SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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Part 1

Short Title, Purpose, Authority and Jurisdiction

#101. Short Title. This ordinance shall be known as and may be cited as the "Abbottstown Borough Subdivision and Land Development Ordinance".

#102. Purpose. The purpose of these subdivision and land development regulations is to provide for the harmonious development of the Borough by:

1. Assisting in the orderly and efficient integration of land developments within the Borough.
2. Ensuring conformance of land development plans with the community objectives, comprehensive plan, public improvement plans, and other adopted plans and regulations.
3. Ensuring the provision of adequate public facilities including streets, walkways, street lighting, water supply, storm and sanitary sewage facilities, recreation sites, open spaces, and other necessities and amenities to the general welfare of Borough residents.
4. Securing the protection of the environmental resources of the Borough.
5. Providing standard procedures for the equitable processing of all subdivision and land development plans.
6. Ensuring coordination of inter-municipal public improvement plans and programs.
7. Encouraging and promoting flexibility and ingenuity in the layout and design of subdivisions and land development.
8. In general, promoting greater health, safety, and welfare of the citizens of the Borough.

#103. Authority and Jurisdiction. No land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use of travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

The authority for the control and regulation of subdivision and land development within the Borough shall be as follows:

1. Approval by the Borough Council. The Abbottstown Borough Council, hereinafter referred to as Borough Council, shall be vested with the authority to approve or disapprove all subdivision and land development plans.
2. **Review by the Borough Planning Commission.** The Abbottstown Borough Planning Commission, hereinafter referred to as the Planning Commission, shall be vested with the review of subdivision and land development plans.

3. **Review by the County Planning Commission.** Plans for subdivision and land development located within Abbottstown Borough shall be submitted to Adams County Office of Planning and Development for review and report. Said submission shall take place before approval of any plans by the Borough. However, if a report is not received from the County Planning Commission within thirty (30) days after submission, the Borough may proceed without the report.
Part 2
Definitions

#201. Intent. Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning given herein.

#202. General Usage.
1. Words used in the present tense imply the future tense.
2. Words used in the singular imply the plural.
3. The word "person" includes a partnership or corporation as well as an individual.
4. The word "shall" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.

#203. Specific Words and Phrases.
AGENT - any person, other than the subdivider or developer, who acting for the subdivider or developer submits to Borough Council subdivision or land development plans for the purpose of obtaining approval thereof, or any person or firm acting on behalf of the Borough.

APPLICANT - a landowner, subdivider, or developer, as hereinafter defined, who has filed an application for subdivision or land development including his heirs, successors and assigns.

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

BLOCK - a land area bounded by streets.

CARTWAY - the portion of a street or alley right-of-way which is improved, designated or intended for vehicular traffic.

CLEAR SIGHT TRIANGLE - an area of unobstructed vision at street intersections defined by the centerlines of the streets and by a line of sight between points on their centerlines at a given distance from the intersection of the centerlines.

COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.
CONDOMINIUM - A residential structure containing two (2) or more dwelling units, which units are owned individually.

CORNER LOT - a lot abutting upon two (2) streets at their intersection.

CROSSWALK - a right-of-way, municipally or privately owned, at least twelve (12) feet wide, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

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

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

DEVELOPMENT PLAN - the provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition. (A.O.).

DOUBLE FRONTAGE LOT - a lot, other than a corner lot, fronting on two (2) streets.

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

DRIVEWAY - a minor vehicular surface other than a street providing access between a street and a parking area or garage within a lot or property.

DWELLING UNIT - any structure, or part thereof, designed to be occupied as living quarters for one family.

EASEMENT - a right-of-way for a limited purpose; as space within which no structure may be built.

ENGINEER - a Professional Engineer licensed as such in the Commonwealth of Pennsylvania.

FLOOD PLAIN or FLOODWAY AREA - that area along a natural water-course which is periodically overflowed by water therefrom.

FRONTAGE - the horizontal or curvilinear distance along the street line upon which a lot abuts.
FUTURE RIGHT-OF-WAY -

(1) The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads.

(2) A right-of-way established to provide future access to or through undeveloped land.

GRADE - the slope expressed in a percent which indicates the rate of change of elevation in feet per hundred (100') feet.

GUTTER - that portion of a right-of-way carrying surface drainage.

HARDSHIP - a condition not caused by the applicant for which he may request a hardship modification.

HARDSHIP MODIFICATION - the granting of an exception to these regulations which in the opinion of the Borough will not be detrimental to the general welfare, impair the intent of the regulations or conflict with the community objectives. Such modifications are granted only for reason of undue hardship as determined by Borough Council.

IMPROVEMENTS - pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs and plantings and other items required for the welfare of the property owners and the public.

LAND DEVELOPMENT - any of the following activities:

A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

   (1) 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; or.

   (2) 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 areas, leaseholds, condominiums, building groups or other features;

B. A subdivision of land.

C. "Land development" does not include development which involves:

   (1) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
(2) The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal-building; or

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

LANDOWNER - the owner or owners of the legal, beneficial or equitable title to land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LOCATION MAP - a map showing the site with relation to adjoining areas.

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

LOT AREA - the area contained within the property lines of the individual parcels of land as shown on a land development plan, excluding any area within a street right-of-way, but including the area of any easement.

LOT WIDTH - the width of a lot measured along the street line, except in the case of cul-de-sac lots which shall be measured along the setback line.

MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more 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 without a permanent foundation.

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

MOBILE HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MULTIPLE DWELLING BUILDING - a building providing separate living quarters for two (2) or more families.

MUNICIPAL AUTHORITY - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945".
PERFORMANCE BOND - an agreement by and between a developer and a bonding company in favor of the developer and the Borough Council guaranteeing the completion of physical improvements.

PLAN - the map or plan of a land development, whether sketch, preliminary or final. Plans are further classified as follows:

(1) Plan, Sketch - an informal land development plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed land development for discussion purposes only and not to be presented for approval.

(2) Plan, Preliminary - a tentative land development plan, in lesser detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

(3) Plan, Final - a complete and exact land development plan, prepared for official recording, to define property rights and proposed streets and other improvements.

PUBLIC GROUNDS - includes:

A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;

B. Sites for schools, sewage treatment, refuse disposal, water supply storage treatment, and other publicly owned facilities; and

C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING - a formal meeting held pursuant to public notice by Borough Council or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

PUBLIC MEETING - a forum held pursuant to notice under the Act of July 3, 1986 (P.L.> 388, No. 84), known as the "Sunshine Act", 53 P.S. #271 et seq. (A.O.)

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

RESUBDIVISION - any land development which has been approved by the Borough which changes, or proposes to change property lines and/or public rights-of-way not in strict accordance with the approved plan.
REVERSE FRONTAGE LOT – a lot extending between and having frontage on a major street and a minor street with vehicular access solely from the latter.

RIGHT-OF-WAY – land opened for use as a street, alley or crosswalk.

SANITARY SEWER SYSTEM – a system of piping and appurtenances whether municipally or privately owned, designed for the collection and transmission of liquid and water carried wastes from residences, commercial building, industrial plants, and institutions to a waste-water treatment plant for treatment and discharge (not including septic tanks).

SETBACK – the required horizontal distance between a setback line and a property or street line.

SETBACK LINE – a line within a property and parallel to a property or street line which delineates the required minimum distance that must be provided between a structure or building and an adjacent street line and/or property line.

SIGHT DISTANCE – the length of street, measured along the centerline, which is continuously visible from any point three (3') feet above the centerline.

STREET – includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. (A.O.)

Streets are further classified as follows:

(1) Arterial Street; Highway – a street or road which is used primarily for fast or heavy traffic including all roads classified as main and secondary highways by the Pennsylvania Department of Transportation.

(2) Collector Street – a street which carries traffic from minor streets to the major system of arterial streets, including but not limited to the principal entrance streets of a residential development.

(3) Cul-de-sac Street – a street with one end open for public vehicular and pedestrian access and the other end terminating in a vehicular turnaround.

(4) Half or Partial Street – a street parallel and adjacent to a property line having a lesser right-of-way width than required for satisfactory improvement and use of the street.

(5) Minor Street – a street which is used primarily for access to the abutting properties.

(6) Private Street – a street not offered for dedication to Borough or Commonwealth of Pennsylvania.
(7) Service Drive or Alley - a minor street which is used primarily for vehicular service access to the back or the side of properties otherwise abutting a street.

STREET GRADE - the officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE - the dividing line between the street and lot, also known as the right-of-way line.

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

SUBDIVISION - the division or redivision 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 or 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 any residential dwelling, shall be exempted.

BOROUGH - Abbottstown Borough, Adams County, Pennsylvania, as represented by Borough Council or their duly authorized agents.

BOROUGH ENGINEER - a professional engineer licensed as such by the Commonwealth of Pennsylvania and employed by the Borough or engaged as a consultant thereto.

UNDEVELOPED LAND - land in parcels sufficiently large for future land development which is presently in agriculture, woodland or lying fallow.

WATER SUPPLY SYSTEM - a system consisting of source of supply, storage facilities, piping, and appurtenances whether municipally or privately owned, designed for the transmission and distribution of safe, potable water from a centralized water supply or source to residences, commercial building, industrial plants or institutions. (Not including individual on-lot wells).

WATER SURVEY - an inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Borough.
Part 3
Procedure

#301. Pre-application Consultation. Copies of this Ordinance available at reasonable charge on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within Abbottstown Borough. Any prospective applicant may request a meeting with the Planning Commission to discuss and review tentative plans and discuss the applicability of the provisions of this Ordinance.

#302. Sketch Plan.

1. Where a land development plan includes improvements, the applicant may submit a Sketch Plan to the Planning Commission in accordance with the provisions of # 401.

2. Such Sketch Plan will be considered as submitted for informal review and discussion and shall not constitute formal filing of the plan with the Borough.

3. As far as may be practical on the basis of the Sketch Plan review and discussion, the Borough will informally advise the applicant as promptly as possible to the extent to which the proposed land development conforms to the Design Standards of these regulations (Part 5) and will discuss possible plan modifications necessary to secure conformance.

#303. Submission of Plans.

1. Applications for approval of Preliminary and Final Plans for all proposed land developments lying within the Borough shall be filed with the Borough Secretary at least fourteen (14) days prior to a regularly scheduled Planning Commission meeting. Such submission of plans shall be accompanied by a fee as specified in #804.

2. The applicant shall submit the Preliminary and Final Plans drawn on linen or mylar material along with blue or black line paper prints, as well as copies of the required supporting data. Plan and supporting data copies shall be sufficient in number to satisfy the requirements for plan referrals (#305). Preliminary and Final Plans shall comply with the requirements of Part 4.

#304. Minor Land Developments. The initial plan filed with Borough Council shall be considered as a Preliminary Plan. However, in the event that an initial land development is five (5) lots or less and involving no new streets or other public improvements, the applicant may proceed directly to Final Plan preparation in compliance with the requirements of #405. The processing of a minor land development shall be consistent with the procedures for processing a Final Plan as required in this Part 3.
Referral of Plans. All Plans, whether Preliminary or Final, shall be forwarded by the Borough Secretary to the Borough Planning Commission for review and recommendation. If no report is received from the Borough Planning Commission within sixty (60) days, such plan shall be considered as receiving favorable review and recommendation from the Planning Commission.

Where review by any of the following agencies is required, the applicant shall transmit copies of the plan for review and comment:

1. A copy of the plan, a copy of a Feasibility Report on Water and Sewer Facilities if required, and sufficient copies of the plan module shall be transmitted to the local office of the Pennsylvania Department of Environmental Resources for review and recommendations.

2. To the local office of the Soil Conservation Service of the U.S. Department of Agriculture for review and recommendations concerning erosion, sediment, and drainage control.

3. To the district office of the Pennsylvania Department of Transportation for review and recommendations where the land development will front on an existing or proposed State Highway or has a proposed street entering on such a Highway.

4. To the Adams County Office of Planning and Development as required by #103 of this Ordinance.

5. To each affected public utility who shall be requested to make recommendations as to the suitability of installing underground telephone and electric lines.

6. To the Borough Engineer for review of engineering requirements.

Review of Plans. All plans, whether Preliminary or Final, shall be reviewed by the Borough Planning Commission with reference to the following:

1. The standards, provisions and requirements of this Ordinance.

2. Any proposals contained in the Community Objectives or other adopted plans.

3. Site suitability for the particular type of development proposed.

4. The availability for necessary services and facilities.

5. The requirements of the Borough Zoning Ordinance, Official Map, or other applicable Ordinance or Regulation.

6. Any State highway, either existing or proposed by the Pennsylvania Department of Transportation.

7. Comments and recommendations received pursuant to plan referrals described in #305.

8. Comments and recommendations of interested citizens.
#307. Public Hearings. Before acting on any land development plan, Borough Council may hold a public hearing thereon pursuant to public notice.

#308. Approval of Plans. At a scheduled meeting Borough Council shall render its decision concerning the plan, whether Preliminary or Final, and communicate its decision to the applicant within the time limits established by the Pennsylvania Municipalities Planning Code as amended.

Final Plan approval shall not be granted until such improvements as required by this Chapter and shown on such Final Plan have been completed or alternative actions as specified in Part 6 have been taken.

The decision of Borough Council concerning plan approval, whether Preliminary or Final, shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address.

When the plan is not approved in terms as filed, the decision shall specify the defects found in the plan and describe the requirements which have not been met and cite to the provisions of these regulations relied upon.

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

#309. Effect of Change in this Ordinance.

Changes in this Ordinance shall affect plats as follows:

1. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of this Ordinance, zoning or other governing ordinance or plan, shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. The applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

2. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this Ordinance, zoning or other governing ordinance or plan, shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.
3. Where final approval is preceded by preliminary approval, the aforesaid five-(5) year period shall be counted from the date of the 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 this Ordinance or the governing ordinance or plans as they stood at the time when the application for such approval was duly filed.

4. Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five (5) year limit, or any extension thereof as may be granted by Borough Council, no change of any ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.

5. In the case of a preliminary plat calling for the installation of improvements beyond the five (5) year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of Borough Council in its discretion.

6. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five (25%) percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Borough Council in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five (5) years shall apply and for any section or sections beyond the initial section, in which the required improvements have not been substantially completed within said five (5) year period the aforesaid protections shall apply for an additional term or terms of three (3) years from the date of final plat approval for each section.

7. Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in this Ordinance, zoning, and other governing ordinance enacted by the Borough subsequent to the date of the initial preliminary plan submission.
#310. Effect of Preliminary Plan Approval.

Approval of the Preliminary Plan by Borough Council constitutes conditional approval of the development as to the character and intensity of development, the general layout, and the approximate dimensions of streets, lots, and other planned features. This approval binds the applicant to the general scheme shown on the Preliminary Plan.

Approval of the Preliminary Plan shall not constitute approval of the Final Plan, nor does it authorize recording of the Preliminary Plan or the sale of any lots; however, such approval does authorize the applicant to proceed with the preparation of the Final Plan.

Submission of a Final Plan shall take place within one (1) year after the approval of the Preliminary Plan by the Borough. If the applicant does not submit a Final Plan during that time the approved Preliminary Plan becomes null and void.

#311. Effect of Final Plan Approval.

Approval of the Final Plan by Borough Council constitutes final approval of the land development as to the character and intensity of development, the layout, and the dimensions of streets, lots and other planned features. This approval binds the applicant to the scheme shown on the Final Plan.

Final Plan approval authorizes the applicant to proceed with the recording of the Final Plan which must be accomplished before the applicant can proceed with the sale of any lots or the construction of buildings or structures.

#312. Recording of Final Plan.

Upon approval of the Final Plan, the applicant shall within ninety (90) days of such approval record such plan in the office of the Recorder of Deeds of Adams County. Within thirty (30) days after such recording the applicant shall furnish two (2) copies of the plan bearing evidence of recording to the Borough Secretary. Should the applicant fail to record the Final Plan within such period, the approval of Borough Council shall be null and void, unless an extension of time has been granted by Borough Council upon written request.

The recording of the Final Plan shall not constitute grounds for tax assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plan.

#313. Resubdivision. For any replatting or resubdivision of land, the same procedures and regulations apply as prescribed for any original subdivision.

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#314. Additions to Existing Lots. For the purpose of straightening lot lines and additions of small, non-buildable parcels or property to existing recorded lots, said lot shall possess the following characteristics:

1. No structure may be built on this parcel to be added to the original lot.

2. The parcel to be added must be contiguous to the existing lot. The plan prepared for the addition of this parcel shall follow the procedures as outlined for Minor Subdivisions. The applicant shall have prepared a single deed creating one property from the previous two (2) or more.

#315. Large Scale Development. In the event that Plans for an entire neighborhood land development of at least two hundred (200) lots are submitted, the standards and regulations of this Ordinance may be modified by Borough Council provided that the proposed development meets the following requirements:

1. The basic purposes of this Ordinance are achieved.

2. Protective covenants and other legal provisions will assure conformity with all Borough plans, ordinances, and regulations.

3. Contains or is bounded by major streets, as necessary.

4. The area contains reservations for school sites, park sites, and other community facilities of sufficient size to serve its population.

5. The area is served by public sewer and public water facilities.
Part 4

Plan Requirements

#401. Sketch Plan Requirements. The Sketch Plan may be a freehand drawing and should be accompanied by an application for review of subdivision and land development plan and should show the following information:

1. Name and address of applicant, name of municipality, title, north arrow, and date.

2. Tract boundaries.

3. Location map showing the relation of the land development to the surrounding area and community.

4. Number of acres in tract, average lot size, approximate number of lots, anticipated type of development, and anticipated acres in public use.

5. Existing and proposed streets, highways, rights-of-way.

6. Proposed general lot layout.

7. All public reservations such as schools, parks, etc.

A land development Sketch Plan need not be drawn to scale nor are precise dimensions required.

#402. Preliminary Plan Requirements.

1. The Preliminary Plan shall be submitted with an application for review of subdivision and land development plan.

2. The Preliminary Plan shall be drawn on linen or mylar material and at a scale of not more than one hundred (100') feet to the inch. The Preliminary Plan shall show the following information.

   A. Proposed land development name or identifying title.
   B. Municipality in which the land development is located.
   C. North point, scale and date.
   D. Name and address of the applicant.
   E. Name and seal of the Registered Engineer or Registered Surveyor responsible for the plan.
   F. Total acreage of the tract and acreage in public use.
   G. Number of lots, proposed density, and minimum lot size.
   H. Signature block for approval by Borough Planning Commission, Engineer, and Borough Council.
I. Length of new street proposed.

J. Type and location of water supply and sewage disposal facilities proposed. If on-lot sewage disposal is proposed, perc test locations must be shown.

K. Proposed use of land and existing zoning classification and proof of any variances or special exceptions which may have been granted.

L. A location map in relation to the surrounding neighborhood and community. The location map should be at a scale of not less than two thousand (2,000') feet to the inch.

M. Tract boundaries showing bearings and distances.

N. Contours at vertical intervals of five (5') feet or less.

O. Datum to which contour elevations refer. Where reasonably practicable, data shall refer to U.S. Coastal and Geodetic Survey datum.

P. The names and owners of immediately adjacent unplatted land; the names of proposed or existing land developments immediately adjacent, and the locations and dimensions of any streets or easements shown thereon which abut the land to be developed.

Q. All existing watercourses, tree masses and other significant natural features, such as rock outcrops, springs, swampy areas, wet lands and water supply sources.

R. All existing buildings, sewers, water mains, culverts, petroleum lines, telephone lines, electric lines, gas lines, fire hydrants and other significant man-made features.

S. All existing streets on, adjacent to or within four hundred (400') feet of any part of the tract, including name, right-of-way width and cartway width.

T. All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.

U. Lots within the land development shall be numbered.

V. Location of all proposed buildings.

W. Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; driveway access points on corner lots where proposed; proposed minimum building setback line for each street; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.

X. Soil classification in accordance with the Adams County Soil Survey.
Y. Hazardous Waste Assessment.

Z. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to Borough Council that the subdivision is to be supplied by a certified public utility, a bonafide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable. Any private water system shall require production of evidence that the system will be operated and maintained in accordance with DER requirements.

#403. Feasibility Report on Sewer and Water Facilities.

1. The applicant shall, if requested by the Planning Commission, submit a Feasibility Report in duplicate concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be prepared, by a Registered Professional Engineer if requested by the Borough, and be submitted in conjunction with the Preliminary Plan for review and recommendations by the local office of the Pennsylvania Department of Environmental Resources.

2. The Feasibility Report shall consist of an examination of possible connection to an existing sanitary sewage system and water supply system. The study shall include the distance from the nearest public sanitary sewer and public water line and the capacity of the existing system(s) to accommodate the proposed land development.

3. If a proposed sanitary sewer system is found to be feasible, formal application shall be made to the Commonwealth of Pennsylvania, Department of Environmental Resources and a permit obtained prior to the construction of sewers or treatment facilities, if required by the Department of Environmental Resources.

4. Borough Council will approve the use of on-site sewage disposal systems only when the Department of Environmental Resources certifies that the lots as proposed are suitable for on-site sewage disposal and the sewage disposal feasibility study indicates:

A. Justification of the project necessitates consideration of this method. (See #511)

B. The soil absorption is satisfactory for this type of system.

C. Such systems will not endanger groundwater supplies below the level of the absorption system.
5. The soils tests called for above shall be performed in accordance with the "Pennsylvania Sewage Facilities Act", P.L. 1535 as amended and Title 25, Pennsylvania Code Chapter 73, "Standards for Sewage Disposal facilities" and shall be performed by a person or firm experienced in conducting soil tests. The Borough Sewage Enforcement Officer will observe the tests and certify the results of such tests.

6. Borough Council will approve the use of individual on-lot water supply systems only to the extent not precluded by prior ordinances and when the water supply feasibility study indicates that:

   A. Justification of the project necessitates consideration of this method. (See #512)

   B. The water supply yield is adequate for the type of development proposed.

   C. The installation of such systems will not endanger or decrease groundwater supplies of adjacent properties.

   D. Adequate treatment of the water supply is provided in accordance with the Safe Drinking Act.

   E. Adequate protection of the supply is provided to insure that the quality of the water supply is maintained.

Borough council may require certification of yield projections and groundwater supplies by the Borough Engineer.

#404. Plan for Control of Erosion and Sedimentation. The applicant shall submit a plan in duplicate concerning the control of erosion and sedimentation on and nearby a proposed development. Said plan to be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques and be submitted in conjunction with the Preliminary Plan for review and recommendations by the Pennsylvania Department of Environmental Resources or their designee.

The plan shall be designed to prevent accelerated erosion and sedimentation and shall consider all factors which may contribute to erosion and sedimentation in connection with the land development.

The plan shall also contain any additional information as required by Chapter 102 of Title 25 of the Pennsylvania Code.

#405. Final Plan Requirements.

1. The Final Plan shall be submitted with an application for review of subdivision and land development plan.

2. Final plans shall conform in all important details with Preliminary Plans as previously approved, and any conditions specified in the approval of Preliminary Plans shall be incorporated in the Final Plans.
3. Accurate dimensions and bearings of all straight lines for all street rights-of-way and property lines are required. Accurate radii, arcs, and central angles of all curves are required. All dimensions are to be shown in feet and hundredths of a foot.

4. All surveying work must achieve a precision ratio of at least one (1) in five thousand (5,000).

5. The Final Plan shall be drawn on linen or mylar material at a scale of either fifty (50') feet to the inch or one hundred (100') feet to the inch and shall include the following information:

A. Land development name or identifying title.
B. Municipality in which the land development is located.
C. North point, scale and date.
D. Name and address of the applicant.
E. Name and seal of the Registered Professional Engineer or Surveyor responsible for the plan.
F. Total acreage of the tract, number of lots density and minimum lot size.
G. Proposed use of land and existing zoning classification.
H. A location map for the purpose of locating the site to be developed in relation to the surrounding neighborhood and community. The location map should be at a scale of not less than two thousand (2,000') feet to the inch.
I. The names of adjoining land developments, if any, and the names of owners of all adjacent unplatted land.
J. Street lines, tract boundaries, lot lines, rights-of-way easements, and areas dedicated or proposed to be dedicated to public use.
K. Sufficient data to determine readily the location, bearing and length of every street, lot, and boundary line and to reproduce such lines upon the ground.
L. The length of all straight lines, radii, lengths of curves and tangent bearings for each street.
M. All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.
N. The proposed building setback line for each street, and the proposed placement of each building.
O. The point of access of driveways on corner lots, where proposed.
P. Location, size and invert elevation of all sanitary, and storm sewers, and location of all manholes, inlets and culverts, and all storm water management facilities.

Q. Names of streets within and adjacent to the land development.

R. The location of permanent reference monuments. Lots within the land development shall be numbered.

S. A signature block for approval by the Borough Planning Commission, Engineer, and Borough Council, and for the review signatures of the County Planning Commission.

T. The size of the plan shall conform to County recording requirements.

6. The Final Plan shall include thereon or be accompanied by:

A. A notarized statement to the effect that the applicant is the landowner (as defined in #203) and that the land development shown on the Final Plan is made with his or their free consent and that it is desired to record the same.

B. Certification that the method of sewage disposal and water supply if applicable have been approved by the Pennsylvania Department of Environmental Resources.

C. Certification of a sedimentation and erosion control plan bearing the approval of the Pennsylvania Department of Environmental Resources.

D. A copy of such private deed restrictions and/or protective covenants as may be imposed upon the property as a condition of sale by the present owner.

E. Certification of the Borough Engineer that the applicant has installed all improvements to the specifications of this Ordinance and any conditions attached by Borough Council, or posted an improvement bond in an amount sufficient to assure completion of all required improvements (#613) or in the case of a minor land development made sufficient in lieu of improvements fee payment (#613).

F. Typical cross-sections and centerline profiles for all proposed streets. Such profiles shall show at least the following: existing (natural) and proposed grades along the proposed street centerline; culvert locations; invert elevations and sizes.

G. Other certificates as may be required by the Ordinance such as from the Pennsylvania Public Utilities Commission.

H. Filing fees and additional fees as may be required by this Ordinance.

I. Proof of any zoning variances or special exceptions that may have been granted.
**J. Surveyor's Certificate** certifying survey and plan are correct as shown.

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

**L. A storm water management plan** acceptable to the Borough's Engineer which substantiates that with implementation of the plan, the storm water runoff discharged from the property after development will be controlled for all storms up to and including a fifty (50) year storm so that it does not exceed the runoff discharged prior to development.

**M. 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" for access to highways under Pennsylvania Department of Transportation jurisdiction.
Part 5
Design Standards

#501. Application of Standards.

1. The following land development principles, standards and requirements will be applied by the Borough in evaluating plans for proposed land developments.

2. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, and general welfare.

3. Where literal compliance with the standards herein specified is clearly impractical, Borough Council may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations.

#502. Location of Site. All land development plans must reflect a location which has given consideration to the following factors:

1. The location of the land development must conform to the Community Objectives with respect to street, public sites and proposed utilities.

2. The proposed use of the land in any land development must conform to the Borough Zoning Ordinance.

3. Land subject to hazards to life, health, or property as may arise from fire, floods, disease, excessive noise, 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.

4. A land development must be coordinated with existing land development in the neighborhood so that entire area may be developed harmoniously.

#503. General Design Standards for Sites. In the layout of any land development, attention must be focused on conditions which can affect development. These can include the following:

1. The land development shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks on the basis of Borough determination.

2. In a tract where slopes average more than fifteen (15%) percent such factor must be considered in the plan for subdivision or development.
3. Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safe-guards against such hazards are provided by the land development plans. Such land within the development shall be set aside on the plan for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding".

Any building erected in any designated flood plain area as specified by engineering data regarding the "100 year flood", shall meet the flood proofing specifications as outlined by the Borough Flood Plain Management Ordinance.

#504. Street Systems - General. All streets proposed to be constructed within the Borough shall conform to the following general design requirements:

1. Proposed streets shall be planned with regard to the existing street system, 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.

2. Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future development.

3. Proposed streets, which are aligned with existing streets, shall bear the name of the existing street. In the event a proposed street is not aligned with an existing street, it shall not bear a name similar to any existing street located within Abbotsford Borough or any adjacent township, irrespective of the suffix street, avenue, boulevard, drive, place, court, etc.

4. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.

5. The streets must be properly located and designed with regard to the proposed traffic functions, including the minimizing of through-traffic on minor streets and the protection of major street capacities from excessive marginal access.

6. The arrangement, character, extent, width, grade, and location of all streets and highways must conform to any applicable Borough or County Comprehensive Plan or Official Map.
#505. Street Design.

1. **Width.** Minimum street widths shall be as follows:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Minimum Cartway Width</th>
<th>Right-of-way</th>
<th>Cartway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial or Limited Access Street</td>
<td>80 - 120 feet</td>
<td>as determined after consultation with the Adams County Planning Commission and the Pennsylvania Department of Transportation</td>
<td></td>
</tr>
<tr>
<td>Collector Street</td>
<td>60 feet</td>
<td>36 feet</td>
<td></td>
</tr>
<tr>
<td>Minor Street</td>
<td>50 feet</td>
<td>32 feet</td>
<td></td>
</tr>
<tr>
<td>Permanent Cul-de-Sac Street</td>
<td>50 feet</td>
<td>32 feet</td>
<td></td>
</tr>
<tr>
<td>Service Drive or Alley</td>
<td>22 feet</td>
<td>22 feet</td>
<td></td>
</tr>
</tbody>
</table>

2. **Exceptions to Width Requirements.** Provisions for additional street width and right-of-way must be required when determined to be necessary as a part of the Comprehensive Plan.

3. **Existing Road Frontage.** In the case of a plan containing lots, fronting on an existing public road, the developer shall provide any required dedication for widening the existing road right-of-way to meet the right-of-way standards in #505(1). The right-of-way to be dedicated must be measured from the centerline of the existing roadway.

4. **Dead End Streets.** Dead end streets are prohibited, but may be permitted upon Borough approval, for the purpose of allowing for future street extension. In this case temporary cul-de-sacs must be constructed, on the land of the developer, with an all weather turnaround of the same radius as that which would be required for a permanent street, the turnaround to be removed when the street is continued.

5. **Cul-de-sac Streets.** Should in general not exceed five hundred (500') feet in length unless topographic conditions and/or tract shape warrant an increase that is approved by the Borough. They must be provided with a paved turnaround with a minimum diameter of eighty (80') feet to the outside curb and one hundred (100') feet to the legal right-of-way. The length of a cul-de-sac street shall be measured from the center of the turnaround to the point of intersection of the centerline of the cul-de-sac street and the right-of-way line of the intersecting street.
6. **Half Streets.** New half or partial streets are not permitted. Half streets will be permitted where needed to complete existing half streets.

7. **Private Streets or Roads.** Shall be permitted only when such private streets or roads conform to the specifications and requirements of minor or collector streets as specified in this Ordinance.

8. **Curves.** Where connecting straight street lines deflect from each other, the lines must be connected with a true, circular curve. The minimum radius of the centerline for the curve must be as follows:

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Minimum Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>500 feet</td>
</tr>
<tr>
<td>Collector</td>
<td>300 feet</td>
</tr>
<tr>
<td>Minor</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

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. For curves on arterial streets, proper superelevation must be provided as required by the Borough and the Pennsylvania Department of Transportation.

9. **Vertical Curves.** Changes in grade shall be joined by vertical curves; a smooth grade line with gradual changes; as consistent with the type of street and the character of terrain, should be strived for in preference to a line with numerous breaks on short lengths of grades. Vertical curves shall satisfy the minimum sight distance requirements of this Ordinance (#505).

10. **Grades.** The grades of streets must meet the following requirements:

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Maximum Grade</th>
<th>Minimum Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>6 %</td>
<td>.5%</td>
</tr>
<tr>
<td>Collector</td>
<td>7 %</td>
<td>.5%</td>
</tr>
<tr>
<td>Minor</td>
<td>12 %</td>
<td>.5%</td>
</tr>
<tr>
<td>Cul-de-sacs</td>
<td>12 %</td>
<td>.5%</td>
</tr>
<tr>
<td>Marginal Access Streets</td>
<td>12 %</td>
<td>.5%</td>
</tr>
<tr>
<td>Alleys or Service Drives</td>
<td>14 %</td>
<td>.5%</td>
</tr>
</tbody>
</table>

11. **Crown.** The slopes of the crown on residential service and neighborhood collector streets shall be at least one-quarter (1/4") inch per foot but not more than one-half (1/2") per foot as directed by the Borough Engineer.
12. **Sight Distances.** Proper sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center-line, three and one-half (3.5') feet above grade, the minimum sight distance must be as follows:

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Sight Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>400 feet</td>
</tr>
<tr>
<td>Collector</td>
<td>200 feet</td>
</tr>
<tr>
<td>Minor</td>
<td>200 feet</td>
</tr>
<tr>
<td>Cul-de-sac</td>
<td>100 feet</td>
</tr>
</tbody>
</table>

13. **Slope of Banks.** Measured perpendicular to the street center-line may not exceed three (3) to one (1) for fills, or two (2) to one (1) for cuts. Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent erosion.

#506. **Intersection Design.**

1. **Angle of Intersections.** Intersections must be as nearly at right angles as possible. However, in no case should they deviate from the standards below:

   **TYPE OF INTERSECTION**
   - Arterial with Arterial
   - Collector with Collector
   - Minor with Minor
   - Arterial with Minor
   - Collector with Collector

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Angle of Intersection of Street Centerlines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial with Arterial</td>
<td>75-105 degrees</td>
</tr>
<tr>
<td>Collector with Collector</td>
<td>75-100 deg.</td>
</tr>
<tr>
<td>Minor with Minor</td>
<td>75-105 deg.</td>
</tr>
<tr>
<td>Arterial with Minor</td>
<td>90 deg.</td>
</tr>
</tbody>
</table>

2. **Intersection Grades.** Intersection must be approached on all sides by level areas. These level areas must have a minimum length of fifty (50') feet (measured from the intersection of the centerlines) within which no grade may exceed a maximum of four (4%) percent and a minimum grade of 0.5%.

3. **Intersection Curve Radii.** Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angle of turn, number of lanes, and whether parking is permitted; but curb or edge of pavement radii must not be less than the following:

<table>
<thead>
<tr>
<th>Type of Intersection</th>
<th>Minimum Simple Curve Radii of Curb or Edge of Pavement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial with Arterial</td>
<td>40 ft. or more, as determined after consultation with Pennsylvania Department of Transportation</td>
</tr>
<tr>
<td>Arterial with Collector and Minor</td>
<td>35 feet</td>
</tr>
<tr>
<td>Collector with Collector</td>
<td>35 feet</td>
</tr>
<tr>
<td>Collector with Minor Street</td>
<td>35 feet</td>
</tr>
<tr>
<td>Minor Street with Minor Street</td>
<td>35 feet</td>
</tr>
</tbody>
</table>
Three-centered compound curves equivalent to the above minimum simple curves are permitted and encouraged where applicable.

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

4. Clear Sight Triangles. Proper sight distances (#505) must be maintained at all street intersections. Clear sight triangles of seventy-five (75') feet (one hundred fifty (150') feet) for Arterial Streets measured along street centerlines from their points of junction shall be provided at all intersections and no buildings, structure, grade or planting higher than three (3') feet above the centerline of the street shall be permitted within such sight triangles.

5. Distance Between Intersections. Shall be in accordance with the following:

<table>
<thead>
<tr>
<th>TYPE OF INTERSECTION</th>
<th>Distance Between Centerlines of Intersections</th>
<th>Minimum Separation of Centerlines for Streets entering from opposite side</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial with Collector</td>
<td>800 ft.</td>
<td>Must be in alignment with planned or proposed streets</td>
</tr>
<tr>
<td>Collector with Collector</td>
<td>800 ft.</td>
<td></td>
</tr>
<tr>
<td>Arterial and Minor Collector with Minor</td>
<td>600 ft.</td>
<td></td>
</tr>
<tr>
<td>Minor with Minor</td>
<td>500 ft.</td>
<td>200 ft.</td>
</tr>
<tr>
<td>Minor with Minor</td>
<td>500 ft.</td>
<td>200 ft.</td>
</tr>
</tbody>
</table>

6. Multiple Intersections. Involving junction of more than two (2) streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.

#507. Other Street Provisions

1. Required Location and Size of Service Drives or Alleys. In developments with detached and semi-detached dwellings, alleys are prohibited except in the rear of lots that front on a major thoroughfare, or where necessary to furnish access to rear yard garages on very steep lots.

In other types of residential developments they may be permitted. In commercial or industrial districts without off-street loading areas, alleys are required except as following: Where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed. Borough Council may waive this alley requirement. No part of any dwelling, garage, or other structure may be located within twenty one (21') feet of the centerline of an alley.

2. Dead End Service Drives or Alleys. Where service drives or alleys dead end, they must be provided with a paved turnaround with a minimum diameter of eighty (80') feet or a paved "Y" turnaround of sufficient size.
3. **Access.** Streets shall be laid out to provide access to all lots and to adjacent undeveloped areas, and the developer shall improve these streets to the limits of the development.

4. **Driveway.** Within ten (10') feet of a street right-of-way line, a driveway may not exceed thirty-five (35') feet in width or be less than twelve (12') feet in width.

   A. On a street frontage, the number of driveways may not exceed two (2) per lot or dwelling. On a lot of less than two hundred (200') feet frontage, the number of driveways may not exceed one (1) per lot.

   B. A driveway may not be:

      (1) Within forty (40') feet of the right-of-way line of an intersecting street.

      (2) Within five (5') feet of a fire hydrant.

      (3) Within twenty-five (25') feet of another driveway on the same property.

      (4) Within three (3') feet of a property line.

   C. The minimum angle between the centerline of the driveway and the street shall be not less than sixty-five (65) degrees nor more than one hundred and fifteen (115) degrees.

   D. A driveway must be located in safe relationship to sight distance and barriers to vision. The driveway may not exceed a slope of five (5%) percent within twenty-five (25') feet of the street right-of-way line.

   E. Where a driveway enters a bank through a cut, the shoulders of the cut may not exceed fifty (50%) percent in slope within twenty-five (25') feet of the point the driveway intersects the street right-of-way line.

5. **Reserve Strips.** Controlling access to the development or to adjacent areas is prohibited except when their control is definitely placed in the jurisdiction of the Borough under conditions approved by Borough Council.

6. **Street Names.** Shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "land", "way", "drive", "court", "avenue". In approving names of streets, cognizance may be given to existing or platted street names within Adams County. New streets shall bear the same name of the existing or platted street of which they are a continuation or with which they are in alignment. Street names must be approved by Borough Council.
#508. Blocks.

1. The length, width and shape of blocks shall be determined with due regard to the following:
   
   A. Provisions of adequate sites for type of buildings proposed.
   
   B. Zoning requirements.
   
   C. Topography.
   
   D. Requirements for safe and convenient vehicular and pedestrian circulation.

2. Blocks shall have a maximum length of sixteen hundred (1,600') feet, and so far as practical, a minimum length of five hundred (500') feet. In the design of blocks longer than eleven hundred (1,100') feet, special consideration shall be given to the requirements of satisfactory fire protection.

3. Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a major traffic street are used.

4. In commercial and industrial areas, the block layout shall be designed to service the public and with provisions for adequate off-street parking and loading facilities.

#509. Lots and Lot Sizes.

1. Lot Layout. All lots will conform to the following requirements:

   A. Except as provided in #509(1)(B), all lots shall front on a dedicated public street (existing or proposed), or upon a fully improved private street. Lots fronting upon unimproved private streets or not fronting upon a street shall not be approved.

   B. Flag lots, or lots with long narrow panhandles or strips of land connecting the main body of the lot with the street and providing the sole access from the street to that lot shall be prohibited. The lot width shall be always measured at the street line.

   C. Depth and width of parcels laid out or reserved for non-residential use shall be adequate for the use proposed and sufficient to provide satisfactory space for off-street parking and unloading.

   D. Side lot lines shall be substantially at right angles or radial to street lines.
3. **Lot Dimensions.** The dimensions and areas of the lots must conform to the Borough Zoning Ordinance. Where no public water and public sewage exists, the minimum dimension and areas of lots required by the Borough Zoning Ordinance must be evaluated with regard to the results of soil tests.

4. **Setback Lines.** The setback lines for buildings must conform to the Borough Zoning Ordinance.

5. **Planting Screens.** Where lots face an interior street and back on a major thoroughfare or abut properties in other uses with an adverse effect upon them, a planting strip at least fifteen (15') feet wide may be required along the back or abutting side of the lot. The case may be. No right-of-access may open onto or through the strip.

6. **Grading.** Lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of storm water in pools. Roof drainage shall be provided for according to recommendations of the Borough Engineer or such other officials as may be designated by Borough Council. Top soil shall be preserved and re-distributed as cover and shall be suitably planted with perennial grasses or ground cover.

#510. **Excavations and Fills.**

1. Cut and fill slopes shall not be steeper than three (3) to one (1) for fills, or two (2) to one (1) for cuts.

2. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills, by installation of temporary or permanent drainage across or above these areas.

3. Cut and fills shall not endanger adjoining property.

4. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.

5. Fills shall not encroach on natural watercourses or constructed channels.

6. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.
7. During grading operations, necessary measures for dust control will be exercised.

8. Grading equipment shall not be allowed to cross streams. Provisions will be made for the installation of temporary or permanent culverts or bridges and any required permits shall be obtained.

#511. Sewage Disposal. Based upon the results of the feasibility report (#403) the planned development must be provided with sanitary sewage disposal facilities as follows:

1. Where there is an existing public sanitary sewer system on or within one hundred fifty (150') feet of the planned development, a complete sanitary sewer system must be installed and connected to the existing public sanitary sewer system. The distance shall be measured from the end of the existing sanitary sewer system to the nearest property line of the development.

2. Where plans approved by the Borough provide for the installation of such a public sanitary sewer system within five (5) years there must be provided a complete sanitary sewer system ready to be connected to the planned main sanitary sewer system and:

   A. Connected to a temporary package treatment plant until connection to a public sanitary sewer system is made, or

   B. Capped, and on-site subsurface sewage disposal systems provided until such time that connection to a public sanitary sewer system can be made.

3. Where there is no existing public sanitary sewer system and the feasibility report indicates that a public sanitary sewer system and treatment plan is not feasible, the adequate provision of on-site subsurface sewage disposal systems must be investigated.

4. If on-site subsurface sewage disposal systems or connection to a public sanitary sewer system or installation of a public sanitary sewer system are not feasible the development shall not be approved.

#512. Water Supply.

1. Based upon the results of the feasibility report (#403), the development must be provided with water supply facilities as follows:

   A. Where there is an existing public water supply system on or within five hundred (500') feet of the planned development, a complete water main system must be installed and connected to the existing public water supply system. The distance shall be measured from the end of the existing sanitary system to the nearest property line of the development.

   B. Where plans approved by the Borough provide for the installation of such public water facilities within five (5) years there must be provided a complete water supply system ready to be connected to the planned main water supply system.
C. Where there are no such existing or planned public water supply systems, a community water supply system approved by the Borough Engineer and the Pennsylvania Department of Environmental Resources may be provided, along with satisfactory provision for its operation and maintenance.

2. Where there is no existing public water supply and the feasibility report indicates that connection to a public water supply system is not feasible, and a community water system is not proposed, each lot in the planned development must be provided with an individual water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Resources.

#513. Storm Drainage.

1. General Requirements. Adequate storm sewers, culverts, and related facilities must be provided, as necessary, to:

A. Permit the unimpeded flow of natural watercourses.

B. Ensure the drainage of all low points along the line of streets.

C. Intercept storm water runoff along the streets at intervals reasonably related to the extent and grade of the area drained.

D. Provide adequate drainage away from on-site sewage disposal facilities.

Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being developed, but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the same drainage basin is fully developed.

2. Lot Drainage. Lots shall be laid out and graded to provide positive drainage away from new and existing buildings.

3. Nearby Existing Facilities. Where adequate existing storm sewers are readily accessible, the developer must connect his storm water facilities to these existing sewers.

4. Open Drainageways. When open drainageways are used for the disposal of storm water, the Borough shall review the design of such open drainageways in relation to the following:

A. Safety: Steep banks and deep pools shall be avoided.

B. Erosion: Adequate measures shall be taken, such as seeding, sodding, paving, or other measures as necessary to prevent the erosion of banks and the scouring of the channel bottom.

C. Stagnation: Design of open drainageways shall not create stagnant pools or swampy areas.
5. Storm Sewers. Whenever the evidence available to the Borough indicates that natural surface drainage is inadequate, the applicant shall install a storm water sewer system in accordance with approved plans and profiles. The system shall be designed by a Registered Engineer and be approved by the Borough. Drainage structures shall be subject to approval by the Pennsylvania Department of Environmental Resources, where required by statute or regulation.

6. Abutting Properties. In the design of storm drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. When a storm drainage outlet will abut another property, the developer must secure the approval in writing of adjoining affected owners.

7. Drainage Upon Streets. In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship with the established street grade, or with the existing street grade where none is established.

#514. Other Utilities.

1. Easements, Width, and Location. Easements with a minimum width of fifteen (15') feet shall be provided for poles, wire, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to serve the abutting lots. No structures shall be placed within such easements. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

2. Underground Installations. In developments of five (5) or more lots, electric, telephone and all other utility facilities shall be installed underground. The applicant shall be required, prior to the Final Plan approval, 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.

3. Natural Gas Lines. All natural gas lines must be installed in compliance with the USAS Code B31.8, 1968 as amended. The minimum distance from a natural gas line to a dwelling unit must be as required by the applicable transmission or distributing company.

4. Petroleum Lines. Between a proposed dwelling unit and the centerline of a petroleum products transmission line which may traverse the development, there must be a minimum distance of one hundred (100') feet measured in the shortest distance. In instances such that topographic conditions decrease the hazards involved or in which it would cause undue hardship in the efficient layout of the development, the Borough Council may reduce this requirement.

#515. Local Recreation Sites.

1. Where the Borough considers that a local recreation site is necessary to carry out the purpose of this Ordinance, the Borough may require the dedication of all or a portion of such site.
The amount of land to be dedicated is as follows:

<table>
<thead>
<tr>
<th>Dwelling Units</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 - 15</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>15 - 20</td>
<td>20,000 sq. ft.</td>
</tr>
<tr>
<td>50 - 100</td>
<td>1 acre</td>
</tr>
<tr>
<td>Each additional 100 units</td>
<td>1 acre</td>
</tr>
</tbody>
</table>

The land to be dedicated must be of suitable size, dimensions, topography, access and general character for the proposed use.

2. Where the application of these area standards would result in an open space or recreation site too small to be usable, or if the Comprehensive Plan calls for such local recreation site to be located elsewhere, or if a suitable local recreation site cannot be properly located in the land development, as determined by the Borough, a payment of a fee in lieu of dedication of such land is required.

The amount of the fee must be substantially equal to the value of the land that would be set aside if the standards specified above in #515(1) were to be applied.

The fee must be paid to the Borough prior to the approval of the Final Plan.

All moneys paid to the Borough in this manner must be kept in a capital reserve fund established as provided by law. Moneys in such capital reserve fund must be used only for the acquisition of land for park and recreation or open space purposes.

When the Borough adopts an official plan of neighborhoods or local planning districts, the accounts of the fund must show the amount of fees collected in each neighborhood or district. Thereafter, moneys expended from the fund of land acquisition in any one neighborhood may not exceed moneys collected from that neighborhood. Until such plan of neighborhoods or planning districts is adopted, moneys expended from the fund must as nearly as may be practicable, be for land acquisition in the general area of developments from which such moneys were derived so the site will be readily accessible to the residents of such developments.

3. In lieu of requiring the dedication of a recreation or park site, or a fee for this purpose, Borough Council may permit a private site to be used if in its judgment the purposes of these regulations regarding recreation and park sites will be accomplished. The private site shall be permanently devoted to recreation and park use and adequately secured for such use by deed covenants or other private restrictions.

#516. Other Public Sites. In large-scale land developments the dedication of sites for other appropriate public uses, such as but not limited to schools, library, and public service buildings, may be required. Such areas or sites must be of a character, extent, and location as to be clearly related to the local and neighborhood needs of the residents of the development. No land may be required for dedication which would primarily serve the need of the Borough as a whole as distinguished from the development or neighborhood.
#517. Watercourses and Drainageways. Where a land development is traversed by a watercourse, stream channel or other drainageway, the developer must provide a drainage easement conforming substantially to the existing alignment of the drainageway. The easement must be a width adequate to:

A. Preserve the unimpeded flow of natural drainage.

B. Widen, deepen, relocate, improve or protect the drainageway.

C. Install a storm water sewer.

Any changes in the existing drainageway must be approved by the Pennsylvania Department of Environmental Resources.
Part 6

Improvements: Dedication, Reservation, and Construction Specifications

#601. Monuments and Markers.

1. Specifications. Monuments and markers must be constructed as follows:

<table>
<thead>
<tr>
<th>Monument</th>
<th>Minimum Size x x x</th>
<th>Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>6&quot; x 6&quot; x 30&quot;</td>
<td>Concrete or stone</td>
<td></td>
</tr>
</tbody>
</table>

| Marker       | 15" x 3/4' dia.    | Iron pipes or iron or steel bars |

2. Placement and Marking. Monuments and markers must be placed by a Registered Engineer or Surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.

3. Location of Monuments. Monuments must be set:

A. At the intersection of lines forming angles in the boundaries of the development.

B. At the intersection of street lines.

4. Location of Markers. Markers must be set:

A. At the beginning and ending of curves along street property lines.

B. At points where lot lines intersect curves either front or rear.

C. At angles in property lines of lots.

D. At all other lot corners.

5. Removal. Any monuments or markers that are removed must be replaced by a Registered Engineer or Surveyor at the expense of the person removing them.

#602. Streets.

1. Streets must be surfaced to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the applicant and approved by the Borough. Before paving the street surface, the applicant must install required utilities, including sanitary sewers, and provide, where necessary, adequate subsurface drainage for the streets, as acceptable to the Borough. The pavement base and wearing surface must be constructed according to the Pennsylvania Department of Transportation Specifications.
2. The construction of surface course and base course must be in accordance with Pennsylvania Department of Transportation Specifications, 1986, Publication 408 as amended or supplemented. Specifically, the pavement base and wearing surface must be constructed according to the minimum requirements as follows:

A. Top soil must be removed to subsoil. Subsoil used for fill must be compacted to satisfaction of Borough Council or the Borough Engineer.

B. Base course shall consist of eight (8") inches of number 1 ballast with State approved screenings. The base course shall be measured after it has been compacted with a roller of not less than ten (10) ton certified weight. Vibratory compaction equipment meeting Penn DOT specifications may also be used.

C. A minimum of one and one-half (1 1/2") ID2 Binder with a one (1") inch ID2 wearing course shall be applied.

D. The crown of the road or street shall have a fall of one-quarter (1/4") inch to the foot measured from the centerline to the cartway edges of the street or road.

E. All other procedures and specifications of road or street construction must comply with the regulations of the Pennsylvania Department of Transportation.

3. The Borough shall decide if a collector or arterial street is required as a direct result of the construction of his development in which case the applicant is responsible for paving the additional width required.

4. Where subdivision occurs adjacent to an existing road, the applicant is also responsible for the paving of the area between the existing edge of pavement and the curb line.

#603. Curbs, Gutters, and Driveway Pipes

1. Curbs. In all developments involving the construction of new streets, concrete curbs must be installed as specified in the latest standards adopted by the Borough.

2. Gutters. In areas where curbing is not required, suitable gutters must be installed to provide for adequate drainage and to avoid erosion. The Borough may require installation of curbs and/or gutters in any development where the evidence indicates that such improvements are necessary for proper drainage.

3. Driveway Pipes. When gutters are permitted, all driveways crossing gutters shall be provided with a drainage pipe of adequate size so as not to impede the flow of water in the gutter.
#604. Sidewalks.

1. In developments where semi-detached and multi-family structures are planned and in developments which have a typical lot width at the street line of eighty (80') feet or less, sidewalks must be installed on both sides of the streets, and on one side of streets which bound the development. Sidewalks may also be required in developments where lots are greater than eighty (80') feet and the character of the neighborhood is such that they are considered necessary.

2. The sidewalk must commence one (1') foot inside the right-of-way line and extend toward the curb or gutter line.

3. Sidewalks must be at least four (4') feet wide. In the vicinity of shopping centers, schools, recreation areas, and other such facilities, they must be at least six (6') feet wide.

4. The sidewalk must be constructed of three thousand (3,000) pound cement concrete, be at least five (5") inches thick, and be underlain by crushed stone of at least four (4") inches thickness.

5. Grass planting strip shall be provided between the curb or edge of the cartway and sidewalk.

6. Pedestrian interior walkways may be required where necessary to assist circulation by separation of pedestrian and automobile traffic. Such interior walkways shall have a width of not less than ten (10') feet and a paved walk surface of not less than four (4') feet in width.

7. The Borough may waive requirements for sidewalks on one or both sides of the street where interior walkways, in the judgment of the Borough, better serve the needs of the subdivision or land development.

#605. Street Name Signs. The land development shall be provided with street name signs at all intersections. Such signs must be approved by the Borough and shall be installed by the applicant in a manner specified by the Borough Engineer.

#606. Street Lights.

1. For the safety, convenience and attractiveness of the development, provision must be made for the future installation of street lighting, unless conditions require otherwise.

2. Where electric service is supplied by underground methods, and prior to the installation of streets, curbs, sidewalks and driveways, the applicant shall provide and install conduits where necessary to accommodate the installation of a street lighting system. Installation and location of conduits will comply with the specifications of the appropriate public utility.
#607. Sewage Disposal.

1. Where the installation of a sanitary sewer system is required by #511, the plan for the installation must be prepared for the development and approved by the Borough Engineer and the Pennsylvania Department of Environmental Resources if required. The Borough Engineer must inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation, a record plan for the system as built must be filed with the Borough. The plan shall be prepared on mylar to a scale (1") one inch equals (=) (50') fifty feet.

Any sewer main must be at least eight (8") inches in diameter unless smaller size is approved by DER and any sewer lateral must be at least four (4") inches. Sanitary sewers must not be connected with storm sewers, and must not be used to carry storm water.

Manholes shall be located generally at intervals of two hundred fifty (250') feet and in no case more than four hundred (400') feet. Manholes are also required at all points of change of course or grade and at all points of intersection of sewer lines.

2. Where installation of a sanitary sewer system is not required by #511, each lot shall be provided with, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system.

If on-site subsurface sewage disposal systems are feasible, they must be laid out in accordance with minimum standards of the Sewage Facilities Act (Act 537) of the Pennsylvania Department of Environmental Resources. A certified sewage enforcement officer employed by the Borough must inspect and approve each on-site sewage disposal system. Borough Council shall establish by resolution a fee schedule to cover actual costs of inspection and approval.

#608. Water Supply.

1. Where a water supply system or water main system is required by #512, the plan for the installation of the mains of a water supply system must be prepared for the development with cooperation of the appropriate water utility company in accordance with the Abbottstown Municipal Authority and approval by the Borough Engineer. All curbs must be installed prior to installation.

Upon the completion of the water supply system, one (1) record copy of the plan for the system as built must be filed with the Borough. The plan shall be prepared on mylar to a scale of one inch (1:) equals (=) fifty feet (50').

2. Where the connection to a public water supply system is not required by #512, each lot must be provided with an individual water supply system prior to the issuance of a building permit for dwelling units. All such individual systems shall meet all applicable regulations of the Pennsylvania Department of Environmental Resources and be approved by the Borough Engineer.
#609. Storm Water Management

1. **Definitions**

**Borough.** Borough Council or staff of Abbottstown Borough.

**Cistern.** A reservoir or tank for storing water.

**Culvert.** A structure intended to convey runoff under an embankment, and which is designed to take advantage of submergence to increase capacity.

**Design Storm.** The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24-hour), and used in computing storm water management control systems.

**Detention Basin.** A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. This basin is designed to drain completely after a storm event.

**Development.** The improvement or alteration of any lot, parcel, tract or piece of land for residential, commercial, or industrial purposes in any manner which increases the quantity of impervious material cover, such as the construction or expansion of buildings, parking facilities, streets, etc.

**Impervious Material.** Any material other than vegetative cover.

**Infiltration Structures.** A structure designed to direct runoff into the ground, e.g. french drains, seepage pits, seepage trench, etc.

**Land Development.** For the purposes of this section, the definition of "Land Development" shall be any subdivision or new construction or expansion of any residential, commercial, industrial, accessory or other facility that creates an additional area of impervious material on the parcel of seven hundred (700) square feet or more.

**Peak Discharge.** The maximum rate of flow of water at a given point and time resulting from a predetermined storm.

**Person.** An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever. Whenever used in any section prescribing or imposing a penalty, the term "person" shall include the members of a partnership, the officers, agents and servants of a corporation and the officers of a municipality.

**Retention Basin.** A basin or pond containing a permanent pool of water and designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate.
Runoff - That part of precipitation which flows over the land.

Runoff Characteristics. The surface components on any water shed which either individually or in any combination thereof, directly affect the rate, amount and direction of storm water runoff. These may include, but are not limited to: vegetation, soils, slopes and any type of manmade landscape alterations.


Seepage Pit/Seepage Trench. An area of excavated earth filled with loose stone or similar material and into which surface water is directed for infiltration into the ground.

Storm Water. Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

Time of Concentration. The interval of time required for water from the most remote portion of the drainage area to reach the point in question.

Water Shed. Abbottstown Borough Water Shed districts as shown on a map attached hereto and made a part hereof.

2. The Duty of Persons Engaged in Development of Land.

Any person engaged in the subdivision, alteration, or development of land which may affect storm water runoff characteristics in the Water Shed shall implement such measures as are reasonably necessary to prevent injury to health, safety, or other property. Such measures shall include such actions as are required:

A. To collect storm water runoff from streets and other areas and convey same, as hereinafter provided, to a suitable point or points of discharge; and

B. To assure that the maximum rate of storm water runoff is no greater after development than prior to development activities; and

C. To manage the quantity, velocity and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury. Said measures shall be in accordance with the criteria hereinafter provided. Such measures may include, but are not limited to, the following:

1. Detention basins
2. Retention basins
3. Roof-top storage
4. Parking lot and street ponding
5. Seepage pits, seepage trenches or other infiltration structures
6. Porous pavement and concrete lattice block surfaces
7. Grassed channels and vegetated strips
8. Cisterns and underground reservoirs
9. Routing flow over grass
10. Decreased impervious area coverage

The use of other control methods which meet the criteria in this section will be permitted when approved by the Abbottstown Borough Engineer and the Borough Council. Various combinations of methods may be tailored to suit the particular requirements of the type of development and the topographic features of the project area.

3. Duty to Submit Plan

Before the development of any tract, parcel or piece of land within the Borough, each person desiring to develop said land shall submit three (3) copies of the plan, to be approved by the Borough, which will provide for the management of storm water on the land proposed for development. Said plan shall be submitted at the same time as the subdivision or land development plan, if a subdivision or land development plan is required to be submitted pursuant to the Abbottstown Borough Subdivision and Land Development Ordinance.

4. Plan Requirements

The plan shall be sealed by a professional engineer. The engineer shall certify that the plan meets the minimum design requirements of this Ordinance and shall include the following:

A. Topographic features.

1. The location of the project relative to highways, municipalities or other identifiable landmarks.

2. Contours at intervals of one (1) foot. In areas of steep slopes (greater than 15%), five-foot (5') contour intervals may be used.

3. Streams, lakes, ponds or other bodies of water within or near the project.

4. Other physical features including existing drainage swales and areas of natural vegetation to be preserved.

5. Locations of proposed underground utilities, sewers, and water lines.

B. Soil types and boundaries within the area tributary site.
C. Final topography.

1. Changes to land surface and vegetative cover.
2. Areas to be cut or filled.
3. Structures, roads, paved areas and buildings.
4. Final contours at intervals of one foot (1'). In areas of steep slopes (greater than 15%), five-foot (5') contour intervals may be used. Final contours in area of stormwater management facilities may not exceed two foot (2') intervals.

D. Storm water management controls.

1. All storm water management controls must be shown on the plan and described, including:

   a. Groundwater recharge methods such as seepage pits, beds, or trenches. The location of the proposed structure, including a detailed cross-section. If these structures are proposed, the locations of septic tank infiltration areas and wells must be shown. Groundwater recharge methods must comply with the additional requirements in Subsection F of this section.

   b. Other control devices or methods such as rooftop storage, garage, semi-pervious paving materials, grass swales, parking lot ponding, vegetated strips, detention or retention ponds, storm sewers, etc.

   c. Basins - A cross-section of the basin showing the relationship between the existing topography and the proposed bottom, spillway, top of embankment and the outlet structure and the corresponding proposed finished grade elevations. A detail of the outlet structure shall be provided, including all pertinent construction requirements.

   d. Schedule for installation of the control measures and devices. In all cases the proposed stormwater control devices must be completed prior to the creation of additional impervious area.

2. All calculations, assumptions and criteria used in the design of the control device or method must be submitted with the plan, including, but not limited to:
   (1) methodology for determining time of concentration and weighted runoff curve numbers; (2) stage/storage/discharge table including sample calculations for determining discharge rates; (3) summary table showing predevelopment, controlled and uncontrolled post development peak discharge rates for all required storms; and (4) copies of percolation test results when required.
E. Storm water collection system.

1. All catch basins, pipes, swales, and other means of conveyance of storm water must be shown and described, including:
   a. A plan view of the collection system showing the location, size and material for all catch basins, ditches, swales, and pipes.
   b. A profile of the collection system showing existing and proposed finish grades, proposed invert elevations, and slope of each storm sewer or open channel segment.
   c. A topographic plan showing the area tributary to each design point in the collection system.

2. All calculations, assumptions, and criteria used in the design of the storm water collection system must be submitted with the plans.

F. Additional Requirements for Groundwater Recharge Methods. The following requirements apply to all proposed groundwater recharge methods of stormwater management such as seepage pits, beds, trenches, leaching wells, and cisterns:

1. Representative percolation tests must be made throughout the area proposed for development. At least one percolation test must be included in each soil group and at least one percolation test must be conducted for each five (5) lots proposed for development.

2. Seepage pits, beds, or trenches shall not be permitted for any development of more than five (5) lots, without prior approval of the Borough Council.

G. Maintenance Program. A maintenance program for all storm water management facilities must be included. This program must include the ownership of the facilities and detail the financial responsibility for any required maintenance and shall comply with the requirements of Section 11 of this section.

5. Design Criteria: Storm Water Collection System

The storm water collection system shall be designed and approved based upon the following criteria:

A. General. Peak discharge shall be computed using the Rational Formula:

\[ Q = CIA \]
Where:

\[ Q = \text{Peak discharge in cubic feet per second.} \]

\[ C = \text{Runoff factor expressed as a percent of the total water falling on an area.} \]

\[ I = \text{The rate of rainfall for the time of concentration of the drainage area in inches per hour for a given storm frequency (Rainfall Intensity).} \]

\[ A = \text{The drainage area expressed in acres.} \]

The runoff factor "C" is a percentage factor which represents the proportion of the total quantity of water falling on the area that remains as runoff.

The runoff factors for various types of drainage areas, as presented in Table 1, shall be used for design.

A computation table similar to Table 2 shall be submitted with the storm sewer design.

Storm intensity-duration-frequency curves are presented on Figure 1. The curves provide for variation in rainfall intensity according to:

1. Storm frequency:
   a. The following storm frequencies shall be used for design:
      (1. Local streets - 10 Years
      (2. Culvert cross drains - 25 Years
      (3. Swales - 100 Years

   b. When a pipe or culvert is intended to convey the discharge from a stormwater management facility, its required capacity shall be computed by the rational method and compared to the peak outflow from the stormwater management facility for the 50 Year storm. The greater flow shall govern the design of the pipe or culvert.

   c. When a pipe is part of a storm sewer system and crosses the roadway, it shall be designed as a storm sewer with the same design storm as the remainder of the drainage system.

   d. Greater design frequencies may be justified on individual projects.

   e. A 50 Year storm frequency may be required for design of the stormwater collection system to insure that the resultant stormwater runoff from the post development storm is directed into the management facility.
2. Storm Duration:
   a. The time of concentration approach shall be used in determining storm duration.
   b. A minimum duration of five (5) minutes shall be used.

B. Inlet Placement

In general, inlets shall be spaced such that, based upon the Rational Method, \( tc = 5 \text{ min.} \) and 10 year rainfall intensity, the area contributing to the inlet shall not produce a peak runoff of greater than 4 cfs. Also, inlets shall be spaced so that their efficiency, based upon efficiency curves published by the Pennsylvania Department of Transportation, is not less than 65% (Figures 2 through 6).

Additional inlets shall be placed at the upper side of street intersections, to prevent storm water from crossing an intersection. Other devices such as high efficiency grates or perforated pipe may be required if conditions warrant.

C. Pipe and Swale Capacity

Manning's equation shall be used for the design of all storm sewer pipes and for open channel design:

\[
V = \frac{1.486}{n} \frac{R^{2/3}}{S^{1/2}}
\]

where:

- \( V \) = Velocity of the water in feet per second
- \( R \) = Hydraulic radius which is equal to the net effective areas (A) divided by the wetted perimeter (W.P.):
  \[
  R = \frac{A}{W.P.}
  \]

The wetted perimeter is the lineal feet of the drainage facility cross-section which is wetted by the water.

- \( S \) = Slope of energy line (for approximation, use water surface slope in wetted stream and stream bed slope in dry stream.
- \( n \) = The roughness coefficient. Roughness coefficients are presented in Table 3.

The maximum permitted velocity in an unlined swale shall be 5.0 feet per second.
D. Culverts:

In all cases where drainage is picked up by means of a head wall, and inlet or outlet conditions control, the pipe shall be designed as a culvert. The minimum diameter of culvert shall be eighteen inches (18"). The procedure contained in Hydraulic Engineer Circulars No. 5 and No. 13, as prepared by the U. S. Department of Transportation, Federal Highway Administration, Washington, D.C., shall be used for the design of culverts.


The plan shall be designed and approved based upon the following criteria:


B. Outflow Determination. The maximum permitted storm water discharge, in cubic feet per second, from any site shall not exceed the capacity of the receiving pipe or structure, nor the calculated peak discharge from the site at pre-development ground cover and soil conditions for all design storms specified below. For the purposes of this Ordinance, pre-development ground cover conditions shall be assumed to be "meadow" as defined in "urban Hydrology for Small Water Sheds", Technical Release No. 55 published by Engineering Division, Soil Conservation Service, United States Department of Agriculture, dated January 1975. The maximum permitted storm water discharge shall be calculated using the SCS method for twenty-four (24) hour rainfalls having recurrence intervals of 2, 5, 10, 25, and 50 years. For the purposes of this Ordinance, the following rainfall depths shall be used for design:

<table>
<thead>
<tr>
<th>Recurrence Interval, Years</th>
<th>24-Hour Rainfall Depth, Inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>3.0</td>
</tr>
<tr>
<td>5</td>
<td>3.9</td>
</tr>
<tr>
<td>10</td>
<td>4.8</td>
</tr>
<tr>
<td>25</td>
<td>5.3</td>
</tr>
<tr>
<td>50</td>
<td>6.0</td>
</tr>
<tr>
<td>100</td>
<td>6.8</td>
</tr>
</tbody>
</table>

C. Existing runoff volume. Existing runoff volume, in inches, shall be determined using the SCS method at pre-development conditions for the 50-year rainfall depth listed in Subsection B herein.

D. Future runoff volume. The future runoff volume, in inches, shall be determined using the SCS method at post-development conditions (including any future expansion) for the 50-year rainfall depth listed in Subsection B above.
E. Minimum required detention storage. The minimum required detention storage shall be determined by routing the post-development hydrograph through the stormwater management facility, using either manual methods or computerized routing. Routing shall be based upon the modified Puls' method; other routing methodologies shall be subject to the approval of the Borough Engineer.

F. Emergency spillway. Emergency spillways or overflow structures shall be designed to pass the peak flow resulting from a one hundred-year (100) twenty-four (24) hour design storm computed at post-development conditions. All retention basins and detention basins shall be provided with an emergency spillway.

G. Minimum bottom slope. All detention basins shall have a minimum bottom slope of two per cent (2%), unless a paved low-flow channel is provided.

H. Maximum depth. The permitted depth for detention or retention basins shall be six feet (6'), measured from the bottom of the emergency spillway to the lowest point in the basin.

I. Side slopes. The maximum permitted side slopes for detention or retention basins shall be four (4) horizontal to one (1) vertical.

J. Location. All stormwater management facilities are considered structures and must comply with building setback requirements.

K. Fencing. Any stormwater detention/retention facility that is designed so that it retains water on a temporary basis located in or adjacent to an R-1, R-2, or R-3 zone shall be subject to the following fencing requirements:

1. Stormwater facility must be completely surrounded by a fence or wall of not less than four feet (4') in height, which shall be so constructed as not to have openings, holes or gaps larger than two inches (2") in any dimension (including the distance between horizontal or vertical pickets in a picket fence).

2. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times.
ΔAC₀ = AC (Contrib. Surface Flow Between Inlets)
ΔAC₂ = AC (Bypassing Flow From Previous Inlet)
ΔAC₁ = AC (Entering Inlet)
C = Runoff Factor

<table>
<thead>
<tr>
<th>INLET NUMBER</th>
<th>STATION</th>
<th>DRAINAGE AREA</th>
<th>TIME</th>
<th>(I)</th>
<th>(Q)</th>
<th>(R)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ΔA</td>
<td>C</td>
<td>ΔAC₀</td>
<td>ΔAC₂</td>
<td>ΔAC₀⁺ΔAC₂</td>
<td>ΔAC₁</td>
</tr>
<tr>
<td></td>
<td>(Acres)</td>
<td>(Acres)</td>
<td>(Acres)</td>
<td>(Acres)</td>
<td>(Acres)</td>
<td>(Min)</td>
</tr>
</tbody>
</table>

**TABLE 2**
COMPUTATION TABLE FOR STORM SEWER DESIGN
### TABLE 3

ROUGHNESS COEFFICIENT "n" FOR MANNING'S EQUATION

<table>
<thead>
<tr>
<th>Description</th>
<th>&quot;n&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concrete Pipe</td>
<td>.012</td>
</tr>
<tr>
<td>Annular Corrugated Steel and Alum. Alloy Pipe or Pipe Arch* (plain or coated)</td>
<td>.024</td>
</tr>
<tr>
<td>Vitrified Clay Pipe</td>
<td>.012</td>
</tr>
<tr>
<td>Cast Iron Pipe</td>
<td>.013</td>
</tr>
<tr>
<td>Brick Sewer</td>
<td>.015</td>
</tr>
<tr>
<td>Asphalt Pavement</td>
<td>.015</td>
</tr>
<tr>
<td>Concrete Pavement</td>
<td>.014</td>
</tr>
<tr>
<td>Grass Medians</td>
<td>.05</td>
</tr>
<tr>
<td>Earth</td>
<td>.02</td>
</tr>
<tr>
<td>Gravel</td>
<td>.02</td>
</tr>
<tr>
<td>Rock</td>
<td>.035</td>
</tr>
<tr>
<td>Cultivated Areas</td>
<td>.03 - .05</td>
</tr>
<tr>
<td>Dense Brush</td>
<td>.07 - .14</td>
</tr>
<tr>
<td>Heavy Timber - Little Undergrowth</td>
<td>.10 - .15</td>
</tr>
</tbody>
</table>

**Streams**

- a. some grass and weeds - little or no brush: .03 - .035
- b. dense growth of weeds: .035 - .05
- c. some weeds - heavy brush on banks: .05 - .07

Note: In considering each factor more critical judgment will be exercised if it is kept in mind that any condition that causes turbulence and retards flow results in a greater value of "n".

---

*Roughness Coefficient (n) for Helical Corrugated Steel and Alum. Alloy Pipe*

<table>
<thead>
<tr>
<th>Corrugations</th>
<th>2(\frac{2}{3}) x (\frac{1}{2})&quot;</th>
<th>3&quot;x1&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diameters</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18&quot;</td>
<td>0.014</td>
<td>.024</td>
</tr>
<tr>
<td>24&quot;</td>
<td>0.016</td>
<td>.021</td>
</tr>
<tr>
<td>36&quot;</td>
<td>0.019</td>
<td>.021</td>
</tr>
<tr>
<td>48&quot;</td>
<td>0.020</td>
<td>.021</td>
</tr>
<tr>
<td>60&quot;</td>
<td>0.021</td>
<td>.021</td>
</tr>
<tr>
<td>72&quot;</td>
<td>0.021</td>
<td>.021</td>
</tr>
<tr>
<td>84&quot;</td>
<td>0.021</td>
<td>.021</td>
</tr>
<tr>
<td>96&quot;</td>
<td>ALL DIA.</td>
<td></td>
</tr>
</tbody>
</table>
**FIGURE 2**

**Longitudinal Slope = 1/2 %**

**EFFICIENCY CURVES: CAPACITY OF TYPE C INLET OR TYPE M INLET (MOUNTABLE CURB)**

- Swale Slope 12:1 △
- 16:1 ○
- 24:1 ▲
- 48:1 □

*Pavement Cross Slope

\[ \left| \frac{L}{1} \right| = 0.08 \frac{ft}{ft} \]
\[ \left| \frac{H}{W} \right| = 0.06 \frac{ft}{ft} \]
\[ \left| \frac{L}{S} \right| = 0.04 \frac{ft}{ft} \]
\[ \left| \frac{B}{L} \right| = 0.02 \frac{ft}{ft} \]

**EFFICIENCY CURVES: CAPACITY OF TYPE C INLET OR TYPE M INLET (MOUNTABLE CURB)**

**Longitudinal Slope = 2 %**

**CHANNEL DISCHARGE (CFS)**

**CHANNEL DISCHARGE (CFS)**
* Swale Slope 12:1 △
  16:1 ○
  24:1 ▲
  48:1 □

* Pavement Cross Slope

EFFICIENCY CURVES: CAPACITY OF TYPE C INLET OR TYPE M INLET (MOUNTABLE CURB)

Longitudinal Slope = 4%
FIGURE 4

Inlet: 6-ft. Special
Long. Slope: \(\frac{1}{2}\%\)
Swale Slope: 12:1 \(\triangle\)
16:1 \(\bigcirc\)
24:1 \(\blacktriangleup\)
48:1 \(\Box\)
Back Slope: \(\frac{1}{8}:1\)
\(B_p = 8.0\) ft.

Efficiency Curves; 6-ft Special (Long. Slope = \(\frac{1}{2}\%\))
Efficiency Curves: 6-ft Special

- Inlet: 6-ft Special
- Long Slope: 2.0%
- Swale Slope: 12:1 △
- 16:1 ○
- 24:1 ▲
- 48:1 □
- Back Slope: 3:1
- $B_p = 8.0\text{ft}$ -- -- --

Prototype Channel Discharge (cfs)

Model Channel Discharge (cfs)
Inlet: Type 6 ft Special
Long Slope: 4.0 %
Swale Slope: 12:1
16:1
24:1
48:1
Back Slope: 1/3:1
Bp = 8.0 ft.

Efficiency Curves: (Long Slope = 4%)
#610. Fire Hydrants.

1. Fire hydrants shall be installed if the system is connected to an existing municipal system, or if the water supply source is capable to serve them in accordance with the requirements of the local authority.

2. Fire hydrants, if provided, shall be located within six hundred (600') feet of any dwelling unit or other structure. Fire hydrants shall be installed in accordance with all applicable regulations.

#611. Installation of Improvements. The final responsibility for the installation of the improvements required by this Ordinance rests with the applicant upon installation of improvements in accordance with the specifications of the approved plan and the Borough Engineer. The applicant must take the final steps to dedicate the improvements and have them accepted by the Borough.

#612. Inspection of Improvements.

At the time each improvement is to be installed and upon its completion, the applicant shall notify Borough Council, in writing by certified or registered mail, and shall send a copy thereof to the Borough Engineer.

Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall thereupon, file a report, in writing, with Borough Council and shall promptly mail a copy of the same to the applicant by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from Borough Council, said report shall be detailed and shall indicate a recommendation of 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, said report shall contain a statement of reasons for such nonapproval or rejection.

Borough Council shall notify the applicant, in writing by certified or registered mail, of its action with relation thereto.

If any portion of the said improvements shall not be approved or shall be rejected by Borough Council, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
To cover inspection costs, the applicant must pay a fee to be established by Borough Council. Any unused portion of this fee will be refunded to the applicant upon completion of the inspections.

If Borough Council or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved.

Nothing herein, however, shall be construed in limitation of the applicant’s right to contest or question by legal proceedings or otherwise any determination of Borough Council or the Borough Engineer.

#613. Fee in Lieu of Improvements. In the case of a minor land development of five (5) lots or less and involving no new streets or other public improvements or dedications, Borough Council in lieu of requiring the construction of curbs, walkways or the paving of the area between the existing edge of pavement and the curb line at the time of subdivision may require the payment of a fee to be placed in an escrow fund.

#614. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.

1. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be otherwise required by this 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 plat, including improvements or fees otherwise required by this Ordinance, the developer may deposit with the Borough financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention, basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.

2. When requested by the developer, in order to facilitate financing, Borough Council shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by Borough Council; 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 Borough may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section.
4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

5. Such bond, or other security shall provide for, and secure to public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

6. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110%) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Borough may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Borough may require the developer to post additional security in order to assure that the financial security equals said one hundred ten (110%) percent. Any additional security shall be posted by the developer in accordance with this subsection.

7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Borough, upon the recommendation of the Borough Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Borough 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 Borough and the applicant or developer. The estimate certified by the third (3rd) engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third (3rd) engineer is so chosen, fees for the services of said engineer shall be paid equally by the Borough and the applicant or developer.

8. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10%) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110%) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
9. In the case where development is projected over a period of years, Borough Council may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

10. As the work of installing the required improvements proceeds, the party posting the financial security may request Borough Council 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 Borough Council; and Borough Council shall have forty-five (45) days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed or, if Borough Council fails to act within said forty-five (45) day period, Borough Council shall be deemed to have approved the release of funds as requested. Borough Council 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.

11. Where Borough Council accepts dedication of all or some of the required improvements following completion, Borough Council may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (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 fifteen (15%) percent of the actual cost of installation of said improvements.

12. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Borough, financial security to assure proper completion and maintenance thereof, shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

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

**#615. Release from Improvement Bond.**

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report in writing, with Borough Council, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from Borough Council; 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 Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

2. Borough Council shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing by certified or registered mail of the action of said Borough Council with relation thereto.

3. If Borough Council or the Borough 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 Borough Council, 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 Borough Council or the Borough Engineer.

6. Where herein reference is made to the Borough Engineer, he shall be as a consultant thereto.
7. The applicant or developer shall reimburse the Borough for the reasonable and necessary expense incurred for the inspection of improvements according to a schedule of fees adopted by resolution of Borough Council and as from time to time amended. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Borough Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on applicants.

A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Borough that such expenses are disputed as unreasonable or unnecessary, in which case the Borough shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

B. If, within twenty (20) days from the date of billing, the Borough and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and the Borough shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.

C. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary, and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

D. In the event that the Borough and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Borough is located (or if at the time there be no President Judge), then the Senior Active Judge then sitting shall appoint such engineer, who, in that case, shall be neither the Borough Engineer nor any professional engineer who has been retained by, or performed services for, the Borough or the applicant within the preceding five (5) years.

E. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand ($1,000) dollars or more, the Borough shall pay the fee of the professional engineer, but otherwise the Borough and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.
#616. Remedies to Effect Completion of Improvements. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plat, Borough Council is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If the proceeds of such bond, or other security, are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, Borough Council 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 Borough purpose.

#617. Offers of Dedication. The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Borough concerning maintenance or improvement until the proper authorities of the Borough have made actual appropriation by Ordinance or Resolution or by entry or improvement. If land is dedicated for a public site and its use for this purpose is not imminent, the applicant may be permitted to dedicate the land with the privilege of using the surface rights until the Borough is ready to use the land. Such dedication with the temporary privilege of use must be noted on the Final Plan.

#618. Land Reservation. 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 eighteen (18) months without consent of the applicant. Such land reservations shall be noted on the Final Plan.

#619. Effect of Plan Recording on Dedication and Reservations. Recording the Final Plan after approval of Borough Council has the effect of an irrevocable offer to:

1. Dedicate all streets and other public ways to public use.

2. Dedicate all neighborhood parks and other public areas to public use.

3. Reserve for possible future public acquisition such additional areas as may be required by the Borough.
Part 7

Mobile Home Park Provisions

#701. Approval Required. It shall be unlawful for any person to construct, alter or extend any mobile home park within the limits of the Borough until plans have been approved by the Borough in accordance with the provisions of this Ordinance.

#702. Application for Mobile Home Park Approval. Applications for mobile home park approval shall conform to the requirements and procedures as established in Parts 3 and 4 of this Ordinance.

#703. Mobile Home Park Improvements. All improvements required in mobile home parks shall be provided in accordance with the provisions of this Part 7 and Part 6.

#704. Site Location and Dimensions. The location and minimum area of all mobile home parks shall be in accordance with the Borough Zoning Ordinance and shall also comply with the following minimum requirements:

1. Not located on flood plains or subject to flooding or located with respect to adverse influences from swamps, marshes or other water hazard areas or wetlands.

2. Not subject to any hazard or nuisance such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.

3. Mobile home parks located adjacent to an arterial street or located adjacent to industrial or commercial properties, shall provide a planting screen at least fifteen (15') feet wide or approved fencing shall be provided along the abutting side separating the park and such adjacent nonresidential uses.

#705. Mobile Home Lots.

1. All lots shall abut a park street.

2. The lot upon which the mobile home is located shall be a minimum as specified in the Borough Zoning Ordinance.

3. The lot or parcel shall be seeded and landscaped.

#706. Erection and Placement of Mobile Homes.

1. The mobile home shall be located at least thirty (30') feet from any other mobile home or the edge of pavement of any street or access drive.

2. The mobile home shall be placed upon and securely fastened by means of an approved tie-down system to a concrete or bituminous pad which shall be built upon a frost-free foundation or footer. In no instance shall it be placed upon jacks, loose block, or other similar arrangements.
3. An enclosure of design and material compatible with the mobile home shall be erected around the entire base of the mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

4. Any garage, utility shed or other similar building or structure shall conform with all applicable Zoning and Building Code requirements, if such are in existence.

#707. Areas for Nonresidential Uses.

1. No part of any park shall be used for nonresidential purposes, except such uses that are required for recreation, direct servicing, management or maintenance of the park and its residents.

2. Portions of parks not to exceed five (5%) percent of the total land area may be used for commercial purposes, if in the opinion of the Borough such uses are primarily intended to serve the residents of the park. Such five (5%) percent of the total land area shall also contain all parking and landscaped areas associated with the commercial uses.

3. Nothing contained in this section shall be deemed as prohibiting the display and sale of a mobile home when located on an approved mobile home lot in compliance with #706 and connected to utilities.

#708. Street System. All streets within mobile home parks whether offered for public dedication or not shall conform to the following standards:

1. A safe and convenient vehicular access shall be provided from abutting public streets and roads.

2. The streets or roads in a mobile home park shall be located and built with regard to:

   A. Providing traffic-ways for convenient access to each mobile home lot and other important facilities in the park.

   B. Designed to recognize existing easements which are to be preserved.

   C. Permit connection to existing facilities where necessary for the proper functioning of drainage and utility easements.

   D. Provide for adequate ingress and egress of emergency vehicles.

3. Circulation. The street system should provide convenient circulation by means of minor streets and properly located collector streets.

   Minor streets shall be so located that their use by through traffic will be discouraged.
Where a mobile home park abuts or contains an existing or proposed arterial street, the Borough may require marginal access streets, reverse frontage or such other treatment as may be necessary to afford separation of through and local traffic.

4. **Pavement Width.** All roads shall be built to Borough specifications as per typical cross-section.

5. **Right-of-Way.** Streets that are proposed for dedication to public use shall provide minimum right-of-way widths as follows:

   Collector Streets – sixty (60') feet

   Minor Streets – fifty (50') feet

6. **Alignment and Grades.** Streets shall be adapted to the topography and shall have suitable alignment and gradient for safety of traffic, satisfactory surface and groundwater drainage, and proper functioning of sanitary and storm sewer systems.

   Centerline grades shall not be less than one-half (1/2) of one (1) percent (0.5%).

   Centerline grade shall not exceed the following:

   Collector Streets – seven (7%) percent

   Minor Streets – twelve (12%) percent

   At intersections, a leveling area of at least fifty (50') feet shall be provided having not greater than four (4%) percent grades.

7. **Intersections.** Street intersections shall generally be at right angles. No street shall intersect another at an angle of less than seventy-five (75) degrees or more than one hundred and five (105) degrees.

   Intersections of more than two (2) streets at one point shall be prohibited.

   Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of two hundred (200') feet between their centerlines.

   Minimum curb radii at street intersections shall be as follows:

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Pavement Edge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collector with Collector</td>
<td>35 feet</td>
</tr>
<tr>
<td>Collector with Minor</td>
<td>35 feet</td>
</tr>
<tr>
<td>Minor with Minor</td>
<td>35 feet</td>
</tr>
</tbody>
</table>
8. **Street Surfacing.** Streets shall be surfaced to the grades and dimensions shown on the street profile and cross-section plan submitted and approved with the Final Plan. The paving and wearing surface shall be constructed according to the following specifications:

   A. Minor and Collector Streets. For construction of surface course and base course Pennsylvania Department of Transportation Specification, 1986, Publication 408 as amended or supplemented shall apply.

   B. Specifically, the pavement base and wearing surface must be constructed according to #602 of this Ordinance.

#709. Blocks. The size and shape of blocks shall be determined with regard to:

1. Need for convenient access, automotive and pedestrian movement.

2. Providing desirable lot depths for interior walkways and easements for utilities to be located within the block.

Blocks shall not exceed a maximum length of one thousand six hundred (1,600) feet.

#710. Street Lights. Street lights shall be provided to illuminate streets, driveways, and walkways for the safe movement of vehicles and pedestrians at night. Their type and location shall be shown on the plan.

#711. Off-Street Parking Area. Two (2) paved off-street parking spaces for automobiles shall be provided for each mobile home. Required parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred (200') feet from the mobile home that it is intended to serve.
#712. Walks.

1. All mobile home parks shall be provided with common pedestrian walks on both sides of the street. Such walks shall be at least four (4') feet in width and shall commence at least four (4') outside of the curb line.

2. Pedestrian interior walkways may be required where necessary to assist circulation by separation of pedestrian and automobile traffic. The Borough may waive requirements for sidewalks on one or both sides of the street where interior walkways, in the judgment of the Borough, better serve the needs of the mobile home park.

3. All mobile homes shall be connected to common pedestrian walks with an individual walk at least two (2') feet in width.

#713. Curbs. Curbs shall be installed along both sides of all streets as per latest typical curb section adopted by the Borough.

#714. Recreation Areas.

1. In all mobile home parks a recreation area, or areas, with suitable facilities shall be maintained within the park for the use of all park residents.

2. Land required for such recreation areas shall be not less than ten (10%) percent of the gross site area. Such land should generally be provided in a centralized location, or decentralized in larger mobile home parks.

#715. Easements.

1. Easements shall be provided for all utilities not located in a street and for well-defined watercourses.

2. Utility easements shall have a minimum width of fifteen (15') feet. Easements for natural watercourses shall be of sufficient width to permit maintenance and provide for future flow.

3. Easements shall be centered on or adjacent to side and rear lot lines whenever possible.

#716. Water Supply. If the Mobile Home Park can be served by the extension of an existing public water supply system, as determined by the Borough, the applicant shall construct a system of water mains and connect with such water supply system and provide a connection for each mobile home, service building or other facility.

Where a public water supply system is not available, the applicant shall provide a water system meeting the requirements and approval of the Pennsylvania Department of Environmental Resources and shall produce evidence that the system will be operated and maintained in accordance with DER requirements.

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#717. Sewage Disposal.

1. If the Mobile Home Park can be served by the extension of an existing approved public sanitary sewage system, as determined by the Borough, the applicant shall provide a system of sanitary sewer mains and shall provide lateral connections to each mobile home service building or other facility.

2. Where a sanitary sewer system is not accessible, the developer shall provide a sanitary sewage system meeting the requirements and approval of the Pennsylvania Department of Environmental Resources.

3. Septic tank and tile field disposal systems are not acceptable for mobile home park developments.

#718. Storm Drainage.

1. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Storm sewers, culverts, and related facilities shall be provided as necessary:

   A. To permit the unimpeded flow of natural watercourses.

   B. To protect structures and mobile home stands.

   C. To provide safe and convenient use of streets, lot areas and other facilities in the park.

2. A drainage plan shall be prepared and submitted for review and approval by the Borough prior to the approval of a mobile home park.

3. All storm water facilities shall be kept completely separate from any sanitary sewer system.

4. Where the construction of streets and necessary storm water system in a park is such that the direction of storm water flow is diverted to affect surrounding properties, the applicant shall obtain sufficient drainage easements to provide adequate disposal of the storm water and shall submit a stormwater management plan for approval by the Borough.

#719. Utility Systems. Electric, telephone, and other utility facilities shall be provided as necessary within the mobile home park. Such utilities shall be installed underground and maintained in accordance with the local utility company's specifications regulating such systems.
#720. **Fire Hydrants.**

1. Fire hydrants shall be installed if the system is connected to an existing public water supply, or if the proposed community water supply source is capable to serve them in accordance with the requirements of the local fire authority.

2. If provided, fire hydrants shall be located within six hundred (600') feet of any mobile home, service building or other structure in the park, or closer if required by the Borough Engineer, and shall be installed in accordance with all applicable regulations.

#721. **Service Buildings and Other Community Service Facilities.**

1. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.

2. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

#722. **Special Designs.** The Borough may, at the discretion of Borough Council, waive or modify certain requirements with regard to layout of lots, lot dimensions, setback requirements, size and shape of blocks, and location of walks, in the case of an innovative mobile home park design, such as one not utilizing the concept of an individual mobile home lot, if said action will not nullify the overall objectives of this regulation or conflict with the community objectives.

1. Overall net densities do not exceed six (6) dwelling units per acre, and

2. A minimum of twenty (20%) percent of the total tract acreage is reserved for the recreational use of the mobile home park residents.
Part 8
Administration and Enactment

#801. Enforcement. It shall be the duty of the building inspector, zoning officer, or other such duly authorized representative of Borough Council, and he or she is given the power and authority, to enforce the provisions of this Ordinance. The enforcement officer shall require that the application for a building permit contain all the information necessary to enable him or her to ascertain whether the proposed building, alteration, or use is located in an approved land development. No building permit shall be issued until the enforcement officer has certified that the site for the proposed building, alteration, or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded Final Plan.

#802. Modifications.

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

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

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

4. Borough Council shall keep a written record of all action on all requests for modifications.

#803. Amendments. Borough Council may on its own motion, or upon recommendation of the Planning Commission, amend, supplement, or repeal any portion of this Ordinance. Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice. In addition, in case of an amendment other than that prepared by the Borough Planning Commission, Borough Council shall submit each such amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

#804. Fees. Borough Council shall be resolution create a schedule of fees to be paid by the applicant at the time of plan submission, to defray the cost of administering and processing of plans.
#805. Review Fees.

1. Review fees shall include the reasonable and necessary charges by the Borough's professional consultants or engineer for review and report to the Borough, and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Borough Engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on applicants.

2. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Borough that such fees are disputed, in which case the Borough shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

3. In the event that the Borough and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Borough 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 Borough and the applicant or developer.

#806. Preventive Remedies.

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

2. The Borough may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

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

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

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

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

#807. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than five hundred ($500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

2. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending 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 Borough the right to commence any action for enforcement pursuant to this Section.

4. District justices shall have initial jurisdiction in proceedings brought under this Section.

#808. Appeals.


2. Nothing herein shall be construed in limitation of the applicant's right to legally contest decisions of Borough Council with respect to the approval or disapproval of subdivision or land development plans.
#809. **Interpretation.** The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes of this Ordinance. When provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. When provisions of any statute, other ordinance or regulations impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance, or regulation shall prevail.
#810: Enactment

This Ordinance shall become effective on September 13, 1990 and shall remain in force until amended or rescinded by the Borough Council of Abbottstown, Adams County, Pennsylvania.

Adopted by Abbottstown Borough this 13th day of September 1990.

[Signature]
President, Abbottstown Borough Council

[Signature]
Mayor, Abbottstown Borough

Attest:

[Signature]
Borough Secretary