development stormwater shall not be directed to any Sinkholes, Closed Depressions, Lineaments, or Caverns.

- (4) All stormwater management basins in Sinkhole-prone areas shall be lined. The liner used in a basin may consist of a Clay Liner, a composite synthetic and soil liner or a synthetic liner. The type of liner required shall depend on the condition of the basin bottom and the probability of Sinkhole occurrence resulting from the construction of the basin. The Township Engineer shall make the final determination as to what is an acceptable liner for the proposed basin.
- (5) If Carbonate features are located on the subject property or within five hundred (500) feet of its property lines, the applicant shall sign an indemnification agreement, in a form to be provided by the Township, indemnifying and holding the Township harmless from any claims relating to injuries to persons or property resulting from the existence or occurrence of Carbonate features and the Township's approval of the proposed plan.
- (6) If Carbonate features are located on the subject property or within five hundred (500) feet of its property lines, the applicant shall include in any deeds for the sale of this property a notice stating that such features exist and indicating that a Carbonate Assessment is available for review at the Township offices.
- (7) If the Carbonate Assessment does not recommend the proposed improvements in light of the existing Carbonate features, then the Plan shall not be approved until the subject property is made safe for the purpose for which the land is proposed to be used.

13. Traffic Impact Studies.

- a. At the time of Preliminary Plan submittal, the applicant shall provide a traffic impact study in accordance with the following requirements:
- b. Whenever a subdivision or land development will create a change in traffic pattern of a roadway or significantly increase the traffic on an existing street, the Township may require a traffic study to be completed.
- c. When establishing the study area boundaries, sufficient area shall be included to ensure that key corridors that afford access to the site and critical intersections that may be affected by the site-generated traffic are taken into account. The exact limits of the study area shall be based on engineering judgment and an understanding of existing traffic conditions at and in the vicinity of the proposed site. In all instances, however, the applicant and the Township prior to the preparation of the traffic impact study must mutually agree upon the study limits.
- d. The cost of preparing the study and the cost of a review by the Township, its engineer, and its traffic engineer shall be borne by the applicant. The study shall be prepared by a qualified traffic engineer or planner. The applicant shall propose the use of a specific consultant and shall provide a list of the consultant's credentials for review by the Township. Said consultant shall be approved by the Township prior to initiation of the study.

- e. Joint traffic studies between different applicants are encouraged. Should a recent and relevant study be available, that information may be used when applicable as a basis for the required study upon approval by the Township. The Board of Supervisors may require that applicants provide a fee in lieu of an individual study. This fee shall be used toward the cost of Township-sponsored traffic studies in the general area of the Township where the project is located. Any such fee shall be established by township Ordinance or Resolution and shall be refunded to the applicant if not used for the designated purpose within three years of payment.
- f. The scope of the study shall be coordinated by the applicant's consultant and the Township Engineer and approved by the Board of Supervisors. Said scope shall include at a minimum existing and projected traffic conditions including volumes and service levels for a.m. and p.m. peak hours; accident history; trip generation estimates; warrants for signalization, signage and other methods of traffic control; speed analysis and recommended limitations; 24-hour traffic counts and a subsequent determination of actual peak hour usage; an analysis of structural road conditions; sight distance considerations; and trip distribution analysis.
- g. The study shall conclude with an executive summary of findings and a list of recommended improvements. The applicant shall respond to these findings and recommendations in writing with a proposal on programs, improvements, rights-of-way, financing or other measures he is willing to participate in or resolve any negative impacts expected to result from the project.

305 FINAL PLAN PROCEDURES

Submission of a Final Plan for approval by the Township shall occur not more than five (5) years following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this period of time shall make the approval of the Preliminary Plan null and void unless an extension of time has been granted by the Township. This five-year time limit shall not apply to preliminary plans calling for the installation of improvement beyond the five-year period. Such plans shall be approved and governed by the requirements of the MPC. (As of this writing, these requirements begin at Section 508(4)(v).

305-A SUBMISSION OF THE FINAL PLAN

- 1. Final Plans and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary or such other official as may be designated by the Supervisors not more than thirty (30) days or less than twenty (20) days in advance of a regularly scheduled Planning Commission meeting.
- 2. Submission shall consist of the following:
 - a. Two (2) copies of the appropriate application form available from the Township.
 - b. Five (5) blue-line or black-line paper prints of the Final Plan showing all the information required in Section 306.
 - c. Five (5) copies of all other required documentation.
 - d. A filing fee as established in Article VI of this Ordinance.

3. Within fourteen (14) days of receipt of the plan by the Township, the Township Secretary or other official as may be designated by the Supervisors shall review the plan and accompanying documentation to determine if they are, on their face, in the proper form and contain all information required by this Ordinance.
 - a. If the plan is found to be deficient, it shall be returned to the applicant with a letter detailing the deficiencies of the plan.
 - b. If the plan is found to be acceptable, it shall be placed on the agenda of the next regularly scheduled Planning Commission meeting. Acceptance of the plan shall not constitute a waiver of any deficiencies or defects in the plan.
4. Any Final Plan that has been revised to address review comments by the Township or its professional consultants shall be submitted not less than 10 days in advance of a regularly scheduled Planning Commission meeting.
5. Any revised plan shall be submitted along with a response letter addressing review comments and describing any and all changes made to the plan.

305-B DISTRIBUTION OF FINAL PLAN FOR REVIEW AND COMMENT

Copies of the Final Plan and accompanying documentation shall be immediately distributed by the Township Secretary as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the Township Engineer.
2. One (1) copy of the application, plan, and accompanying documentation to the Township Sewage Enforcement Officer.
3. One (1) copy of the application, plan, and accompanying documentation to the Adams County Office of Planning and Development.
4. The remaining copies of the application, plan, and accompanying documentation to the Township Planning Commission.

305-C ACTION ON FINAL PLAN BY THE PLANNING COMMISSION

Action on the Final Plan shall be taken in the same manner as for Preliminary Plans. In addition, if a Final Plan is approved, the Township Planning Commission Chairman and Secretary shall sign the Record Plan and all prints and forward all but one (1) print to the Board of Supervisors.

305-D ACTION ON FINAL PLAN BY THE BOARD OF SUPERVISORS

1. Action on the Final Plan shall be taken in the same manner as for Preliminary Plans.
2. The decision of the Board of Supervisors approving the plan may be based on certain conditions, in which event the Developer shall then have ten (10) days within which to accept in writing the conditions imposed. If the Developer fails to accept the conditions within such ten-day period, the approval of the plan shall be rescinded and the plan shall be automatically disapproved.

305-E RECORDING OF PLAN

1. Upon the approval of a final plan, the developer shall within 90 days of such final approval or 90 days after the date of delivery of an approved plan signed by the Board of Supervisors, following completion of conditions imposed for such approval, whichever is later, record such plan in the office of the Adams County Recorder of Deeds.
2. After the Plan has been recorded, a copy of the Recorder's Certificate shall be submitted to the Board of Supervisors.
3. No land in a development shall be sold or transferred prior to recording of the Record Plan.

305-F LIMITATIONS OF FINAL PLAN APPROVAL

The approval of the Final Plan by the Township shall be deemed an acceptance of the Plan and shall authorize the Recorder of Deeds to record the same, but shall not impose any duty upon the Township concerning maintenance or improvements of any streets, highways, alleys, or other portions of the same until said Township shall have accepted same by dedication for public use.

306 FINAL PLAN REQUIREMENTS

The Final Plan submission shall be prepared by a registered engineer or surveyor and be drawn on reproducible stable transparency, using black ink for all data including approval signatures.

Scale:

- Tracts of one (1) acre or less shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than one (1) inch equals two hundred (200) feet.
- Tracts to be used for commercial, industrial, or high density housing developments shall be drawn at a scale of no less than one (1) inch equals fifty (50) feet.

Finished size of drawings for Final Plan submission shall be 18" by 24". Drawings done at a scale requiring a sheet larger than 18" by 24" may be reduced to that size providing all lines and lettering are clear and legible after reduction.

If the Final Plan requires more than one (1) sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

306-A INFORMATION REQUIRED

1. Name of proposed subdivision, and of the municipality in which it is located.
2. Name and address of subdivider.
3. Name, address, license number, and seal of the registered engineer or surveyor who prepared the drawings.

4. Date of original submission and of each subsequent revised submission.
5. True or magnetic north point.
6. Graphic scale.
7. Written scale.
8. Certification that the plan is accurate and correct, and has been prepared in accordance with the Professional Engineers' Registration Law.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals two thousand (2000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.
10. The total tract boundary lines of the area being subdivided with distances accurate to one hundredth (1/100) of a foot and bearings to one quarter (1/4) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.
11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of at least five (5) feet for land with average slope exceeding four (4) percent.
14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark. Datum shall be referenced to a U.S.G.S. bench mark when public sewer or public water is proposed, and/or the development is in excess of 10 lots.
15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.

16. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:
 - a. The length (in feet and hundredths of a foot) of all straight lines and of all radius and the arc (or chord) of all curved lines (including curved lot lines).
 - b. The width (in feet) of the cartway, right-of-way, and if required, of the ultimate right-of-way, and (in degrees, minutes, and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.
 - c. All straight lot lines, defined (in feet and hundredths of a foot) by distances, and (in degrees, minutes, and quarters of a minute) either by magnetic bearings or by angles of deflection from other lot and street lines.
17. If a subdivision proposes a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersections.
18. Location of existing streets and alleys adjoining the tract including the name, width, width of cartway, and sidewalks.
19. The location (and elevation, if established) of all existing and proposed street monuments.
20. Location of existing and proposed rights-of-way and easements.
21. Lot numbers and a statement of the total number of lots and parcels.
22. Lot lines with approximate dimensions.
23. The building set back lines for each lot, or other sites.
24. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.
25. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivisions and, if recorded, including the book and page number.
26. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
27. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.
28. A certification of ownership, acknowledgment of a plan, and offer of dedication shall be lettered on the plan and shall be duly acknowledged and signed by the owner(s) of the company.

29. An approval block for the use of the Township Supervisors, and to recommend plan approval, a block for the Township Planning Commission and Adams County Office of Planning and Development.
30. The accurate location of all wetlands. A wetland screening will only be required when earth disturbance is proposed. A wetland screening will not be required for a minor subdivision where no earth disturbance is proposed.
31. When not preceded by a Preliminary Plan, a Final Plan shall include all information required by Section 304-A and 304-B.
32. The plan shall indicate compliance with the Mount Pleasant Township Zoning Ordinance.

306-B SUPPLEMENTARY DATA REQUIRED

Unless previously submitted, the Final Plan shall be accompanied by the following supplementary data where applicable:

1. Typical street cross section drawing(s) for all proposed streets. Cross section drawing(s) may be shown either on the Final Plan or on the profile sheets.
2. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:
 - a. Existing (natural) profile along both cartway edges or along the centerline of each street.
 - b. Proposed finished grade of the centerline, or proposed finished grade at the top of both curbs or proposed finished grade at both cartway (pavement) edges.
 - c. The length of all vertical curves.
 - d. Existing and proposed sanitary sewer mains and manholes.
 - e. Existing and proposed storm mains, inlets, manholes, and culverts.
3. Whenever a subdivider proposes to establish a street which is not offered for public use, he shall be subject to the requirements of Section 502-8 and shall submit such plans, agreements, and documents as may be required by the Township under the provisions of that section.
4. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks.
5. Final designs of any bridge or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.
6. Where the Final Plan covers only a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
7. Water and sewer feasibility reports as may be required including any updated information which may have become available since the submission of the Preliminary Plan.

8. A plan for the control of erosion and sedimentation for review by The County Conservation District Office as required by the Pennsylvania Clean Streams Act.
9. A stormwater management plan in accordance with the Mount Pleasant Township Stormwater Management Ordinance.
10. Where deemed necessary by the Township, a map showing the location of the proposed development with respect to the Township's flood prone areas, including information on the Regulatory Flood Elevation, the boundaries of the flood prone areas, proposed lots and sites, fills, flood or erosion protection facilities, and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any flood prone area, or borders on any flood prone area, such map shall also show the location and elevation of proposed roads, public utilities, and building sites.
11. A planning module as required by the Pennsylvania Department of Environmental Protection.
12. Such private deed restrictions, including building set back lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.
13. Any other certificates, affidavits, endorsements or dedications, etc., that may be required by the Planning Commission or Board of Supervisors.
14. When a proposed plan has been submitted to the County Conservation District Office for their review and recommendations, a plan and/or other documentation to show what has been, or will be done in response to their recommendations.
15. An affidavit to the effect that all affected municipalities have been notified of any alteration and/or relocation of any watercourse.
16. Documented proof that when an agency of the Commonwealth of Pennsylvania holds interest or Jurisdiction in the plan or any phase of the plan, the approval of the agency has been secured.
17. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Township that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by municipal corporation, authority or utility. The applicant shall provide the Township with a copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement to serve the area in question, as acceptable evidence that the above requirements has been met.
18. No plat which will require access to a highway under the Jurisdiction of the Pennsylvania Department of Transportation shall be final approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a state highway is permitted, or that a Township occupancy permit is required from the Township if the entrance is from a Township street.

307 RESUBDIVISION PROCEDURE

Any replotting or resubdivision, including changes to a recorded plan, shall be considered as a new application, and shall comply with all requirements of this Ordinance.

308 ADDITIONS TO EXISTING LOTS

A parcel of land may be added to an existing recorded lot for the sole purpose of increasing the lot size provided that:

1. The parcel to be added must be contiguous to the existing lot.
2. The addition must maintain the overall straightness of lot lines.
3. The Plan prepared for the addition of this parcel shall follow the procedures outlined in this Ordinance.
4. A new deed shall be recorded for all reverse subdivisions, lot additions, or lot consolidations. The applicant shall submit a copy of the deeds to be recorded of the resultant lot(s) for review and approval prior to approval of the plan. The deed for the enlarged lot shall provide a description which reflects the proposal to permanently join the lot addition to the existing lot. Proof of recording of the deeds shall be submitted to the Township within ninety (90) days of approval of the Final Plan.

ARTICLE IV - DESIGN STANDARDS

401 APPLICATION OF STANDARDS

The following standards shall be applied by the Township Planning Commission, the Adams County office of Planning and Development, and the Township Supervisors in evaluating plans submitted for review and/or approval. It is intended that these standards be considered the minimum requirements and may be modified as necessary to protect the health, safety, and general welfare of the public.

402 GENERAL SITE STANDARDS

The following requirements and guiding principles for Subdivisions and Land Developments shall be observed with respect to factors affecting the suitability of the site for such development.

1. The Land Development Plan shall conform to the municipal comprehensive plan and official map or to such parts thereof, as shall have been officially prepared and adopted by the municipality in which the development is situated.
2. The land development plan shall conform to the Township's Construction and Materials Specification.
3. A land development must be coordinated with existing land development in the neighborhood so the entire area may be developed harmoniously.
4. Land proposed for land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the Erosion Control Regulations of the Pennsylvania Department of Environmental Protection.
5. In a development where the average slope exceeds fifteen (15) percent, the Township may require modification to these regulations. All sites with slopes of 15% or greater shall comply with the Steep Slopes provisions of the Zoning Ordinance.
6. In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation by the Township. Examples of such features would include, but not be limited to, large trees, watercourses, historic areas and structures, scenic view, etc. To insure the protection of such features, the Township may require the following additional information to be submitted:
 - a. A grading plan showing the existing and proposed ground elevations relative to the features.
 - b. The accurate location of the features to be protected.
 - c. An explanation of the precautions to be taken by the developer to protect such features.
7. Any plans for the alteration of a watercourse shall be incorporated into the design plan and subject to approval by the Township, or where deemed necessary, the U.S. Army Corps of Engineers, and/or the Pennsylvania Department of Environmental Protection.

8. Land subject to hazards of life, health, or property as may arise from fire, disease, excessive noise, odor, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.

403 STREET AND HIGHWAY STANDARDS

403-A GENERAL

All streets proposed to be constructed within the Township shall conform to the following general design requirements:

1. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage, and suitable building sites. Finished elevation of proposed streets shall not be more than one (1) foot below the regulatory flood elevation.
2. Residential streets shall be so laid out as to discourage through traffic; however, proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street system.
3. When a subdivision abuts or contains an existing or proposed primary or secondary highway, the Township may require a marginal access street, reverse frontage, or other treatment which will provide protection for abutting properties, reduction of the number of intersections and separation of local from through traffic.
4. No street shall terminate into a dead end. Any street dead ended for access to adjoining property or because of authorized staged construction shall be provided with a temporary all-weather turnaround and the use of such turnaround shall be guaranteed to the public until such time as the street is continued.
5. Private streets (streets not offered for dedication to public use), are prohibited unless they meet the design and improvements standards of this ordinance.
6. The proposed street system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width.

403-B STREET WIDTHS

STREET TYPE	RIGHT-OF-WAY	CARTWAY
Arterial streets	As determined by the Township after consultation with the Pennsylvania Department of Transportation.	
Collector streets	60 feet	40 feet curb to curb
Minor Street (Residential)	60 feet	36 feet curb to curb
Minor Street (Industrial/Commercial)	60 feet	40 feet curb to curb
Alley or service drive (not intended for public dedication)	20 feet	16 feet

1. Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Township in specific cases for:
 - a. Public safety and convenience.
 - b. Parking in commercial and industrial areas and in areas of high density development.
 - c. Widening of existing streets where the width or alignment does not meet the requirements of the preceding paragraphs.
 - d. Where topographic conditions require excessive cuts and fills.
2. For subdivisions and/or land developments where it is determined that the existing right-of-way is required to be widened to the requirements of the preceding paragraphs, the following note shall be included on the plan:
 - a. The area delineated as Reserved Right-of-Way for Future Road Widening, as depicted herein, is hereby dedicated to the Township for use as roadway and associated improvements and appurtenances, including utilities. The Owners hereby waive any right of reversion of the roadway easement, waive any notice of laying out and opening of the roadway, and any notice of hearing associated therewith, and waive any damages associated with the laying out and opening of the roadway in the Existing Right-of-Way or the Reserved Right-of-Way for Future Road Widening. This provision shall run with the land and be binding on the Owners and their heirs, successors, and assigns.

403-C STREET GRADES

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

STREET TYPE	MINIMUM GRADE	MAXIMUM GRADE
Arterial street	As determined by the Township after consultation with the Pennsylvania Department of Transportation.	
Collector and minor streets and alleys	0.75% with curbs 1.00% without curbs	7% for collector 10% for minor and alleys

2. Vertical curves shall be used in changes of grade when the difference exceeds one (1) percent and shall be designed for maximum visibility.
3. On permission of the Township, minor street grade under special topographic condition may exceed ten (10) percent for distances less than one hundred (100) feet provided the grade does not in any case exceed fifteen (15) percent.
4. 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 shall not be less than one-quarter (1/4) of an inch per foot and not more than one-third (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.

403-D CURVES

1. Where connecting street lines deflect from each other at any one (1) point by more than ten (10) degrees, the line must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

STREET TYPE	MINIMUM RADIUS
Collector street	300 feet
Minor street	150 feet

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

403-E SIGHT DISTANCE AND CLEAR SIGHT TRIANGLE

1. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments. The sight distance shall conform to the requirements of the Pennsylvania Code, Title 67. Transportation, Department of Transportation, Chapter 441 or as amended.
2. At the intersection of two streets, a clear sight triangle shall be provided. Within this triangle, no visual obstructions shall be allowed between the height of 3 feet and 10 feet above the ground level, except for utility posts, mailboxes, single sign posts and the trunks of canopy trees. The triangle shall be measured along the centerline of the right-of-way line of the streets. Each leg of the triangle shall be measured 75 feet from the intersection of the centerlines of the streets. A third longer leg shall connect the two legs along the centerlines, to form the triangle.
 - a. However, in place of the above sight triangle, where a local street intersects an arterial or collector street with a stop sign only at the local street, the leg of the triangle along the arterial or collector street shall be increased to 250 feet and the leg along the local street shall be decreased to 20 feet beyond the right-of-way of the arterial street.
 - b. The clear sight triangle shall be kept free of such obstructions in perpetuity.

403-F CUL-DE-SAC STREETS

1. Permanent cul-de-sac streets shall be designed to meet the minimum requirements to be eligible for state liquid fuels funds. In addition, they shall not exceed five hundred (500) feet in length, and shall be provided with a paved turnaround having a minimum diameter of eighty (80) feet and legal right-of-way of one hundred (100) feet in diameter, except in non-residential areas, where cul-de-sac streets may exceed five hundred (500) feet in length when, under special circumstances, the Township deems such additional length necessary.
2. Temporary cul-de-sacs shall be permitted where a through street is proposed in a later phase of development. In such situations, the temporary cul-de-sac shall not exceed one thousand five hundred (1,500) feet in length and shall be provided with a paved turnaround of eighty (80) feet. Curbing is not required in the temporary turnaround.
3. Permanent cul-de-sacs shall be provided with a snow storage easement measuring twenty (20) feet by twenty (20) feet located at the end of the cul-de-sac. The easement area shall be graded away from the road and shall drain to the stormwater management system.

403-G INTERSECTIONS

1. No intersection shall involve the junction of more than two (2) streets.
2. Within one-hundred (100) feet of an intersection streets shall be at right angles. The Township may, under special circumstances where an angle of less than ninety (90) degrees will not create a traffic hazard, permit an intersection of less than ninety (90) degrees, but in no instance, however, shall streets intersect at an angle of less than seventy-five (75) degrees.
3. Intersections shall be approached on all sides by leveling areas. Where the grades exceed seven (7) percent, such leveling areas shall have a minimum length of one hundred (100) feet (measured from the intersection of the centerlines) within which no grade shall exceed a maximum of four (4) percent.
4. All streets intersecting a state road (US, PA, or LR) shall be subject to the approval of the Pennsylvania Department of Transportation.
5. Design of curb or edge of pavements must take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb edge of pavement be less than the following:

INTERSECTION TYPE	CURVE RADIUS
Minor with minor street	15 feet
Minor with collector	25 feet
Collector with collector	35 feet

6. Minor and collector streets shall not intersect arterial streets on the same side at less than eight hundred (800) foot intervals and shall be in alignment with any existing or proposed streets intersecting from the opposite side. If two (2) streets that intersect another from opposite sides cannot be aligned, then a distance of at least one hundred fifty (150) feet shall be provided between the two intersecting centerlines.

403-H SLOPE OF BANK ALONG STREETS

The slope of banks along streets measured perpendicular to the street centerline shall be no steeper than the following:

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

403-I PARTIAL AND HALF STREETS

The dedication of half streets at the perimeter of new developments is prohibited, except to complete existing half streets.

403-J NAMES OF STREETS

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

403-K RESERVE STRIPS

Controlling access to streets by reserve strips is prohibited except where their control is definitely placed in the Township under control approved by the Township. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties, or from another street.

403-L ALLEYS

Alleys may be included in all developments.

404 OFF STREET PARKING

Off street parking and loading shall be provided in accordance with the Zoning Ordinance

405 ACCESS DRIVES

All access drives shall conform to the Mount Pleasant Township Driveway Ordinance as well as the standards within this Ordinance. All subdivision and land development plans shall contain the note required by Section 4.N of the Driveway Ordinance.

405-A RESIDENTIAL (EXCEPT MULTIPLE DWELLING AND CONDOMINIUMS)

Access drives to any public street or highway in a residential area shall be governed by the following:

1. Within ten (10) feet of a street right-of-way line, an access drive may not exceed twenty (20) feet in width.
2. The number of access drives may not exceed one (1) per lot.
3. An access drive may not cross a street right-of-way line:
 - a. Within five (5) feet of a property line except for common access for two (2) dwellings.
 - b. Within fifty (50) feet of the right-of-way line of an intersecting street when entrance is from an arterial street.
 - c. Within thirty-five (35) feet of the right-of-way line of an intersecting street when entrance is from a collector street.
 - d. Within twenty-five (25) feet of the right-of-way line of an intersecting street when entrance is from a minor street.
 - e. Within fifteen (15) feet of a fire hydrant.
4. An access drive shall be provided with a clear sight triangle as described in Section 403-E.2 of this Ordinance.

405-B COMMERCIAL, INDUSTRIAL, MULTI-FAMILY AND CONDOMINIUMS

Access drives to any public street or highway in the case of a commercial, industrial, Multi-family, or condominium development:

1. All accessways to any public street or highway shall be located at least one hundred fifty (150) feet from any intersection involving an arterial or collector street and one hundred (100) feet from the intersection of minor streets. Such measurement shall be made from the intersection of the street centerlines. Where practicable, exits shall be located on minor, rather than major streets or highways.
2. No design shall be approved which is likely to create substantial traffic hazards endangering the public safety. Safety requirements which may be imposed in such a review shall include traffic control devices, acceleration or deceleration lanes, traffic and lane markings and signs. The developer shall be responsible for the cost of any turning lanes traffic study which may be required, and the construction of any such traffic control devices, acceleration or deceleration lanes, traffic and lane markings, and signs which may be required. The traffic study shall be prepared by an engineer approved by the Township.
3. Prior to the approval of the final plan a highway occupancy permit must be secured from the Pennsylvania Department of Transportation if access is from a state highway or from the Township if access is from a township road a detailed construction plan including storm drainage study and facilities which may be required for said access must be submitted with the final plan.
4. The access must be constructed to the street right-of-way as per requirements of the Mount Pleasant Township Construction and Materials Specifications for collector streets.
5. No access drive shall be within five (5) feet of a property line or fifteen (15) feet of a fire hydrant.

An access drive shall be provided with a clear sight triangle as described in Section 403-E.2 of this Ordinance.

406 BLOCKS

406-A GENERAL

The length, width and shape of blocks shall be determined with due regard for:

1. The provision of adequate sites for buildings of the type proposed.
2. Topography.
3. Any other codes, plans, and ordinances.
4. Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

406-B BLOCK LENGTH

The length of blocks shall not exceed sixteen hundred (1600) feet or be less than eight hundred (800) feet. In any case, blocks should be designed as close to one thousand (1000) feet in length as possible.

406-C PEDESTRIAN CROSSWALKS

Where blocks exceed one thousand (1000) feet in length, pedestrian rights-of-way of not less than twelve (12) feet in width shall be provided where needed for adequate pedestrian circulation. Paved walks of not less than six (6) feet shall be placed within the right-of-way.

406-D BLOCK DEPTH

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:

1. Where reverse frontage lots are required along major streets.
2. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township may approve a single tier of lots.

406-F COMMERCIAL AND INDUSTRIAL BLOCKS

Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provision shall be made for off street parking and loading areas as well as for traffic circulation and parking for employees and customers.

407 LOTS

407-A GENERAL

1. The size, shape, and orientation of lots shall be appropriate for the type of development use contemplated. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
2. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
3. Generally, the depth of lots shall be not less than one (1) nor more than two and one-half (2 1/2) times their width.
4. Where the lots in a subdivision are large enough for resubdivision or where a portion of the tract is not developed, suitable access to these areas shall be provided.
5. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
6. All lots shall comply in all ways with the Zoning Ordinance.
7. No lot shall be created in any manner whatsoever which does not meet the minimum requirements of this Ordinance.

407-B LOT FRONTAGE

1. All lots shall front on a dedicated public street (existing or proposed), or upon a fully improved private street constructed to Township specifications as set forth in this Ordinance. Lots fronting upon unimproved private streets or not fronting upon a street shall not be approved.
2. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography, orientation, or location.
3. All reverse frontage lots shall be provided with a buffer yard and landscape screening meeting the requirements of the Zoning Ordinance. (See Sections 803 and 804 of the Zoning Ordinance)

407-C LOTS SOILS EVALUATION TESTS

1. Soil percolation tests shall be performed for each lot of a proposed subdivision wherein buildings at the time of construction will not be connected to a live public sewage disposal system. Each lot must be found satisfactory for on-site sewage disposal prior to approval of the Final Plan.
2. The soils tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer will observe the tests and certify the results.
3. A land planning module for any new subdivision or land development shall be prepared by the developer and approved by the Township and the Pennsylvania Department of Environmental Protection prior to approval of the Final Plan.

408 EASEMENTS

1. The minimum width of easements for underground and overhead public utilities shall be twenty (20) feet.
2. Whenever possible, easements for public utilities shall be centered on side and/or rear lot lines.
3. Electric and telephone facilities shall be installed underground unless conditions require otherwise.
4. Drainage easements shall be such adequate width as to serve the purpose for which they are intended. Such easements shall preserve the unimpeded flow of natural drainage or provide for the construction of drainage facilities. In no case shall they be less than twenty (20) feet.

ARTICLE V - IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

501 MONUMENTS AND MARKERS

Monuments and markers shall be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They shall be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments shall be marked on top with a copper or brass plate or dowel set in the concrete.

501-A MONUMENTS

1. One Monument for each resultant lot must be set where all proposed lots will front an existing public right-of-way.
2. Monuments shall be set at lines forming angles in the boundaries of the development and at street intersections when a new public access drive, street, or right of way is being proposed. It is preferred that proposed monuments be set at new locations where no existing monumentation or marker exists.
3. Monuments shall be six (6) inches square or four (4) inches in diameter, thirty (30) inches long and made of concrete, stone, or by setting a four (4) inch cast iron or steel pipe filled with concrete.

501-B MARKERS

1. Markers shall be set:
 - a. At all lot corners except those monumented.
 - b. Prior to the time the lot is offered for sale.
2. Markers shall be a minimum of five-eighths (5/8) of an inch square or five-eighths (5/8) of an inch in diameter, and a minimum of fifteen (15) inches long. Markers shall be made of iron pipes, iron bars, or steel bars.

502 STREETS

Streets shall be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the subdivider and approved by the Township. Before paving the street surface, the subdivider shall install the required utilities and provide, where necessary, adequate storm water drainage for the streets, as acceptable to the Township. All streets shall conform to the Mount Pleasant Township Construction and Materials Specifications.

502-A PRIVATE STREETS

1. All private streets shall be constructed in accordance with Section 502, or bonded in accordance with Section 516 of this Ordinance prior to approval of the Final Plan.

2. Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Township shall require the subdivider to submit, and also to record with the plan, a copy of an agreement made with the Township on behalf of his heirs and assigns, and signed by the Township Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate among other things:
 - a. That the street shall conform to the Township specifications or that the owner of the abutting lots shall include with the offer of dedication, sufficient money, as estimated by the Township Engineer, to restore the street to conformance with the Township specifications.
 - b. That an offer to dedicate the street shall be made only for the street as a whole.
 - c. That the method of assessing repair costs be as stipulated.
 - d. That agreement by the owners of more than fifty (50) percent of the front footage thereon shall be binding on the owners of the remaining lots.

502-B STREET LIGHTS

In any proposed development involving ten or more lots or dwelling units with an average lot size or area per dwelling unit of 15,000 square feet or less, the Township may require that a street light be installed at one corner of every intersection. The Township may also require the developer to install individual property lights (post lighting) in the ratio of one to each lot. The light shall be controlled by a dusk to dawn sensor. The light shall have the capability of 60 to 100 watts and be installed 5 feet from the street right-of-way line. The lights shall be owned and maintained by the property owners and shall be replaced within 48 hours of written notice in the event that the lights are no longer operational. This requirement shall become a restriction in the deed of each lot created by this subdivision.

502-C STREET SIGNS

Street name signs shall be placed at one (1) corner of every intersection. In addition traffic control signs, and other traffic signs as required by the township must be installed. The design must be according to the Township requirements.

502-D STREET TREES

Street trees shall be provided in subdivisions and land developments in accordance with the Zoning Ordinance. (See Section 804 of the Zoning Ordinance.) Street trees shall be at least eight (8) feet in height and have a diameter of at least one and one half (1 1/2) inches, measured six (6) inches above grade. All street trees shall be planted outside of the Township right-of-way.

503 CURBS

1. Curbs shall be installed at the decision of the Supervisors on both sides of any proposed street included in a proposed subdivision. Curbs may also be required on existing streets where curbs are necessary to control the flow of surface water and regulate traffic.
2. Curbs shall be provided in all parking compounds located within multi-family, commercial, and industrial developments.

504 SIDEWALKS

Sidewalks shall be provided in all residential subdivisions and land developments with a density greater than one (1) dwelling unit per acre and in all commercial and industrial land developments. Sidewalks shall be installed on each side of the street in accordance with Township requirements. The Township may also require installation of sidewalks in any subdivision or land development where the evidence indicates that sidewalks are necessary for the 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 shall be at least four (4) feet wide.
3. In the vicinity of shopping centers, schools, recreation areas, and other such facilities, sidewalks shall be at least five (5) feet wide and located within the street right-of-way.
4. Sidewalks shall be separated from streets by a planting area with a minimum width of four (4) feet.

505 SEWER AND WATER SUPPLY SYSTEMS

All sanitary sewer and water supply systems located in any designated floodplain district shall be floodproofed up to the regulatory flood elevation.

505-A PRIVATE AND ON-SITE SEWER SYSTEMS

1. All properties shall be served by a public sanitary sewer system if feasible or accessible. Properties to be subdivided or developed within one thousand (1000) feet of an existing public sanitary sewer system shall be considered feasible and accessible.
2. Where a public sanitary sewer system is not accessible, but is proposed for extension within five (5) years to the development or to within one thousand (1000) feet of the development, the developer shall install sewer lines, including lateral connections, to provide adequate service to each lot when connection with the public system is made. The sewer lines shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided. If the available engineering and design information for the proposed public system is insufficient to insure the proper installation of capped sewer lines, the developer shall, at the Township's discretion, provide for the eventual installation by creating an escrow account in an amount sufficient to provide for the eventual construction of said sewer lines.
3. If no public system is either proposed within five (5) years or within one thousand (1000) feet of the development, the Township Supervisors may require that a study be prepared to determine the feasibility of constructing a private sewer system or treatment facility, or connecting to an existing private or public system over one thousand (1000) feet way.
4. Upon the completion of any sanitary sewer system installation, the plan for the system as built shall be filed with the Township.

5. Where none of the above alternatives are accessible or feasible, an individual sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system shall be provided for each lot at the time improvements are erected or installed thereon. All such individual sewer disposal systems shall be constructed in accordance with the Pennsylvania Department of Environmental Protection or Mount Pleasant Township's regulations. No community on-site septic systems will be permitted.

505-B PRIVATE AND ON SITE WATER SYSTEMS

1. Where a water main supply system is within one thousand (1000) feet of, or where plans approved by the Township provide for the installation of such public water facilities, the developer shall provide the development with a complete water main supply system in accordance with the Township's requirements. If the available engineering and design information for the proposed public system is insufficient to insure the proper installation of such water main supply system, the developer shall, at the Township's discretion, provide for the eventual installation by creating an escrow account in an amount sufficient to provide for the eventual construction of the system.
2. If connection to a public water supply system is not possible, a report on the feasibility of constructing a separate water supply system may be required by the Township and a report shall be submitted setting forth the findings. The report shall include, among other factors, a hydrogeologic study of groundwater occurrence and movement, aquifer characteristics, available drawdown, well efficiency, groundwater recharge, existing wells, water demands, quality of water, etc.
3. The plans for installation of a private water supply system shall be prepared by the land developer, and approved by the Pennsylvania Department of Environmental Protection. Upon completion of any water supply system, the plan for the system as-built shall be filed with the Township.
4. Where none of the above alternatives are possible or feasible, an individual water supply system shall be installed.
 - a. The water supply yield shall be adequate for the type of development proposed.
 - b. The installation of such systems shall not endanger or decrease groundwater supplies of adjacent properties.
 - c. Any such individual system shall meet any applicable Pennsylvania Department of Environmental Protection regulations and/or Mount Pleasant Township Regulations.

505-C ASSOCIATION OR OTHER ORGANIZATIONS FOR OPERATING AND MAINTAINING OF THE PRIVATE SYSTEMS

1. When private sewage treatment systems and/or water supply systems are installed by the developer, an association or other organization must be established by the developer to operate and maintain the systems.
2. Any-and all legal documents involved in establishing this association or other organization must be submitted and approved by Mount Pleasant Township prior to approval of the final plan.

506 FIRE HYDRANTS

Fire hydrants shall be provided as an integral part of any public water supply system.

1. Fire hydrants shall be installed if their water supply source is capable of serving them in accordance with the requirements of the local fire authority.
2. Fire hydrants shall be in accordance with specifications set forth by the National Fire Protection Association, or as amended.
3. Fire hydrants shall be placed at intervals of not more than six hundred (600) feet or as specified by the Middle Department Association of Fire Underwriters.

507 STORM DRAINAGE

1. All subdivisions and land developments shall provide stormwater management in accordance with the Mount Pleasant Township Stormwater Management Ordinance.
2. The property owner shall ensure appropriate operation and maintenance of all stormwater management facilities in accordance with the Township Stormwater Management Ordinance. In addition, the plan shall provide that either: (1) all property owners within the proposed development are jointly and severally liable for the operation and maintenance of the stormwater management facilities within the development or (2) an association is formed which is liable for the operation and maintenance of the stormwater management facilities.

508 EROSION AND SEDIMENTATION

All development applications which involve grading or excavation shall conform to the requirements of the rules and regulations of the Pennsylvania Department of Environmental Protection pertaining to erosion and sedimentation. It shall be the responsibility of the applicant to secure approval of the Department of Environmental Protection. Approval of plans by the Township shall not be construed as approval under such regulations.

509 FLOODPLAIN

1. All subdivisions and land developments shall be done in accordance with the Mount Pleasant Township Construction/Floodplain Ordinance where applicable.
2. All floodplain lands shall be excluded in the minimum lot area calculations.
3. The floodplain area shall be identified by elevation or by approximate distance from the centerline of the stream channel. Floodplain and floodway lines need not be identified by distances and bearings.

510 UNDERGROUND UTILITY LINES

Electric, telephone, and all other utility facilities shall be installed underground and shall be floodproofed up to the regulatory flood elevation. The developer shall be required to obtain a letter from the appropriate utility company confirming that the developer has entered into an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission Investigation Docket #99, as amended, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

511 PETROLEUM LINES

When any petroleum or petroleum products transmission line traverses a land development, the developer shall confer with the applicable transmission or distributing company to determine the minimum distance which shall be required between each dwelling unit and the centerline of such petroleum or petroleum products transmission line.

512 NATURAL GAS LINES

The minimum distance from a natural gas line to a dwelling unit shall be as required by the applicable transmission or distributing company, or as shall be required by the Department of Transportation under the Natural Gas Pipeline Safety Act of 1968, as amended whichever is greater.

513 DEDICATION OF LANDS FOR LOCAL RECREATION AND OTHER PUBLIC SITES

1. In subdivisions which are intended to provide housing for more than four (4) families, the Township shall require suitable open areas for recreation and shall make recommendations thereon.
2. The land to be dedicated shall be suitable in size, shape, topography, and general character for the proposed use. The amount of land to be dedicated shall be 0.027 acres per proposed residential unit. The following shall be considered prior to the acceptance of land:
 - a. The land shall be a minimum of five acres in size, contiguous in shape, and have suitable topography and soil conditions for developing recreational facilities. The Township should require a fee-in-lieu for land areas less than five acres.
 - b. The land is configured to include natural, historic, and cultural features worthy of preservation.
 - c. The land is easily and safely accessible from all areas. Sidewalk connections are provided where feasible. No roadways should traverse the site.
 - d. A maximum of 15% can consist of floodplain, wetlands, steep slopes, utility easement or right-of-ways, or other features that render the lot un-developable.
 - e. The land should be accessible to utilities such as sewer, water, and power. The Township should require that the developer extend utilities to the tract.
 - f. The land should not contain stormwater facilities designed to detain or retain stormwater.
 - g. The land should, where possible, be adjacent to undeveloped tracts, other dedicated lands, or existing parkland to create a single, larger tract.

3. In lieu of dedication of recreational areas, the developer may make a capital contribution to an existing or proposed park program as set forth in the fee schedule, as approved by resolution, currently in force in the Township.

514 WATER AREAS

In a development abutting a lake, river, or other significant water body, the Board of Supervisors, upon consultation with the Planning Commission, may request the dedication or reservation of:

1. Any title to the water body the developer may possess beyond the wharf or dock line for public use.
2. Up to twenty (20) percent of the land abutting the shore for public use.
3. When two (2) or more lots abut a private pond or body of water, and all or part of the pond is to be part of the lot, a homeowner's association must be responsible for the maintenance of the pond.

515 RESERVATIONS

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation. Said period of time not to extend more than twelve (12) months without consent of the developer. Such reservations shall be noted on the Final Plan.

516 COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF; PREREQUISITE TO FINAL PLAN APPROVAL.

1. No plan shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition, or improved as may be otherwise required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Ordinance have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, including improvements or fees otherwise required by this Ordinance, the developer may deposit with the Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including but not limited to, roads, curbs, sidewalks, stormwater detention and/or retention basins and other related drainage facilities, sanitary sewers, recreational facilities, open space improvements, or buffer or screen plantings which may be required. The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to section 420 of the act of June 1, 1945 (P.L.1242, No.428) known as the "State Highway Law."

2. When requested by the developer, in order to facilitate financing, the Board of Supervisors, shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
3. Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
4. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
5. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110% percent. Any additional security shall be posted by the developer in accordance with this subsection.
6. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

7. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% of each one year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above bidding procedure.
8. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
9. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have 45 days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Board of Supervisors fails to act within said 45-day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.
10. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.
11. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

12. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this Section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the approved final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

517 RELEASE FROM IMPROVEMENT BOND

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the township engineer. The Board of Supervisors shall, within ten days after receipt of such notice, direct and authorize the township engineer to inspect all of the aforesaid improvements. The township engineer shall, thereupon, file a report, in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the township engineer of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the township engineer, said report shall contain a statement of reasons for such non-approval or rejection.
2. The Board of Supervisors shall notify the developer, within 15 days of receipt of the engineer's report, in writing by certified or registered mail of the action of said Board of Supervisors with relation thereto.
3. If the Board of Supervisors or the township engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the township engineer.
6. Where herein reference is made to the township engineer, he shall be a duly registered professional engineer employed by the Township or engaged as a consultant thereto.

7. The applicant or developer shall reimburse the Township for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the Board of Supervisors for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township's professional consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.
 - a. The Board of Supervisors shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than 30 days after the date of transmittal of a bill for inspection services, notify the Township and the Township's professional consultant that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within 30 days shall be a waiver of the applicant's right to arbitration of that bill under this section.
 - b. Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the Board of Supervisors a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.
 - c. If, the professional consultant and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within 45 days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another professional consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged shall by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.
 - d. The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than 50 days after the date 31 of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within 60 days. In the event the Township has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within 60 days reimburse the excess payment

- e. In the event that the Township's professional consultant and applicant cannot agree upon the arbitrator to be appointed within 20 days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who has been retained by, or performed services for, the Township or the applicant within the preceding five years.
- f. The fee of the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator, otherwise it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than \$5,000, the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The Board of Supervisors and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.

518 REMEDIES TO EFFECT COMPLETION

In the event that any improvements which are required have not been installed as provided in this Ordinance or in accord with the approved final plan, the Township is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by such security, the Township may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

519 DEDICATION OF IMPROVEMENTS

Upon installation by the developer and subsequent inspection by the Township Engineer, the developer shall take final steps to dedicate the improvements and have them accepted by the Township. The recording of the Final Plan, following approval by the Board of Supervisors, has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty on the Township concerning maintenance or improvements until the proper authorities of the Township have made actual acceptance, either by Ordinance or resolution. The Board of Supervisors may require the posting of financial security to secure the structural integrity of dedicated improvements as well as the functioning of dedicated improvements in accordance with the design and specifications as depicted on the final plan. Such financial security shall not exceed 15% of the cost of the improvements and shall be held for a maximum of 18 months from the date of acceptance of dedication.

ARTICLE VI - FEES

601 PRELIMINARY PLAN

At the time of filing, the Preliminary Plan shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for consideration of Preliminary Plan as set forth in the fee schedule, as approved by resolution, currently in force in the Township.

602 FINAL PLAN

At the time of filing, the Final Plan shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for consideration of Final Plans as set forth in the fee schedule, as approved by resolution, currently in force in the Township. In addition, costs for engineering and legal fees incurred in the consideration of the Plan shall be paid by the applicant.

ARTICLE VII - MODIFICATIONS

701 GENERAL

Upon cause shown by an applicant, the Board of Supervisors may grant a modification of the requirements of one or more provisions of the ordinance in instances where the literal enforcement thereof would exact undue hardship because of the peculiar conditions pertaining to the land in question, to be unreasonable, or when an alternative standard can be demonstrated to provide equal or better results; provided, however, that such modification will not be contrary to the public interest and that the purpose and intent of the ordinance will be observed.

702 PROCEDURE

1. Any request for a modification shall be in writing and shall accompany and be part of the application for subdivision or land development.
2. The request shall state in full the ground and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this ordinance involved, the exact waiver therefrom which is requested and an indication regarding the minimum modification which is necessary to achieve the desired result.
3. The Board of Supervisors may, at their discretion, submit their request for modification to the Mount Pleasant Township Planning Commission for their advisory comments. All requests for modifications shall be acted upon by the Board of Supervisors at the time that they act on the submitted plan. Said modification shall have affect only when approved by the Board of Supervisors.
4. A written record of all actions taken by the Board of Supervisors on requests for modifications shall be kept on file in the Township offices.

ARTICLE VIII - ADMINISTRATION, ENFORCEMENT, AND PENALTIES

801 ADMINISTRATION AND ENFORCEMENT

1. The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.
2. Officials of the Township having regulatory duties and authorities connected with, or pertinent to, the subdivision, use, or development of land shall have the duties and authorities for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein, or in other ordinances of the Township.
3. Permits required by the Township for the erection or alteration of buildings, the installation of sewers or sewage disposal systems; or for other appurtenant improvements to, or use of, the land, shall not be issued by any Township official until he has ascertained that the site for such building, alteration, improvement, or use is located in a development approved and publicly recorded in accordance with the provisions of this Ordinance.
4. 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 Plan 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.
5. The Township Building Permit Officer shall require that applications for building permits contain all the information necessary for him to ascertain that, and he shall not issue any building permit until he determines that the site and plan for the proposed building, alteration, or other improvement is acceptable in accordance with the provisions of this Ordinance.
6. The Township Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information for him to ascertain that, and he shall not issue any sewage disposal permits until he determines that the site for the proposed system is acceptable in accordance with the provisions of this Ordinance.

802 PENALTIES

1. Any person, partnership or corporation who or which has violated the provisions of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment or not more than \$500.00, plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge, and thereafter, each day that a violation continues shall constitute a separate violation.

2. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
3. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

803 PREVENTIVE REMEDIES

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

804 OTHER ACTIONS

Nothing herein shall prevent the Board of Supervisors from taking such other action necessary to prevent or remedy any violation.

805 APPEALS

The decision of the Planning Commission or Board of Supervisors with respect to the approval or disapproval of plans may be appealed directly to court by any party or officer or agency of the developer. Such appeal shall be filed not later than thirty (30) days following the date of the decision being appealed.

806 SEVERABILITY CLAUSE

If any provisions of this Ordinance shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of this Ordinance.

ARTICLE IX - MOBILE HOMES AND MOBILE HOME PARKS

This article contains provisions setting forth minimum standards for the design, construction, alteration, extensions and maintenance of mobile home parks and related utilities and facilities. Included also are regulations for the erection of single mobile homes. Finally, also, provisions are included authorizing the issuance of permits for construction, alteration, and/or extension of mobile home parks, the licensing of those who operate mobile home parks, the inspection of mobile home parks by authorized Township Officials, and the fixing of penalties for any violation of any provision of this Ordinance.

901 PERMITS FOR MOBILE HOME PARK CONSTRUCTION, ALTERATION OR EXTENSION

901-A PERMITS REQUIRED

It shall be unlawful for any person to construct, alter, or extend any mobile home park within the limits of Mount Pleasant Township unless a valid permit has been issued.

901-B APPLICATION TO TOWNSHIP

An application for the construction of a new mobile home park or an extension to an existing mobile home park shall be in the form of a land development plan, submitted in accordance with Article III of this Ordinance and complying with the standards of Articles IV and V of this Ordinance.

902 REGISTRATION AND LICENSING FOR MOBILE HOME PARK OPERATION

902-A LICENSE REQUIRED

It shall be unlawful for any person to operate any mobile home park within the limits of the Township unless he holds a license issued annually by the Township.

902-B RENEWAL LICENSES

Annual licenses shall be issued by the Township upon the furnishing of proof by the applicant that his park meets the standards prescribed by this Ordinance.

902-C APPLICATION TO TOWNSHIP FOR LICENSE

Application for initial or renewal licenses to operate a mobile home park shall be made, in writing, to the Township Supervisors using a form furnished by the Township. All such applications shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for license to operate a mobile home park as set forth in the fee schedule currently in force in the Township. All such applications shall contain any change in the information submitted since the original license was issued or latest renewal was issued. The Township may also require additional payment in an amount sufficient to cover any engineering fees incurred as a result of the licensing process.

902-D TRANSFER OF OWNERSHIP

Every person holding a license shall file a written notice to the Township within ten (10) days after having sold, transferred, given away, or otherwise disposed of interest in, or control of, any mobile home park. Proof of such transfer shall be furnished to the Township Supervisors accompanied by a fee as set forth in the fee schedule currently in force in the Township.

902-E SUSPENSION

Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Township shall give written notice to the person to whom the license was issued advising him that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license to operate in the Township shall be suspended. At the end of such period, such mobile home park shall be inspected and if such conditions or practices have not been corrected, and the licensee has not requested a hearing, the Township shall suspend the license and give notice in writing, of such suspension to the person to whom the license is issued.

902-F COMPLIANCE OF EXISTING MOBILE HOME PARKS

1. Mobile home parks in existence at the date of adoption of this Ordinance may be continued so long as they otherwise remain lawful.
2. Existing mobile home parks shall be required to submit an existing plot plan, drawn to scale, when applying for a Mobile Home Park License as required under Section 902-B of this Ordinance.
3. Any subsequent new construction, alteration, or extension of an existing mobile home park shall comply with the provisions of this Ordinance.
4. Any existing mobile home park which, in the opinion of the Board of Supervisors creates a fire hazard of health hazard shall be required to comply with this Ordinance within a reasonable period of time as determined by the Board of Supervisors.

903 INSPECTIONS OF MOBILE HOME PARKS

The Township Supervisors or other authorized Township representative may inspect a mobile home park periodically to determine compliance with this Ordinance. As a result of such inspection, the Township Supervisors may give notice for any violations of this Ordinance.

904 PARK CONSTRUCTION REQUIREMENTS

All mobile home parks shall comply with the applicable requirements of the Zoning Ordinance, including, but not limited to Sections 402.A.30 and 402.A.31.

904-A STREET STANDARDS

Streets shall be constructed as otherwise required by this Ordinance, except as modified below.

1. Streets shall have a 24' wide cartway and shall be curbed on both sides.
2. Sidewalks shall be provided on both sides of the street.
3. All streets within the mobile home park shall be privately owned and maintained.

904-B PARKING

Parking shall be provided for each mobile home lot as required by the Zoning Ordinance for a residential dwelling unit (see Table 6.1 of the Zoning Ordinance). In addition to the parking required by the Zoning Ordinance, overflow parking of 0.33 parking spaces per dwelling unit shall be provided in a parking lot within the mobile home park.

905 MISCELLANEOUS REQUIREMENTS

905-A RESPONSIBILITIES OF THE PARK MANAGEMENT

1. The person to whom a license for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate park management to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.
2. The park management shall supervise the placement of each mobile home on its mobile home lot which includes securing its stability and installing all utility connections.
3. The park management shall give the Township Building Inspector or other authorized Township representative free access within reason to all mobile home lots, service buildings, and other community service facilities for inspection purposes.
4. The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park. The management shall notify the appropriate officer in accordance with the state and local taxation laws of the arrival and departure of each mobile home.

905-B REMOVAL OF MOBILE HOMES

No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Township without first obtaining a permit from the Township Tax Collector as required by Act of the General Assembly of July 8, 1969, P.L. 130 Section 1. Such permit shall be issued upon payment of a fee as required by the fee schedule currently in force in the Township, and any real estate tax assessed against the home and unpaid at the time the permit is requested.

906 NOTICES AND REVOCATION OF LICENSE

906-A NOTICES

Whenever the Township Supervisors or other authorized Township representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation to the person to whom the permit, and/or certificate or license was issued, as hereinafter provided. Such notice shall:

1. Be in writing.
2. Include a statement of reasons for its issuance.
3. Allow a reasonable time for the performance of any act it requires.

4. Be served upon the owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state.
5. Contain an outline or remedial action which, if taken, will effect compliance with the provisions of this Ordinance, or any part thereof, and with the regulations adopted pursuant thereto.

906-B REVOCATION OF LICENSE

In addition to the provisions and penalties for violations as given in Sections 905 and 906 of this Ordinance, the Township may give reasonable notice for the remedying of violations and if such violations are not remedied within the prescribed period of time, the Township may declare the license revoked.

907 PENALTIES

Any person who violates any provisions of Article IX shall be subjected to the same penalties as prescribed under Article 802 of this ordinance.

908 SEVERABILITY CLAUSE

If any provision of this Ordinance shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of this Ordinance.

ARTICLE X – ENACTMENT AND REPEAL

1001 REPEAL

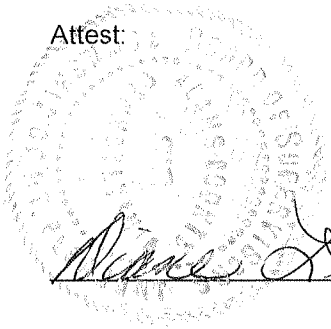
All ordinances or parts of ordinances in conflict herewith are repealed.

1002 ENACTMENT

This ordinance shall take effect immediately upon adoption and publication according to law.

Adopted by the Board of Supervisors of Mount Pleasant Township, Adams County, Pennsylvania into an ordinance this 24th day of MAY, 2018.

Attest:



Wanda A. Croft

Board of Supervisors
Mount Pleasant Township
Adams County, Pennsylvania

Richard Fisher J
Chairman

Ms. [Signature]
Vice Chairman

Supervisor