

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

of

OREGON TOWNSHIP, WAYNE COUNTY, PENNSYLVANIA

July 5, 2006

TABLE OF CONTENTS

Article I	<u>1.000 General Provisions</u>	Page 4
	1.100 Title	
	1.200 Authority and Jurisdiction	
	1.300 Purposes	
	1.400 Interpretation	
	1.500 Township Liability	
	1.600 Constitutional Construction	
Article II	<u>2.000 Definitions</u>	Page 6
	2.100 Interpretation	
	2.200 General	
Article III	<u>3.000 Procedures, Specifications, and Supporting Materials</u>	Page 14
	3.100 Minor Subdivisions and Land Developments	
	3.101 Sketch Plan Procedures	
	3.102 Sketch Plat Specifications	
	3.103 Final Plan Procedures	
	3.104 Final Plat Specifications	
	3.105 Final Plan Supporting Materials	
	3.200 Major Subdivisions and Land Developments	
	3.201 Sketch Plan Procedures	
	3.202 Sketch Plat Specifications	
	3.203 Preliminary Plan Procedures	
	3.204 Preliminary Plat Specifications	
	3.205 Preliminary Plan Supporting Materials	
	3.206 Final Plan Procedures	
	3.207 Final Plat Specifications	
	3.208 Final Plan Supporting Materials	
Article IV	<u>4.000 Design Standards</u>	Page 37
	4.100 Lots	
	4.101 General	
	4.102 Lot Size	
	4.103 Building Setbacks	

4.200 Streets

- 4.201 General
- 4.202 Private Streets
- 4.203 Public Streets
- 4.204 Commercial Access Roads or Streets
- 4.205 Engineering Standards for Public/Private Streets

4.300 Signs

- 4.400 Utilities
- 4.500 Survey Markers
- 4.600 Drainage Easements
- 4.700 Sewage Disposal
- 4.800 Water Supply
- 4.900 Erosion and Sedimentation Control
- 4.1000 Storm Water Management
- 4.1100 Flood Plain Management
- 4.1200 Non-Residential Subdivisions & Land Developments
- 4.1300 Conservation Subdivisions & Land Developments

Article V 5.000 Special Approvals

Page 46

- 5.100 General
- 5.200 Conditional Approval
- 5.300 Addition or Lot Improvement
- 5.400 Reapproval
- 5.500 Lot of Record
- 5.600 Change of Lot Lines
- 5.700 Un-subdivision

Article VI 6.000 Mobile Home Parks

Page 49

- 6.100 Classification
- 6.200 Plat Requirements
- 6.300 Design Standards
- 6.400 Flood Plain Regulations
- 6.500 Improvements
- 6.600 Permits
- 6.700 Application to Existing Mobile Home Parks

Article VII 7.000 Recreational Land Developments

Page 52

- 7.100 Classification
- 7.200 Plat Requirements (Additional)
- 7.300 Design Standards
- 7.400 Flood Plain Regulations
- 7.500 Supplemental Regulations
- 7.600 Permits
- 7.700 Application to Existing Recreational Land Developments

Article VIII 8.000 Modifications

Page 57

- 8.100 General
- 8.200 Applications
- 8.300 Modification Approval

Article IX	<u>9.000 Fees</u>	Page 58
	9.100 Review Fees	
	9.200 Review and Report Fees	
Article X	<u>10.000 Improvements</u>	Page 59
	10.100 Minor Subdivisions and Land Developments	
	10.200 Major Subdivisions and Land Developments	
Article XI	<u>11.000 Improvement Guarantees</u>	Page 60
	11.100 Completion of Improvements or Guarantee Thereof, Prerequisite to Final Plat Approval	
	11.200 Release from Improvement Bond	
	11.300 Remedies to Effect Completion of Improvements	
Article XII	<u>12.000 Administration, Enforcement, and Penalties</u>	Page 64
	12.100 Amendments to the Pennsylvania Municipalities Planning Code (Act 247)	
	12.200 Amendments	
	12.300 Appeals	
	12.400 Enforcement	
	12.500 Preventive Remedies	
	12.600 Enforcement Remedies	
	12.700 Jurisdiction	
	12.800 Continuation	
Article XIII	<u>13.000 Enactment</u>	Page 66
	13.100 Severability	
	13.200 Repealer	

ARTICLE I

GENERAL PROVISIONS

1.000 General Provisions

1.100 Title - This Ordinance shall be known and may be cited as the "Subdivision and Land Development Ordinance of Oregon Township, Wayne County, Pennsylvania."

1.200 Authority and Jurisdiction - The authority of the Oregon Township Supervisors to adopt this Ordinance regulating subdivision and land development within Oregon Township, Wayne County is granted by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended. No subdivision or 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 or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance or other Township ordinances which regulate such activity. The jurisdiction of the approval powers of this Ordinance shall be limited to land within Oregon Township, Wayne County.

The Oregon Township Supervisors shall be in charge of the administration of this Ordinance and shall have the power to act on the approval of all subdivisions and land developments. The Board of Supervisors shall have the power to establish procedures for the submittal of applications by resolution.

1.201 As mandated by the Pennsylvania Municipalities Planning Code, all applications for subdivision and land development located within Oregon Township shall be submitted to Oregon Township for review and report together with a fee sufficient to cover the costs of the review and report, which fee shall be paid by the applicant. Also, a copy of the plans and supplementary data (including the County review fee) shall be forwarded by Oregon Township to the Wayne County Department of Planning for appropriate review by that agency.

1.202 The provisions and requirements of these regulations shall apply to and control all subdivision and land development for which plans have not been legally recorded in the Office of the Recorder of Deeds in and for Wayne County, Pennsylvania prior to the effective date of this Ordinance.

1.203 Unless and until a subdivision and land development plan including the construction or guarantee of all improvements has been approved by the Oregon Township Board of Supervisors and recorded with the Office of the Recorder of Deeds of the County of Wayne, the following activities are prohibited.

1.203.1 No lot in a subdivision or land development may be sold or sales agreement entered into and;

1.203.2 No permit to erect or alter any building(s) upon land in a subdivision or land development may be issued and;

1.203.3 No building may be erected in a subdivision or land development.

1.300 Purposes - It is the intent, purpose, and scope of this Ordinance to help:

1.301 Protect and provide for the public health, safety, and general welfare of the residents of Oregon Township, Wayne County, Pennsylvania.

- 1.302 Guide the future growth and development within Oregon Township.
- 1.303 Provide for adequate light, air, privacy and to secure safety from fire, flood and other danger, and to prevent overcrowding of the land and undue congestion of population.
- 1.304 Protect the character and the social and economic stability of all parts of Oregon Township and to encourage the orderly and beneficial development of all parts of Oregon Township, Wayne County, Pennsylvania.
- 1.305 Protect and conserve the value of land, buildings and building improvements, throughout Oregon Township and to minimize conflicts.
- 1.306 Guide public and private policy and action in order to insure a high quality of life through adequate and efficient transportation, water, sewage, parks, playgrounds, recreation, and other public requirements and facilities.
- 1.307 Provide for the most beneficial relationship between land and buildings and the circulation of traffic throughout Oregon Township having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements, and to provide for the proper location and width of streets and building lines.
- 1.308 Establish reasonable standards of design and procedures for subdivisions and land developments in order to further the orderly layout of land, and to insure proper legal description and monumenting of subdivisions and land developments.
- 1.309 Insure that improvements for public facilities are available and will have a sufficient capacity to serve the proposed subdivision or land development.
- 1.310 Permit Oregon Township to minimize such problems as may presently exist or which may be foreseen.
- 1.400 Interpretation - The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of this Ordinance.
- 1.500 Township Liability - The granting of approval of a subdivision or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the Township or by an official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon Oregon Township, its officials, or employees.
- 1.600 Constitutional Construction - The provisions of this Ordinance shall be severable and, if any of its provisions shall be held to be unconstitutional, the validity of any of the remaining provisions of this Ordinance shall not be affected. It is hereby declared as the legislative intention that this Ordinance would have been adopted had such unconstitutional provision not been included therein.

ARTICLE II

DEFINITIONS

2.000 Definitions

2.100 Interpretation - Unless the context clearly indicates to the contrary:

2.101 The word shall is mandatory, the word may is optional.

2.102 Words used in the present tense include the future tense.

2.103 Words in the singular include the plural and those in the plural include the singular.

2.104 The words person, developer, subdivider, and landowner shall be construed to include a corporation, partnership, firm, association, company, or other similar business entity, as well as individuals.

2.105 The word building includes structure and shall be construed as if followed by the phrase, "...or part thereof."

2.200 General - For the purposes of this Ordinance, the following words and phrases shall have the meaning as given in this Article:

Addition or Lot Improvement: A subdivision of land which is created with the intent and purpose of conveying one lot to the owner of an adjoining lot, tract, or parcel. Once approved in accordance with the terms of this Ordinance, the lot to be conveyed shall be considered an integral part of the adjoining landowner's former lot and not a new lot, tract, or parcel of land, and said lot shall not be sold separately without subdivision approval at the time of any future division.

Agent: A duly authorized person designated by the landowner to act on his behalf.

Alley: A public or private street right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on an approved street.

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.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, services, goods or materials of any kind or nature.

Building Setback Line: A line within a property defining the minimum required distance between any structure to be erected and the adjacent right-of-way or side and rear lot lines.

Campsite: A lot within a recreational land development used for tent camping or as a site for recreational vehicles; or a tract of land otherwise offered by the developer or operator through sale, lease, rent, membership or other means, for camping purposes.

Campsites in transient developments may be clustered and not necessarily specifically defined, however, provided the gross density does not exceed that permitted herein.

Cartway: The graded or paved portion of a street used for vehicular travel, excluding shoulders.

Change in Lot Lines: Any change or alteration in existing lot lines. A change in lot lines constitutes a subdivision.

Common Open Space: A parcel or parcels of land or an area of water, or a combination of land and water within a subdivision or development and designed and intended for the use or enjoyment of residents of said subdivision or development, not including streets, off-street parking areas, and areas set aside for public facilities.

Comprehensive Plan: The complete plan or any part of the plan for the development of Oregon Township adopted in accordance with the Pennsylvania Municipalities Planning Code.

Conditional Approval: Special approval of a subdivision or land development granted by the Oregon Township Supervisors with conditions attached thereto.

Construction Guarantee: A written instrument which may be accepted by the Township Supervisors in lieu of a requirement that certain improvements be made by a developer before the final plan is granted final approval and released for recording, which shall provide for the deposit with the Township of financial security in an amount sufficient to cover the costs of any improvements or common amenities including, but not limited to, roads, sanitary sewage facilities, water supply and distribution facilities, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements and buffer or screen planting which may be required.

County: The County of Wayne, Commonwealth of Pennsylvania.

Cul-de-sac: A street with only one (1) outlet which intersects another street at one (1) end and is terminated at the other in a vehicular turnaround.

D.E.P.: The Pennsylvania Department of Environmental Protection.

Developer: Any landowner, agent of such landowner, or tenant with the permission of such landowner who makes or causes to be made a subdivision or 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, 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 the development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

Driveway: A privately owned vehicular access from a private or public street into a lot, tract, or parcel of land which is used or intended to be used to provide access to not more than one (1) lot, tract or parcel of land.

Easement: A right to use the land of another for a specific purpose.

Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania.

Engineering Land Surveys: Surveys for: (i) the development of any tract of land including the incidental design of related improvements, such as line and grade extension of roads, sewers, and grading but not requiring independent engineering judgment provided; however, that tract perimeter surveys shall be the function of the Professional Land Surveyor; (ii) the determination of the configuration or contour of the earth's surface, or the position of fixed objects thereon or related thereto by means of measuring lines and angles and applying the principles of mathematics, photogrammetry or other measurement methods; (iii) geodetic or cadastral survey, underground survey, and hydrographic survey; (iv) sedimentation and erosion control survey; (v) the determination of the quantities of materials; (vi) tests for water percolation in soils; and (vii) the preparation of plans and specifications and estimates of proposed work.

Final Plan: The ultimate map and supporting material drawn and submitted as required in these regulations for a subdivision or land development.

Final Plat: The ultimate map showing the layout of the subdivision or land development which, if approved by the Oregon Township Supervisors, shall be stamped and signed indicating final approval and shall be the plat of record which is required to be recorded.

Frontage: The distance measured along the street right-of-way line, between the lot side lines.

Highway Occupancy Permit: A document granting permission for a driveway, street or Other means of passage of vehicles between the highway and abutting property, including Acceleration and deceleration lanes and such drainage structures as may be necessary for the proper construction and maintenance thereof. The Pennsylvania Department of Transportation shall have the responsibility of issuing Highway Occupancy Permits along State Roads. Oregon Township shall have the responsibility of issue highway occupancy permits along Oregon Township Roads.

Improvements: Any physical additions, installations and changes to land intended or required to render land suitable for the proposed use, including, but not limited to, any excavation, clearing, or any alteration of the subject parcel of land.

Land Development: Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - (i) a group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
 - (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land.

The definition of land development shall not include the following:

- (a) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless

such units are intended to be a condominium.

(b) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

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

Location Map: A map insert or miniaturized map of the proposed subdivision or land development placed on the plat for the purpose of locating the property as it relates to other adjoining lands of the owner, the surrounding street network, villages, and natural features.

Lot: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and enabled to be transferred, leased, 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 subdivision and land development plan, excluding any area within a street right-of-way, but including the area of any easement so long as the easement is intended for no greater use than private access to no more than one adjoining lot.

Lot Depth: Is the distance measured from the front lot line to the rear lot line.

Lot Depth, Minimum: Is the minimum required lot depth as defined within Article IV, Design Standards; Section 4.102 Lot Size.

Lot Improvement Subdivision: The realignment of lot lines or the transfer of land to increase the size of an existing lot provided the grantor's remaining parcel complies with all provisions of this Ordinance and no new lots are created; or the combination or reallotment of small lots into a larger lot or lots.

Lot of Record: Any lot or parcel of land which is not to be considered a subdivision for any of the following reasons:

The same described lot or parcel of land was legally recorded prior to the enactment of this Ordinance either within a deed or upon a plat: or

Any lot or parcel of land which is all of the remaining land following subdivision or land development.

Lot Width: The horizontal distance between the two (2) property side lines measured parallel to the street at the required building setback line.

Major Subdivisions or Land Developments: All subdivisions and land developments not classified as minor subdivisions and land developments.

Minor Subdivisions or Land Developments: All subdivisions and land developments which meet the criteria specified in Section 3.100.

Mobilehome: A transportable, single family dwelling intended for permanent occupancy, office or place of assembly 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.

Mobilehome Lot: A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome. The mobilehome lot in a mobilehome park may be either owned by the occupant of the mobilehome or leased from the mobilehome park owner.

Mobilehome Park: A parcel of land under single ownership which may be a single parcel of land or contiguous parcels which have been designated as a mobilehome park, and is, by improvement, intended for use as two (2) or more mobilehome lots.

Modifications: A relief of the requirements of one 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 modifications will not be contrary to the public interest and that the purpose and intent of the ordinance is observed. Procedures and criteria for granting such relief are provided in Article VIII - Modifications.

Municipality: Oregon Township, Wayne County, Pennsylvania.

Newly Created Lot: Any lot or parcel created by the subdividing of a larger parcel that has no previous record of existence, either in the form of a deed description, recorded map, or by any other legal means. An existing agreement of sale does not constitute a lot of record.

One-Hundred Year Flood Plain: The one-hundred (100) year floodway and that maximum area of land that is likely to be flooded by a one-hundred (100) year flood shown on flood plain maps approved or promulgated by the United States Department of Housing and Urban Development.

Open Space: A parcel or parcels of land or a combination of land and water within a subdivision or land development designed and intended for use or enjoyment of residents of said subdivision or land development, not including streets, off-street parking areas, or private yard space.

Planning Agency: A planning commission, planning department, or a planning committee or planning board of Oregon Township.

Planning Commission: The Oregon Township Planning Commission.

Plat: The map of a subdivision or land development, whether sketch, preliminary, or final.

Practice of Land Surveying: The practice of that branch of the profession of engineering which involves the location, relocation, establishment, re-establishment, or retracement of any property line or boundary of any parcel of land or any street right-of-way, easement, or alignment; the use of principles of land surveying, determination of the position of any monument or reference point which marks a property line boundary, or corner setting, resetting, or replacing any such monument or individual point including the writing of deed descriptions; procuring or offering to procure land surveying work for himself or others; managing or conducting as managers, proprietors, or agent any place of business from which land surveying work is solicited, performed, or practiced; the performance of the foregoing acts and services being prohibited to persons who are not granted certificates of registration as a professional land surveyor unless exempt under other provisions of the Professional Engineers and Professional Land Surveyors Registration Law.

Preliminary Plan: The tentative map and supporting material drawn and submitted as required in these regulations for a proposed subdivision or land development.

Preliminary Plat: The tentative map showing the proposed layout of the subdivision or land development which, if approved by the Oregon Township Supervisors, shall be stamped and signed indicating preliminary approval. The preliminary plat which has been approved is not for recording purposes.

Private Street: A street, road, access, easement, or right-of-way, constructed to the standards of Oregon Township, used for access which is not being dedicated or offered for dedication to Oregon Township and which will be owned and maintained by the landowner, association or other persons.

Professional Engineer: An individual licensed and registered under the laws of this Commonwealth to engage in the practice of engineering. A professional engineer may not practice land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

Professional Land Surveyor: An individual licensed and registered under the laws of this Commonwealth to engage in the practice of land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

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

Public Street: A street, road, access, easement, or right-of-way, constructed to the standards of Oregon Township, used for access which is dedicated to Oregon Township, constructed to the standards of the Oregon Township Road Ordinance, and which will be maintained by Oregon Township upon the Township's acceptance of the same.

Reapproval: The act of reapproving a lot or parcel of land which had been approved but not recorded in the Register and Recorder's Office of Wayne County within the ninety (90) days as required by this Ordinance.

Recreational Land Development: The division or re-division of a lot, tract or parcel of land, by any means, into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot line for the purpose, whether immediate or future, of lease, rent, sale or transfer of ownership, for the purpose of providing a site for travel trailers, truck campers, camper trailers, motor homes and tents, for transient use. Campgrounds, recreational vehicle parks, primitive camping facilities and other similar facilities shall fall under this definition. This definition is not, however, intended to cover second-home communities of single-family dwellings or mobile home parks.

Transient recreational subdivision or land developments - are publicly operated facilities, or businesses, offering sites with the usual accessory recreational and service facilities, not normally including eating facilities, for use for tent camping and/or recreational vehicle camping by the public at large on a transient basis. Sites are rented on a daily or weekly basis.

Non-transient recreational subdivisions or land developments - are planned private communities with recreational and service facilities, including central water and sewage and usually a restaurant and/or bar,

lounge, chapel, and community hall, for use only by occupants of tent and/or recreational vehicle sites within the campground. Sites may be owned in common, or may be owned individually by deed conveyance, or may be leased on an annual basis.

Recreational Vehicle: A vehicular unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own automotive power or is mounted on, or drawn by, another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

Regulatory Flood Elevation: The one-hundred (100) year flood elevation plus a free board safety factor of 1-1/2 feet.

Right-of-way: The right of use which is reserved and/or conveyed as an easement or a public thoroughfare for vehicular and/or pedestrian traffic.

Sewage Disposal-Central: A sewage collection and disposal system in which sewage is carried from more than one individual lot, by a system of pipes to a central treatment plant which involves a point discharge to the waters of the Commonwealth; in compliance with the applicable Pennsylvania Department of Environmental Protection regulations.

Sewage Disposal-Subsurface: A system of piping, tanks or other facilities serving one or more lots and collecting, treating and disposing of sewage in a manner in which renovation is dependent upon disposing of sewage, in whole or in part into or onto the soil for final disposal in compliance with the applicable Pennsylvania Department of Environmental Protection regulations. Examples include: conventional in-ground systems, sand mounds, spray irrigation systems or other similar community systems.

Sketch Plan: An informal plan indicating existing features of a tract and its surroundings and the general layout of the proposed subdivision or land development presented for discussion purposes only and not for approval.

Sketch Plat: An informal map indicating existing features of a tract and its surroundings and the general layout of the proposed subdivision or land development presented for discussion purposes only and not for approval.

Street: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other way used or intended to be used by vehicular traffic, or pedestrians whether public or private. Exclusive of lanes and accesses used solely for agricultural purposes.

Structure: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land (excluding fences, sewage systems and utility lines).

Subdivider: Any landowner, or agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land.

Subdivision: The division or re-division of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership 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 of land, not involving any new street or easement of access or any residential dwelling shall be exempt from these regulations.

Township: Oregon Township, Wayne County, Pennsylvania.

Township Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for Oregon Township.

Township Supervisors: The Board of Supervisors for Oregon Township, Wayne County, Pennsylvania.

Undefined Terms: Where terms or words are not defined, they shall have their ordinarily accepted meanings or such as the context may imply.

Un-subdivision: The act of eliminating an existing subdivision by combining lots or parcels of land into one (1) deed describing the entire tract as one (1) lot or parcel.

Water System or Supply: A system designed to transmit water from a source to users, in compliance with the requirements of the appropriate state agencies and the Township.

- A. Community or Public Water: A public or private utility system designed to supply and transmit drinking water from a common off-lot source to two (2) or more dwelling units or uses. In the case of multi-family dwellings, the common water source may be located on the parcel being developed provided all dwellings are connected to the common water source.
- B. On-Lot or Individual Water: Service by a water system that does not meet the definition of a "community or public water." In most cases, this would involve an individual well serving an individual lot, but may also include a common well or another duly approved system.

Wetlands: An area of land where the presence of water (at least during part of the year) determines the soil characteristics of the site and the species of vegetation growing on the site; said areas meeting the most current applicable state and federal criteria; and being regulated by the PA DEP and the U.S. Army Corps of Engineers.

ARTICLE III

PROCEDURES, SPECIFICATIONS AND SUPPORTING MATERIALS

3.000 Procedures, Specifications and Supporting Materials - From the date of enactment of this Ordinance, the following procedures, specifications and supporting materials shall be observed by all subdividers and developers.

3.100 Minor Subdivisions and Land Developments - A minor subdivision or land development requires a final plan, but a sketch plan is optional. In determining the number of lots, each newly created lot from the parent parcel, extracted since August 10, 1971, the date of the enactment of the original Oregon Township Subdivision and Land Development Ordinance, shall be counted, including the parent parcel. Once the number of lots exceeds ten (10) whether in one (1) submission or over a period of time and several submissions, the said subdivision or land development shall no longer be a minor subdivision or land development. Any subdivision or land development shall be considered a minor subdivision only if it meets all of the following requirements:

- 3.100.1 Contains ten (10) lots or less.
- 3.100.2 Fronts on an existing public or private street.
- 3.100.3 Does not involve the construction of any new streets.
- 3.100.4 Does not involve the construction or extension of public or private water service facilities.
- 3.100.5 Does not involve the construction or extension of public or private sewer service facilities.
- 3.100.6 Does not involve the creation of any improvements other than survey lot markers.
- 3.100.7 Does not landlock or limit the ultimate use of interior adjacent land.
- 3.100.8 Does not conflict with any provision or portion of Oregon Township's comprehensive plan, official map, subdivision regulations or zoning ordinance.
- 3.100.9 Is not a mobile home park, recreational land development or non-residential land development.

3.101 Sketch Plan Procedures: Any subdivider or developer may, prior to subdividing or developing land as defined in this Ordinance, submit to Oregon Township a sketch plat showing the information required in Section 3.102. A sketch plan is informal and intended for discussion purposes only. Oregon Township will not formally by way of written correspondence communicate to the applicant regarding the submission and review of the sketch plan. Any comments and/or correspondence from the Township regarding such submission shall not, in any way, constitute, nor be construed to be, a formal response to such submission and shall not be binding upon the Township relevant to any formal subdivision at any later date. A sketch plan submission shall consist of a minimum of seven (7) copies of the letter of intent stating that it is only a sketch plan and a minimum of seven (7) copies of the plat. The submission shall be prepared and presented to Oregon Township in a minimum of seven (7) individual packages, each package must include all required information. The submission of a sketch plan shall not constitute an official submission of a plan to the Oregon Township and no formal action is mandated.

3.102 Sketch Plat Specifications: The sketch plat shall be at a sufficient scale to show the entire

tract on one (1) sheet and shall show or include the following:

- 3.102.1 Location map.
- 3.102.2 The location and proposed layout of that portion which is to be subdivided or developed in relationship to the entire tract.
- 3.102.3 All existing structures within the portion to be subdivided or developed.
- 3.102.4 The name and mailing address of the landowner and the names of all adjoining property owners (including those across streets) as disclosed by the most recent deed and tax records.
- 3.102.5 All streets, streams, and utilities in the tract of land.
- 3.102.6 The tentative layout of the remainder of the tract owned by the subdivider or developer, if any.
- 3.102.7 Name of the township and county in which tract is located.
- 3.102.8 North arrow.
- 3.102.9 Graphic scale.
- 3.102.10 Date map was drawn.

3.103 Final Plan Procedures: The applicant shall submit a minimum of seven (7) copies of the final plat and a minimum of seven (7) copies of all supporting material as specified in Section 3.105 to Oregon Township. The submission shall contain a minimum of seven (7) individual packages. Each package must include all required information. Only original unaltered prints of the plat shall be accepted.

- 3.103.1 All applicable items listed in Section 3.104 and 3.105 shall be required for a complete submittal.
- 3.103.2 The Oregon Township Planning Commission shall review the final plan to determine its conformance with the requirements and standards contained in this Ordinance. The Oregon Township Planning Commission shall make a report of its recommendations to the Oregon Township Supervisors.
- 3.103.3 All applications shall be submitted for consideration following procedures established by the Oregon Township Board of Supervisors.
- 3.103.4 All applications for final approval shall be acted upon by the Oregon Township Board of Supervisors who shall render their decision and communicate it to the applicant not later than one-hundred and twenty (120) days following the date of the formal submission of the application to Oregon Township. The decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
- 3.103.5 As mandated by the Municipalities Planning Code, applications for subdivision and land development within Oregon Township shall be forwarded upon receipt by Oregon Township to the Wayne County Department of Planning for review and report, together with a fee sufficient to cover the costs of the review and report, which fee shall be paid by the applicant. Oregon Township shall not

approve such applications until the County's report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County. The one (1) copy of the final plat forwarded to the Department of Planning shall be retained in their files.

3.103.6 If the final plan is approved, each copy of the plat shall be stamped and signed. Three (3) copies shall be returned to the applicant. One (1) copy shall be retained by the Oregon Township Supervisors.

3.103.7 The applicant shall record the approved plat with the Register and Recorder's Office of Wayne County, Pennsylvania within ninety (90) days from the date of approval placed on the approved plat. The approval shall be deemed to have lapsed if the applicant has failed to record the approved plat within that time period. The Register and Recorder's Office shall not accept any plat for recording unless such plat contains the official seal of Oregon Township and has a minimum of two (2) Oregon Township Board of Supervisor's signatures.

3.104 Final Plat Specifications: The final plat shall be dark print on white background and clearly and legibly drawn on a sheet or multiple sheets (with match lines) not more than 2'x3' and not less than 11" x 17". The plat shall be designed in compliance with applicable provisions of this Ordinance, and shall show the following information:

3.104.1 Location map

3.104.2 Tract, subdivision, or land development name, if any.

3.104.3 Name and mailing address, of present landowner.

3.104.4 Name and mailing address, of applicant if different from landowner.

3.104.5 Name of the township and county in which tract is located.

3.104.6 Tax map and parcel identification number of tract.

3.104.7 Deed book and page identification number of tract.

3.104.8 Boundaries of the tract and approximate location of abutting properties.

3.104.9 The names of all adjoining property owners (including those across streets) as disclosed by the most recent deed and tax records.

3.104.10 Graphic scales.

3.104.11 Reference meridian - North arrow indicating true, magnetic, or other source.

3.104.12 Date map was drawn and dates of all revisions.

3.104.13 All existing and proposed lot lines, with accurate dimensions and bearings of straight lines and radii, arcs, and central angles of curved lines.

3.104.14 Each lot identified by number and/or letter.

3.104.15 Area of each proposed lot.

3.104.16 Total area remaining in parent parcel, if any.

3.104.17 The location of all existing streets, with information concerning right-of-way widths, types of street surfaces, and street names.

3.104.18 The location and identification of all existing bodies of water, water courses with direction of flow, buildings, drain pipes, culverts, sewer lines, sewage systems, water lines, water wells, oil wells, gas wells, gas lines, power lines, telephone lines, structures, public facilities, and any other significant man-made or natural features on the tract to be subdivided or developed.

3.104.19 The location, dimension, and purpose of all easements or other rights-of-way including any limitations on their use.

3.104.20 The location, dimension, and identification of building setback lines.

3.104.21 Name, mailing address, signature, and title of person who prepared the map if done by someone other than the professional land surveyor who certified the survey.

3.104.22 An area approximately 3 1/2'X 5" shall be provided which shall be free of all writing and drawing, for use by Oregon Township to stamp any approval.

3.104.23 Where the subdivision or land development lies partially or completely in any designated one-hundred (100) year flood plain, those areas shall be identified and the boundaries shown.

3.104.24 Contour lines, stating whether derived from a field survey or based on U.S.G.S. topographic maps, with a maximum 20 foot interval, if found to be necessary by the Township.

3.104.25 A site data table listing the following: total acreage; number of lots; zoning district(s); proposed water service facilities; proposed sewer service facilities.

3.104.26 Location and type of all lot corners and other permanent monuments, designating which have been set in place or found.

3.104.27 Name, mailing address, certification by stamp or seal, and signature of professional land surveyor who certified the map and survey. Each print shall be individually signed and sealed or stamped by the professional land surveyor.

3.104.28 The final plat for a major land development shall contain the following statement:

"[The applicant] certifies the information contained in this application is true and correct. Alterations from this approved plan by the present or future owners is a violation of the Oregon Township Subdivision and Land Development Ordinance. Changes in the scope and/or limits of the project and its features will require a new application to be submitted.

{signature of applicant}"

This statement must appear on the map with an original signature of the applicant on every copy submitted for approval.

3.104.29 The final plat shall contain the following statement: " It is the responsibility of the landowner and contractor, prior to any construction, to determine if any wetlands exist on any portion of the property and if such wetlands will be affected by the installation of any improvements. The developer and/or the lot

purchaser assume full responsibility for obtaining any state or federal permits and/or approvals relating to wetlands. This subdivision and/or land development approval by the Township Board of Supervisors shall not in any manner be an approval of compliance with statutes or regulations relating to wetlands."

3.105 Final Plan Supporting Materials: The following items shall be submitted by the applicant in support of and as a part of the final plan:

- 3.105.1 A letter of intent, signed by the applicant, including a statement indicating which lots are to be included for consideration. The letter should concisely explain the scope of the proposal. The letter shall authorize that Township Officials or their representatives can enter the property for inspections required by the application.* A minimum of one (1) original and six (6) copies are required.
- 3.105.2 All applicable fees as required in Article IX-Fees, of this Ordinance.
- 3.105.3 The completed appropriate components of the DEP "Planning Module for Land Development" to meet the requirements of the Pennsylvania Sewage Facilities Act and the Clean Streams Act. All items must be either filled in or marked non-applicable (n/a). A minimum of the original plus six (6) copies of the planning modules, with attachments, shall be submitted.

3.105.4 Sewage Service Facilities

- 3.105.4.1 If sewage service is proposed by means of a hook-up to an existing line by the applicant for this subdivision or land development, a minimum of an original plus six (6) copies of a letter from the sewer company in whose service area the subdivision or land development is located stating that they will provide sewage service to this subdivision or land development.
- 3.105.4.2 If the sewage service is proposed by means of a hook-up to an existing line by the applicant for this subdivision or land development, a minimum of an original plus six (6) copies of a community sewage system agreement shall be submitted by the applicant to the Township. The agreement shall stipulate the responsibilities of the owner of the community sewage system that will serve the subdivision or land development as well as the individual property owner located within the subdivision or land development. In addition to the forementioned agreement the Oregon Township Board of Supervisors reserves the right to require execution and recording of an appropriate installation and maintenance agreement inclusive of bond document relative to the subject system.
- 3.105.4.3 If sewage service is proposed by means of an individual on-site system by the applicant for this subdivision or land development, a minimum of an original plus six (6) copies of a letter from the applicant stating that sewage service to this subdivision or land development will be provided by an individual on-lot sewage system shall be submitted to the Township. In addition to the forementioned agreement the Oregon Township Board of Supervisors reserves the right to require execution and recording of an appropriate installation and maintenance agreement inclusive of bond document relative to

* As amended March 1, 2006

the subject system.

3.105.5 Water Service Facilities

- 3.105.5.1 If water service is proposed by means of a hook-up to an existing line by the applicant of this subdivision or land development, a minimum of an original plus six (6) copies of a letter from the water authority or water company in whose service area the subdivision or land development is located stating that they will provide water service to this subdivision or land development.
- 3.105.5.2 If the water service is proposed by means of a hook-up to an existing line by the applicant for this subdivision or land development, a minimum of an original plus six (6) copies of a community well agreement shall be submitted by the applicant to the Township. The agreement shall stipulate the responsibility of the owner of the community water system that will serve the subdivision or land development as well as the individual property owner located within the subdivision or land development. In addition to the forementioned agreement the Oregon Township Board of Supervisors reserves the right to require execution and recording of an appropriate installation and maintenance agreement inclusive of bond document related to the subject system.
- 3.105.5.3 If the water service is proposed by means of an individual on-lot well by the applicant for this subdivision or land development, a minimum of an original plus six (6) copies of a letter from the applicant stating that water service to this subdivision or land development will be provided by an individual on-lot well shall be submitted to the Township. In addition to the forementioned agreement the Township Board of Supervisors reserves the right to require execution and recording of an appropriate installation and maintenance agreement inclusive of bond document related to the subject system.

3. 105.6 A plan from the applicant indicating how they intend to implement and maintain erosion and sedimentation control measures to comply with the requirements of the Pennsylvania Code, Title 25 Environmental Resources, Chapter 102 Erosion Control, requirements as set forth by the Wayne Conservation District and Oregon Township as contained within the Oregon Township Stormwater Management Ordinance. This plan must be submitted to the Wayne Conservation District for review and comment. Upon review by the Wayne Conservation District the applicant shall submit the plan with all comments to Oregon Township.
3. 105.7 Where the said subdivision or land development lies partially or completely in any designated one-hundred (100) year flood plain, the applicant shall submit plans showing the relationship of the subdivision or land development with respect to the flood plain areas as shown on the Township's flood plain maps provided by the Federal Emergency Management Agency. A minimum of an original plus six (6) copies of plans shall be submitted.
- 3.105.8 Applications involving additions and lot improvements, as addressed under other sections of this Ordinance, supporting material as required in Section 5.302, "Required supporting material for an addition or lot improvement" shall be submitted.

3.200 Major Subdivisions and Land Developments - Any subdivision or land development which

is not classified as a minor subdivision or land development in Section 3.100 shall be considered as a major subdivision or land development. For a major subdivision or land development: a sketch plan is optional, both preliminary plan and a final plan are mandatory.

3.201 **Sketch Plan Procedures:** Any subdivider or developer may, prior to subdividing or developing land as defined this Ordinance, submit to Oregon Township a sketch plat showing the information required in Section 3.202. A sketch plan is informal and intended for discussion purposes only. The Oregon Township will not formally by way of written correspondence communicate to the applicant regarding the submission and review of the sketch plan. Any comments and/or correspondence from the Township regarding such submission shall not, in any way, constitute, nor be construed to be, a formal response to such submission and shall not be binding upon the Township relevant to any formal submission at any later date. A sketch plan submission shall consist of a minimum of seven (7) copies of the letter of intent stating that it is only a sketch plan and a minimum of seven (7) copies of the plat. The submission shall be prepared and presented to Oregon Township in a minimum of seven (7) individual packages, each package must include all required information. The submission of a sketch plan shall not constitute an official submission of a plan to Oregon Township and no formal action is mandated.

3.202 **Sketch Plat Specifications:** The sketch plat shall be at a sufficient scale to show the entire tract on one (1) sheet and shall show or include the following:

- 3.202.1 Location map.
- 3.202.2 The location and proposed layout of that portion which is to be subdivided or developed in relation to the entire tract.
- 3.202.3 All existing structures within the portion to be subdivided or developed.
- 3.202.4 The name and address of the landowner and the names of all adjoining property owners (including those across streets) as disclosed by the most recent deed and tax records.
- 3.202.5 All streets, streams, utilities in the tract of land.
- 3.202.6 The tentative layout of the remainder of the tract owned by the subdivider or developer, if any.
- 3.202.7 Name of township and county in which tract is located.
- 3.202.8 North arrow.
- 3.202.9 Graphic Scale.
- 3.202.10 Date map was drawn.

3.203 **Preliminary Plan Procedures:** The applicant shall submit a minimum of seven (7) copies of the preliminary plat and the applicable number of copies of all supporting material as specified in Section 3.205 to Oregon Township. The submission shall be prepared and presented to Oregon Township in a minimum of seven (7) individual packages, each package must include all required information. Only original unaltered prints of the plat shall be accepted.

- 3.203.1 All applicable items listed in Sections 3.204 and 3.205 shall be required for a complete submittal.

3.203.2 The Oregon Township Planning Commission shall review the preliminary plan to determine its conformance with the requirements and standards contained in this Ordinance. The Oregon Township Planning Commission shall make a report of its recommendations to the Oregon Township Supervisors.

3.203.3 All applications shall be submitted for consideration following procedures established by the Oregon Township Board of Supervisors.

3.203.4 All applications for preliminary approval shall be acted upon by the Oregon Township Board of Supervisors who shall render their decision and communicate it to the applicant not later than one-hundred and twenty (120) days following the date of the formal submission of the application to Oregon Township. The decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

3.203.5 As mandated by the Municipalities Planning Code, all applications for subdivision and land development within Oregon Township shall be forwarded upon receipt by Oregon Township to the Wayne County Department of Planning for review and report, together with a fee sufficient to cover the costs of the review and report, which fee shall be paid by the applicant.

Oregon Township shall not approve such application until the County's report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County. The one (1) copy of the preliminary plan forwarded to the Department of Planning shall be retained in their files.

3.203.5.1 Oregon Township may also submit the plans for review to the Wayne Conservation District, or any other agency or consultant which it deems necessary.

3.203.6 If the preliminary plan is approved, each copy of the plat shall be stamped, signed and dated. Three (3) copies shall be returned to the applicant. One (1) copy shall be retained by the Oregon Township Supervisors. One (1) copy shall be forwarded to D. E. P.

3.203.7 When a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with terms of the approved preliminary application as hereinafter provided. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. When final approval is preceded by preliminary approval, the 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 the governing ordinances or plans as they stood at the time when the application for such preliminary approval was duly filed.

3.203.8 If an application is properly denied, any subsequent application shall be subject to any intervening changes in governing regulations.

3.203.9 Approval of the preliminary plan by the Oregon Township Supervisors constitutes

approval of the subdivision or land development as to the character of the development, general layout, approximate dimension of streets and lots, and other planned features as required by this Ordinance. The approval binds the applicant to the general scheme of the subdivision or land development shown and permits the applicant to proceed with the installation of site improvements, subject to obtaining work permits and plan approvals from utility companies, federal and state agencies, Oregon Township, and other agencies where required.

- 3.203.10 Approval of the preliminary plan does not authorize the development or initiation of an agreement of sale, sale of lots or the recording of the preliminary plat.
- 3.203.11 The approved preliminary plan shall be effective for five (5) years from the date of preliminary approval and the preliminary approval shall automatically expire at the conclusion of any five (5) year period unless the applicant shall have submitted an application for final approval.
- 3.203.12 If deemed necessary by the Oregon Township Board of Supervisors, a public hearing may be scheduled for the purpose of receiving public input on the plan. The costs of same shall be borne by the applicant as set forth in Article IX - Fees of this Ordinance. Failure to hold a public hearing shall not invalidate a subdivision or land development approval nor shall the decision not to hold a public hearing be determined as an incomplete review of the plans on behalf of the Township.

3.204 Preliminary Plat Specifications: The preliminary plat shall be dark print on white background and clearly and legibly drawn on a sheet or multiple sheets (with match lines) not more than 2'x3' and not less than 11 " x 17". The plat shall be labeled "Preliminary Major Subdivision (or Land Development)". The plat shall be designed in compliance with applicable provisions of this Ordinance, and shall show the following information:

- 3.204.1 Location map.
- 3.204.2 Tract, subdivision, or land development name, if any.
- 3.204.3 Name and mailing address of present landowner.
- 3.204.4 Name and mailing address of applicant, if different from landowner.
- 3.204.5 Name of township and county in which tract is located.
- 3.204.6 Tax map and parcel identification number of tract.
- 3.204.7 Deed book and page identification number of tract.
- 3.204.8 Boundaries of the tract and approximate location of abutting properties.
- 3.204.9 The names of all adjoining property owners (including those across streets) as disclosed by the most recent deed and tax records.
- 3.204.10 Graphic scale.
- 3.204.11 Reference meridian - North arrow indicating true, magnetic, or other source.
- 3.204.12 Date map was drawn and dates of all revisions.

- 3.204.13 All existing and proposed lot lines, with approximate dimensions of straight lines, radii, arcs, and central angles of curved lines.
- 3.204.14 Each lot identified by number and/or letter.
- 3.204.15 Approximate area of each proposed lot.
- 3.204.16 Approximate total area remaining in parent parcel, if any.
- 3.204.17 The location of all existing streets, with information concerning right-of-way widths, types of street surfaces and street names.
- 3.204.18 The location and identification of all existing bodies of water, water courses with direction of flow, buildings, drain pipes, culverts, sewer lines, sewage systems, waterlines, water wells, oil wells, gas wells, gas lines, power lines, telephone lines, structures, public facilities and any other significant man-made or natural features on the tract to be subdivided or developed.
- 3.204.19 The approximate location, dimension, and purpose of all easements or other rights-of-way including any limitations on their use.
- 3.204.20 The approximate location, dimension and identification of building setback lines.
- 3.204.21 Name, mailing address, signature and title of person who prepared the map if done by someone other than the professional land surveyor who certified the survey.
- 3.204.22 An area approximately 3 1/2"x5" shall be provided which shall be free of all writing and drawing, for use by Oregon Township to stamp any approval.
- 3.204.23 Where the subdivision or land development lies partially or completely in any designated one-hundred (100) year flood plain, those areas shall be identified and the boundaries shown.
- 3.204.24 A site data table listing the following: total acreage; proposed number of lots; lineal feet of new streets; zoning districts; proposed water service facilities; proposed sewer service facilities.
- 3.204.25 Any open space reserved.
- 3.204.26 Proposed street lines, right-of-way lines, easements indicating dimensions and purpose including any limitations on their use.
- 3.204.27 Names of proposed streets.
- 3.204.28 Approximate location and dimensions of any proposed water, sanitary sewer, storm sewer and other utility lines.
- 3.204.29 Contour lines, stating whether derived from a field survey or based on U.S.G.S. topographic maps, with a maximum 20 foot interval, if found to be necessary by the Township.
- 3.204.30 Developer's Agreement: All major subdivisions and land developments may be subject to the requirement that the developer enter into an agreement with the Oregon Township Supervisors prior to final approval. The legally binding

developer's agreement would guarantee the installation and performance of all improvements made in the development. The developer's agreement must be in a form suitable for execution by the Oregon Board of Supervisors and contain the following, as may be applicable:

- 3.204.30.1 A schedule for the completion of any improvements not completed and covered under a financial guarantee.
- 3.204.30.2 Developer's acknowledgement of accepting responsibility for all damages to adjoining and neighboring properties.
- 3.204.30.3 Financial (construction) guarantee approved by the Oregon Township Supervisors guaranteeing the installation of required improvements.
- 3.204.30.4 A maintenance guarantee approved by the Oregon Township Supervisors guaranteeing the repair of those improvements that fail to perform to the satisfaction of the Township Engineer for a period of 24 months following the date the Township formally approved the improvements.
- 3.204.30.5 A save harmless clause protecting Oregon Township from any and all liability.

3.205 Preliminary Plan Supporting Materials: The following items shall be submitted by the applicant in support of and as a part of the preliminary plan:

- 3.205.1 A letter of intent, signed by the applicant, including a statement that the application is for preliminary approval and clearly indicating which lots are to be included for consideration. The letter should concisely explain the scope of the proposal. The letter shall authorize that township officials or their representatives can enter the property for inspections required by the application. A minimum of one (1) original and six (6) copies are required.†
- 3.205.2 All applicable fees as required in Article IX - Fees of this Ordinance.
- 3.205.3 The completed appropriate components of the D.E.P. "Planning Module for Land Development" to meet the requirements of the Pennsylvania Sewage Facilities Act and the Clean Streams Act. All items must be either filled in or marked non-applicable (n/a). A minimum of the original plus six (6) copies of the planning modules, with attachments, shall be submitted.
 - 3.205.3.1 A minimum of seven (7) copies of evidence (usually in the form of a letter) that D.E.P. has reviewed and accepted the subdivision or land development as a revision to Oregon Township's Official Plan in accordance with the provisions of the Pennsylvania Sewage Facilities Act and Chapter 71, Administration of the Sewage Facilities Program; or:
 - 3.205.3.2 If the evidence in Section 3.205.4.1 has not been submitted, any preliminary approval of a subdivision or land development shall be conditioned upon the approval of the Planning Module(s) for Land Development by Oregon Township as a revision to the Township's Official

† As amended March 1, 2006

Plan and the approval of that revision by D.E.P. If Oregon Township and/or D.E.P. has disapproved or not granted these approvals within six (6) months of the date of preliminary approval, the preliminary approval shall automatically become null and void.

3.205.4 Streets

3.205.4.1 Streets shall conform to the requirements as set forth within the Oregon Township Road Ordinance, in effect at the time of the submission.

3.205.5 Storm Water Management Facilities.

3.205.5.1 A storm water management plan is required for all major subdivisions and land developments. The plan shall provide for the implementation, construction, and maintenance of such measures and devices consistent with the provisions of the applicable D.E.P. laws and regulations and/or Oregon Township Stormwater Management Ordinance, the contents of which are incorporated herein by referenced thereto, as are reasonably necessary to prevent injury to health, safety, and property. Such measures and devices shall include such actions as are required to manage the quantity, velocity, and direction of resulting storm water runoff in a manner which adequately protects health, safety, and property from possible injury.

3.205.5.2 Drawings of existing and proposed facilities for storm water management, including grades, dimensions, materials, calculations, etc. A minimum of seven (7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.

3.205.6 Water Service Facilities - The applicant shall provide evidence of the availability of water to each lot by complying with and providing the required information pertaining to one of the methods listed in the following subsections:

3.205.6.1 When Water Service to the proposed subdivision or land development is to be provided by connecting to an existing public or private central system, the applicant shall submit a letter from the owner or operator of the system which states that they can provide the subdivision or land development with water and lists the source of supply. Plans and profiles of the proposed water distribution system shall be submitted showing: materials; pipe sizes; location of lines, valves, and fire hydrants; and accurate grades, dimensions, and depths. A minimum of seven (7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.

3.205.6.2 When water service to the proposed subdivision or land development is to be provided by a new public or private central system, the applicant shall supply a report specifying the following items: proposed source of water supply; a statement from the Delaware River Basin Commission indicating their awareness of this proposal and the requirements, if any, which the applicant must meet; a statement from D.E.P. indicating their awareness of this proposal and the requirements, if any, which the applicant must meet; a statement from the Pennsylvania Public Utility Commission indicating their awareness of this proposal and the requirements, if any, which the applicant must meet. The applicant shall provide a statement specifying who will own the community water system and who shall be responsible and how that responsibility for the

maintenance of the system will be provided. Plans and profiles of the proposed water distribution system shall be submitted showing: materials; pipe sizes; location lines, valves, and fire hydrants; and accurate grades, dimensions, and depths.

In addition, where applicable, detailed plans shall be submitted showing: water storage tanks, hydropneumatic tanks, water booster pumps, water treatment facilities including but not limited to disinfection facilities and all other major components of the system. Where a Public Water Supply Permit is required from the Pennsylvania Department of Environmental Protection (DEP), all the plans, specifications and Design Engineer's Report information required for the permit application submittal to DEP shall also be submitted to the Township for review.

A minimum of seven (7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.

3.205.6.2(a) If the water service facilities to be provided are as described in 3.205.7.1 and/or 3.205.7.2, then the applicant shall include in the plans the following:

- (i) The public water system referred to herein shall be capable of delivering at least two hundred fifty (250) gallons per minute for a period of two (2) hours, or five hundred (500) gallons per minute for one (1) hour for fire prevention plus consumption at the maximum daily rate with a minimum residual water pressure of twenty (20) PSI during flow. For water systems with 200 or more existing or proposed connections, the flow shall be at least five hundred (500) GPM for a period of two (2) hours, or one thousand (1,000) GPM for one (1) hour for fire prevention plus consumption at the minimum residual water pressure of twenty (20) PSI. Water flow for commercial buildings shall be based on the standards of the National Fire Prevention Association (NFPA) as applicable.
- (ii) Fire hydrants required by this section shall conform to American Waterworks Association standards for dry barrel fire hydrants (AWWA C502). Hydrants shall have at least two (2) outlets: one outlet shall be a 4 1/2 inch pumper outlet and one shall be at least 2 1/2 inch nominal size. Hose threads on outlets shall conform to National Standards dimensions. Hydrants shall have 6 inch or larger connections to mains with a minimum of five inch valve opening. Hydrant spacing of 600 feet shall be measured as hose can be laid by fire apparatus at the designation of the fire chief. A valve shall be provided on connections between hydrants and street mains. The location of such hydrants or valves shall be selected and maintained so as to provide year round access by fire company personnel. The adoption of a maintenance and inspection schedule for fire hydrants which includes annual flushing and winter snow removal completed by the owners and/or property owners association.
- (iii) Water mains shall be at least six (6) inches in diameter

arranged so that they form a good gridiron in all areas of the distribution system. Where long lengths of pipe are necessary, eight (8) inch or larger mains shall also be used: Eight (8) inch or larger mains shall also be used where dead end and/or poor gridiron are likely to exist for a considerable period or where the layout of the streets and the topography are not well adapted to a good gridiron. The increase in main size provided for herein is and shall be determined solely by the township or its engineer or appropriate consultant.

- (iv) If water is to be provided as part of the subdivision, land development, or any related project filed hereunder, by means other than private wells owned and maintained by the individual owners of the lots within the subdivision or land development, applicants shall present evidence to Oregon Township, that the subdivision or land development is to be supplied by a certified public utility, a bona fide co-operative association of lot owners, or 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 co-operative agreement or a commitment or agreement to serve the area in question, whichever is appropriate shall be acceptable evidence hereof and shall be submitted with the preliminary application made under the Ordinance.

3.205.6.3 When connection to an existing system or construction of a new system cannot feasibly be accomplished, individual on-lot water supply systems may be utilized.

3.205.6.4 Where the applicant proposes water service other than in one of the three ways above, the applicant shall submit a narrative describing the proposed method with appropriate plans and specifications. A minimum of seven (7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.

3.205.6.5 Notwithstanding anything herein to the contrary, it is and shall be prohibited to service more than two (2) residences, dwellings, buildings or structures with one on-site water system or to construct, build or maintain more than one on-site water system on any single lot; provided, however, an applicant shall comply with any and all conditions imposed by the Township.

3.205.6.6 The Township shall have the authority to require the applicant to provide a report prepared by a hydro-geologist. The report shall verify the availability of a adequate water supply to serve the proposed subdivision or land development as well as the impact of said development on the existing water supply.

3.205.7 Sewer Service Facilities - The applicant shall submit evidence that sewage service for each lot shall be provided by complying with and providing the required information pertaining to one of the methods listed in the following subsections:

3.205.7.1 When sewer service to the proposed subdivision or land development is to be provided by connecting to an existing public or private central

collection and treatment system, the applicant shall submit a letter from the owner or operator of the system which states that they will accept the sewage flows generated by the proposed subdivision or land development. Plans and profiles of the proposed sewerage system shall be submitted showing: materials; pipe sizes; location of manholes; accurate grades, dimensions, and depths, and other pertinent information. In addition, where applicable, detailed plans shall be submitted showing: sewage treatment plant, sewage pump stations and all other major components of the system. Where a Water Quality Management Part 2 Permit is required from the Pennsylvania Department of Environmental Protection (DEP), all the plans, specifications and Design Engineer's Report information required for the permit application submittal to DEP shall also be submitted to the Township for review. The requirements found in this Subsection are intended to be in addition to the sewage planning requirements found in Section 3.205.4; however, it is not necessary to submit information under this Subsection which has been made a part of the submission under Section 3.205.4. A minimum of seven (7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.

- 3.205.7.2 When sewer service to the proposed subdivision or land development is to be provided by a new public or private central collection and treatment system, the applicant shall submit plans and profiles of the proposed sewerage system showing materials; pipe sizes; location of manholes; accurate grades, dimensions, and depths; and other pertinent information. The applicant shall provide a statement specifying who will own the community treatment system and who shall be responsible and how that responsibility for the maintenance of the system will be provided. In addition, where applicable, detailed plans shall be submitted showing: the sewage treatment plant, sewage pump stations and all other major components of the system. Where a Water Quality Management Part 2 Permit is required from the Pennsylvania Department of Environmental Protection (DEP), all the plans, specifications and Design Engineer's Report information required for the permit application submittal to DEP shall also be submitted to the Township for review. The requirements found in this Subsection are intended to be in addition to the sewage planning requirements found in Section 3.205.4; however, it is not necessary to submit information under this Subsection which has been made a part of the submission under Section 3.205.4. A minimum of seven(7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.
- 3.205.7.3 When connection to an existing system or construction of a new system cannot feasibly be accomplished, individual on-lot sewage systems may be utilized. The items submitted to meet the requirements of Section 3.205.4 shall constitute the plans under this Subsection. The location and construction of individual on-lot sewer systems shall meet the requirements of D.E.P. and the Township Sewer Ordinance as then in effect.
- 3.205.7.4 When the applicant proposes sewer service other than in one of the three ways above, the applicant shall submit a narrative describing the proposed method with appropriate plans and specifications. A minimum of seven (7) copies of drawings shall be submitted, one (1) of which shall be returned to the applicant.

3.205.7.5 Notwithstanding anything herein to the contrary, it is and shall be prohibited to service more than one residence, dwelling, building or structure with one on-site septic system or sewage disposal system or to construct, build or maintain more than one on-site septic system or sewage disposal system on any single lot. Provided, however, this provision is not intended to prohibit multiple use of an on-site system nor multiple systems on a single parcel as long as the subject parcel is not less than four (4) acres and constitutes sufficient area to satisfy all of the general subdivision provisions of this Ordinance and any and all other Township, State or Federal regulations to allow for and accomplish separation and subdivision of subject residences and/or structures into separate and distinct parcels.

3.205.8 Electric Service Facilities – A minimum of seven (7) copies of a letter from the electric utility company in whose service area the subdivision or land development is located stating that they will provide electric service to this subdivision or land development.

3.205.9 Telephone Service Facilities – minimum of seven (7) copies of a letter from the telephone company in whose service area the subdivision or land development is located stating that they will provide telephone service to this subdivision or land development.

3.205.10 Gas Service Facilities – If gas service is proposed by the applicant for this subdivision or land development, a minimum of seven (7) copies of a letter from the gas company in whose service area the subdivision or land development is located stating that they will provide gas service to this subdivision or land development.

3.205.11 Cable Television Service Facilities – If cable television service is proposed by the applicant for this subdivision or land development, a minimum of seven (7) copies of a letter from the cable television company in whose service area the subdivision or land development is located stating that they will provide cable television service to this subdivision or land development.

3.205.12 Property Owners Association – Upon the discretion of the Oregon Township Supervisors, a Property Owners Association (POA) may be required for submissions which require the construction of improvements required by this Ordinance. Along with any other items determined to be necessary, ownership, maintenance and repair of the improvements shall be established with documentation determined to be acceptable by the Township.

3.205.13 If the applicant proposes to dedicate all or some portion of the amenities and/or facilities to Oregon Township at some future date, the applicant shall submit a narrative description of how responsibility for maintenance and care of those amenities and/or facilities shall be handled during the period before the offer of dedication to the local municipality. In no case shall Oregon Township be bound to accept a dedication of such amenities.

3.205.14 A plan from the applicant indicating how they intend to implement and maintain erosion and sedimentation control measures to comply with the requirements of the Pennsylvania Code, Title 25 Environmental Protection, Chapter 102 Erosion Control, requirements as set forth by the Wayne Conservation District and Oregon Township as contained within the Oregon Township Stormwater Management Ordinance. This plan must be submitted to the Wayne Conservation District for review and comment. Upon review by the Wayne Conservation District the applicant

shall submit the plan with all comments to Oregon Township.

3.205.15 Where the subdivision or land development lies partially or completely in any designated one-hundred (100) year flood plain, the applicant shall submit plans showing the relationship of the subdivision or land development with respect to the elevations and extent of flood plain areas as shown on Oregon Township's flood plain maps provided by the Federal Emergency Management Agency. The plans shall include a description as to how the subdivision or land development will be made to comply with the Township's flood plain management regulations, if any. A minimum of seven (7) copies of plans shall be submitted.

3.205.16 Oregon Township may require the public dedication of lands suitable for the use intended; and, upon agreement with the applicant or developer, the construction of recreation facilities, the payment of fees in lieu thereof, the private reservation of land, or a combination, for park or recreational purposes as a condition precedent to final plan approval. The applicant shall provide to the Township a plan identifying the amount and location of land to be dedicated for use as park and recreational facilities, detailed drawing of the specific facilities, a narrative describing the maintenance responsibility, replacement construction as well as a fee schedule identifying cost associated with the use of the park and recreational facility by the property owner.

3.206 Final Plan Procedures: The applicant shall submit a minimum of seven (7) copies of the final plat and the applicable number of copies of all supporting material as specified in Section 3.208 to Oregon Township. The submission shall be prepared and presented to Oregon Township in a minimum of seven (7) individual packages, each package must include all required information. Only original unaltered prints of the plat shall be accepted. Such submission shall be made by the applicant within five (5) years from the date of preliminary approval. Failure of the applicant to submit the final plan within this period of time shall make the approval of the preliminary plan null and void. The Oregon Township Supervisors may extend this time limit at their discretion upon receipt of a written request from the applicant prior to the expiration of the time limit, describing in detail the reasons for the necessity of this extension of time.

3.206.1 No major subdivision or land development, or portion thereof, shall be considered for final approval unless it has a valid preliminary approval in effect.

3.206.2 Application for final approval may be submitted in sections or stages of development involving portions of the approved preliminary plan if so desired by the applicant. However, such piece meal shall not extend beyond the five (5) year preapproval deadline unless specifically authorized by the Township. The Oregon Township Supervisors shall review the application and determine what, if any, requirement 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 subdivision or land development. In determining these requirements or guarantees, the Oregon Township Supervisors shall insure that each section or stage shall relate logically and provide continuity of access, extension of utilities, and availability of amenities and services. The requirements or guarantees as determined shall become a part of the requirements of this Ordinance which shall be met by the applicant prior to the granting of final approval by the Oregon Township Supervisors and shall carry the same weight as if they had been incorporated into the Ordinance at the time of adoption.

3.206.3 The final plan shall conform to the approved preliminary plan. Where, in the opinion of the Oregon Township Supervisors, there have been significant modifications or changes to the approved preliminary plan, final approval shall be

denied and the applicant shall be required to resubmit the subdivision or land development for preliminary approval.

3.206.4 All applicable items listed in Section 3.207 and 3.208 shall be required for a complete submittal.

3.206.5 The Oregon Township Planning Commission shall review the final plan to determine its conformance with the requirements and standards contained in this Ordinance. The Oregon Township Planning Commission shall make a report of its recommendations to the Township Supervisors.

3.206.6 All applications shall be submitted for consideration following procedures established by the Oregon Township Board of Supervisors.

3.206.7 All applications for final approval shall be acted upon by the Oregon Township Board of Supervisors who shall render their decision and communicate it to the applicant not later than one-hundred twenty (120) days following the date of the formal submission of the application to Oregon Township. The decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

3.206.8 As mandated by the Municipalities Planning Code, all applications for subdivision and land development within Oregon Township shall be forwarded upon receipt by Oregon Township to the Wayne County Department of Planning for review and report, together with a fee sufficient to cover the costs of the review and report, which fee shall be paid by the applicant. Oregon Township shall not approve such applications until the County's report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

3.206.9 If the final plan is approved, each plat shall be stamped and signed. Three (3) copies shall be returned to the applicant.

3.206.10 The applicant shall record the approved plat with the Register and Recorder's Office of Wayne County, Pennsylvania within ninety (90) days from the date of approval placed on the approved plat. The approval shall be deemed to have lapsed if the applicant has failed to record the approved plat within that time period. The Register and Recorder's Office shall not accept any plat for recording unless such plat contains the official seal of Oregon Township and has a minimum of two (2) Oregon Township Board of Supervisors' signatures.

3.206.11 The completion of improvements as set forth in Article X - Improvements or a suitable guarantee thereof as set forth in Article XI - Improvement Guarantees is a prerequisite to final approval.

3.207 Final Plat Specifications: The final plat shall be clearly and legibly drawn on a sheet or multiple sheets (with match lines) not more than 2'x 3' and not less than 11 " x 17". The plat shall be labeled "Final Major Subdivision (or Land Development)". The plat shall be designed in compliance with applicable provisions of this Ordinance, and shall show the following information:

3.207.1 Location map.

3.207.2 Tract, subdivision, or land development name, if any.

3.207.3 Name and mailing address of present landowner.

- 3.207.4 Name and mailing address of applicant, if different from landowner
- 3.207.5 Name of township and county in which tract is located.
- 3.207.6 Tax map and parcel identification number of tract.
- 3.207.7 Deed book and page identification number of tract.
- 3.207.8 Boundaries of the tract and approximate location of abutting properties.
- 3.207.9 The names of all adjoining property owners (including those across streets) as disclosed by the most recent deed and tax records.
- 3.207.10 Graphic scale.
- 3.207.11 Reference meridian - North arrow indicating true, magnetic, or other source.
- 3.207.12 Date map was drawn and dates of all revisions.
- 3.207.13 All existing and proposed lot lines, with accurate dimensions and bearings of straight lines and radii, arcs, and central angles of curved lines.
- 3.207.14 Each lot identified by number and/or letter.
- 3.207.15 Area of each proposed lot.
- 3.207.16 Total area remaining in parent parcel, if any.
- 3.207.17 The location of all existing streets, with information concerning right-of-way widths, types of street surfaces, and street names.
- 3.207.18 The location and identification of all existing bodies of water, water courses with direction of flow, buildings, drain pipes, culverts, sewer lines, sewage systems, water lines, water wells, oil wells, gas wells, power lines, telephone lines, structures, public facilities, and any other significant man-made or natural features on the tract to be subdivided or developed.
- 3.207.19 The location, dimension, and purpose of all easements or other rights-of-way including any limitations on their use.
- 3.207.20 The location, dimension, and identification of building setback lines.
- 3.207.21 Name, mailing address, signature, and title of person who prepared the map if done by someone other than the professional land surveyor who certified the survey.
- 3.207.22 An area approximately 5"x5" shall be provided which shall be free of all writing and drawing, for use by Oregon Township Supervisors to stamp any approval.
- 3.207.23 Where the subdivision or land development lies partially or completely in any designated one-hundred (100) year flood plain, those areas shall be identified and the boundaries shown.
- 3.207.24 A site data table listing the following: total acreage; number of lots; lineal feet of new streets; zoning districts; water service facilities; sewer service facilities.

- 3.207.25 Any open space reserved.
- 3.207.26 New street lines, right-of-way lines, and easements indicating dimensions, purposes, and any limitations on their use.
- 3.207.27 Names of new streets.
- 3.207.28 Location of any new water, sanitary sewer, and storm sewer lines.
- 3.207.29 Proposed use of each lot if other than single-family residential.
- 3.207.30 Location and type of all lot corners and other permanent monuments, designating which have been set in place or found.
- 3.207.31 Name, mailing address, certification by stamp or seal, and signature of professional land surveyor who certified the map and survey. Each print shall be individually signed and sealed or stamped by the professional land surveyor.
- 3.207.32 The final plat for a major land development shall contain the following statement:

"[The applicant] certifies the information contained in this application is true and correct. Alterations from this approved plan by the present or future owners is a violation of the Oregon Township Subdivision and Land Development Ordinance. Changes in the scope and/or limits of the project and its features will require a new application to be submitted.

{signature of applicant}"

This statement must appear on the map with an original signature of the applicant on every copy submitted for approval.

- 3.207.33 The final plat shall contain the following statement: " It is the responsibility of the landowner and contractor, prior to any construction, to determine if any wetlands exist on any portion of the property and if such wetlands will be affected by the installation of any improvements. The developer and/or the lot purchaser assume full responsibility for obtaining any state or federal permits and/or approvals relating to wetlands. This subdivision and/or land development approval by the Township Board of Supervisors shall not in any manner be an approval of compliance with statutes or regulations relating to wetlands."

- 3.208 Final Plan Supporting Materials: The following items shall be submitted by the applicant in support of and as part of the final plan:

- 3.208.1 A letter of intent, signed by the applicant, including a statement that the application is for final approval and clearly indicating which lots are to be included for consideration. The letter should concisely explain the scope of the proposal. The letter shall authorize that township officials or their representatives can enter the property for inspections required by the application. A minimum of one (1) original and six (6) copies are required.*

- 3.208.2 All applicable fees as required in Article IX - Fees of this Ordinance.

- 3.208.3 A minimum of seven (7) copies of evidence (usually in the form of a letter) that D.E.P. has reviewed and accepted the subdivision or land development as a

* As amended March 1, 2006

revision to the Township's Official Plan in accordance with the provisions of the Pennsylvania Sewage Facilities Act and Chapter 71, Administration of the Sewage Facilities Program.

3.208.4 Streets

3.208.4.1 Streets shall conform to the requirements as set forth within the Oregon Township Road Ordinance, in effect at the time of submission. In addition the applicant shall submit final as-built drawings of the cross sections and profile of the streets.

3.208.5 Storm Water Management Facilities

3.208.5.1 If the storm water management facilities have been improved or installed as required by, and in accordance with this Ordinance, a minimum of seven (7) copies of the final as-built drawings of the facilities shall be submitted, one (1) of which shall be returned to the applicant.

3.208.5.2 In lieu of the completion of the construction of the storm water management facilities, the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantees, of this Ordinance.

3.208.6 Water Service Facilities

3.208.6.1 If the method for the provision of water service facilities is other than individual on-lot wells for each individual residential dwelling unit and the water service facilities have been improved or installed as required by, and in accordance with this Ordinance, a minimum of seven (7) copies of the final as-built drawings of the facilities shall be submitted, one (1) of which shall be returned to the applicant.

3.208.6.2 If the method for the provision of water service facilities is other than individual on-lot wells for each individual residential dwelling unit, in lieu of the completion of the construction of the water service facilities, the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantees, of this Ordinance.

3.208.7 Sewer Service Facilities

3.208.7.1 If the method for the provision of sewer service facilities is other than individual on-lot sewage systems for each individual residential dwelling unit and the sewer service facilities have been improved or installed as required by, and in accordance with this Ordinance, a minimum of seven (7) copies of the final as-built drawings of the facilities shall be submitted, one (1) of which shall be returned to the applicant.

3.208.7.2 If the method for the provision of sewer service facilities is other than individual on-lot sewage systems for each individual residential dwelling unit, in lieu of the completion of the construction of the sewer service facilities, the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantees, of this Ordinance.

3.208.8 Electric Service Facilities

- 3.208.8.1 If the electric service facilities have been improved or installed as required by, and in accordance with this Ordinance, the electric utility company's requirements, and the pertinent laws and regulations of the Commonwealth; a minimum of seven (7) copies of the final as-built drawings of the electric service facilities shall be submitted, one (1) of which shall be returned to the applicant.
- 3.208.8.2 If the electric service facilities have not been improved or installed, a minimum of seven (7) copies of an approved plan from the utility company shall be submitted.
- 3.208.8.3 If electric service facilities are to be improved and or installed, in lieu of the completion of the electric service facilities the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantee's, of this Ordinance.

3.208.9 Telephone Service Facilities

- 3.208.9.1 If the telephone service facilities have been improved or installed as required by, and in accordance with this Ordinance, the telephone company's requirements, and the pertinent laws and regulations of the Commonwealth of Pennsylvania; a minimum of seven (7) copies of the final as-built drawings of the telephone service facilities shall be submitted, one (1) of which shall be returned to the applicant.
- 3.208.9.2 If the telephone service facilities have not been improved or installed, a minimum of seven (7) copies of an approved plan from the telephone company shall be submitted.
- 3.208.9.3 If telephone service facilities are to be improved and or installed, in lieu of the completion of the telephone service facilities the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantee's, of this Ordinance.

3.208.10 Gas Service Facilities

- 3.208.10.1 If the gas service facilities have been improved or installed as required by, and in accordance with this Ordinance, the gas company's requirements, and the pertinent laws and regulations of the Commonwealth of Pennsylvania; a minimum of seven (7) copies of the final as-built drawings of the gas service facilities shall be submitted, one (1) of which shall be returned to the applicant.
- 3.208.10.2 If the gas service facilities have not been improved or installed, a minimum of seven (7) copies of an approved plan from the gas company shall be submitted.
- 3.208.10.3 If gas service facilities are to be improved and or installed, in lieu of the completion of the gas service facilities the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantee's, of this Ordinance.

3.208.11 Cable Television Service Facilities

3.208.11.1 If the cable television service facilities have been improved or installed as required by, and in accordance with this Ordinance, the cable television company's requirements, and the pertinent laws and regulations of the Commonwealth of Pennsylvania; a minimum of seven (7) copies of the final as-built drawings of the cable television service facilities shall be submitted, one (1) of which shall be returned to the applicant.

3.208.11.2 If the cable television service facilities have not been improved or installed, a minimum of seven (7) copies of an approved plan from the cable television company shall be submitted.

3.208.11.3 If cable television service facilities are to be improved and or installed, in lieu of the completion of the cable service facilities the applicant shall provide a financial security in accordance with the provisions as set forth in Article XI, Improvement Guarantee's, of this Ordinance.

3.209.12 Developer's Agreement: All major subdivisions and land developments may be subject to the requirement that the developer enter into an agreement with the Oregon Township Supervisors prior to final approval. The legally binding developer's agreement would guarantee the installation and performance of all improvements made in the development. The developer's agreement must be in a form suitable for execution by the Oregon Board of Supervisors and contain the following, as may be applicable:

3.209.12.1 A schedule for the completion of any improvements not completed and covered under a financial guarantee.

3.209.12.2 Developer's acknowledgement of accepting responsibility for all damages to adjoining and neighboring properties.

3.209.12.3 Financial (construction) guarantee approved by the Oregon Township Supervisors guaranteeing the installation of required improvements.

3.209.12.4 A maintenance guarantee approved by the Oregon Township Supervisors guaranteeing the repair of those improvements that fail to perform to the satisfaction of the Township Engineer for a period of 24 months following the date the Township formally approved the improvements.

3.209.12.5 A save harmless clause protecting Oregon Township from any and all liability.

ARTICLE IV

DESIGN STANDARDS

4.000 Design Standards - The following standards shall be applicable to the design of all subdivision and land developments in Oregon Township, Wayne County. The standards and requirements contained in this Article are intended as minimums for the promotion and protection of the public health, safety, and general welfare.

4.100 Lots

4.101 General

- 4.101.1 Unless particular circumstances of the property make it impractical, side lot lines shall be at right angles to straight street lines and on radial lines to curved street lines.
- 4.101.2 All lots shall front on, and have direct access to, an existing public or private street or a proposed street which meets the requirements of The Oregon Township Road Ordinance.

A waiver may be granted by the Township Supervisors to the requirement of a lot fronting on a street providing the following conditions exist:

-Particular circumstances of the application warrant a waiver, and if granted would not be contrary to the public interest, and would maintain the spirit and the intent of this Ordinance. The application must demonstrate that due to circumstances which exist such as topography, shape of the parcel, or other constraints; road frontage is not attainable. Only one waiver per parcel of land, may be granted as of the adoption date of this ordinance.

-The lot will not be further subdivided unless in accordance with restrictive covenants included in the deed.

-Access to the lot is provided via a "common/private driveway" which serves only one (1) lot that does not front on a street.

-The "common/private driveway" is located in a right-of-way that is equal to or greater than the minimum width required in the local road ordinance. The right-of-way shall also be adequate to accommodate a cul-de-sac as required by the local road ordinance. If the "common/private driveway" is a dead-end it shall be no longer than the maximum length allowed for a road as provided for in Section 4.201.7 of this ordinance.

-The deed for the lot contains appropriate restrictive covenants acceptable to Oregon Township setting forth the manner in which the costs of repair, upgrade and maintenance of the driveway will be apportioned as well as the costs of repair, upgrade and maintenance in the event of future development.

-A copy of the proposed deed containing the following restrictions must be submitted as part of the application:

The deed for the lot shall contain the following restrictive covenant:

The above - described easement for a common/private driveway is under and subject, nevertheless, to the following conditions, restrictions and covenants:

1. That the premises herein conveyed is the only parcel not abutting a street that this common/private driveway may serve.
2. That no further subdivision of the premises herein conveyed may use this common/private driveway.
3. That covenants 1 and 2 herein may only be removed from further deeds of conveyance if the common/private driveway is upgraded to meet the standards of the local municipality road ordinance in force and effect at the time that a further subdivision or increased use of said common/private driveway is proposed.
4. That the parties hereto mutually agree for themselves, their heirs and assigns, that the determination that the standards of the local municipality road ordinance have been met will be acceptable to them, their heirs and assigns, if the governing body of the local municipality accept the same in writing which may be recorded in the Wayne County Recorder of Deeds Office.

And the grantee, for himself, his heirs and assigns, by the acceptance of this indenture, agrees with the grantor, his heirs and assigns, that said restrictions, conditions and covenants shall be covenants running with the land, and that in any deed of conveyance of said premises, said restrictions, conditions and covenants shall be incorporated by reference to this indenture and the record hereof or as fully as the same are contained herein.

- A statement is placed on the plat stating, "The 'common/private driveway' shown on this plan is for the purpose of access to the lot shown. This is not a private or public street. Any further subdivision involving additional lots along this 'common/private driveway' will require the 'common/private driveway' to be upgraded to meet the standards of the local municipality's road ordinance".

4.101.3 Unless particular circumstances of the property make it impractical, lot lines shall follow Township boundaries rather than cross them, in order to avoid jurisdictional problems.

4.102 Lot Size

4.102.1 All lots shall be a minimum of two (2) acres* with an average width of 150 feet and a minimum road frontage of 50 feet.

4.103 Building Setbacks

4.103.1 Residential

Along road right-of-way*	35 feet
Along common private drive*	15 feet
Side	15 feet
Rear	15 feet

4.103.2 Non-Residential

Along any right-of-way	100 feet
Side	100 feet
Rear	100 feet

*as amended July 5, 2006

4.200 Streets

4.201 General

- 4.201.1 Proposed streets shall provide for the continuation, connection, and projection of streets in surrounding areas and shall conform to all plans and policies as may have been adopted by Oregon Township.
- 4.201.2 Proposed streets shall be properly related to the street and highway plans of the state, county, and Oregon Township. Streets shall be designed to provide adequate vehicular access to all lots and with regard for topographic conditions, projected volumes of traffic, and subdivision or land development possibilities in the area.
- 4.201.3 The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions.
- 4.201.4 All streets shall be designed with proper drainage to avoid future damage to the street. The design shall assure that the surface sheds water, side ditches collect and carry water away, and an adequate number and sizing of culverts has been planned.
- 4.201.5 Access to a state road requires authorization from the Pennsylvania Department of Transportation and receipt of a valid highway occupancy permit.
- 4.201.6 Access to an Oregon Township streets shall require authorization from the Oregon Township Supervisors.
- 4.201.7 Cul-de-sac streets shall not exceed 1,200 feet in length measured from the centerline of the intersection to the centerline of the turnaround.

4.202 Private Streets

- 4.202.1 New private streets shall be constructed to the standards that are required by Oregon Township Road Ordinance, in effect at the time of submission.

4.203 Public Streets

- 4.203.1 New public streets shall be constructed to the standards that are required by Oregon Township Road Ordinance, in effect at the time of submission.

4.204 Non-Residential Access Roads or Streets

- 4.204.1 Non-Residential access roads or streets that front on a Township road shall be constructed to the standards for a minor street as defined within the Oregon Township Road Ordinance. in effect at the time of submission.
- 4.204.2 Non-Residential access roads or streets that front on a state road shall be constructed to the standards as defined by the Pennsylvania Department of Transportation. The applicant must obtain the required driveway permit from the Pennsylvania Department of Transportation. In cases where the Pennsylvania Department of Transportation standards are not applied to the entire length of the Non-Residential access road or street, Township standards as defined within 4.204.1 shall apply.
- 4.204.3 All Non-Residential access roads or streets shall be paved.

4.205 Engineering Standards for Public/Private Streets

4.205.1 Streets shall be designed according to the engineering standards and specifications as set forth within the Oregon Township Road Ordinance, in effect at the time of submission.

4.300 Signs

4.301 Street signs shall be required and constructed to the standards that are required by the Oregon Township Road Ordinance and Oregon Township Zoning Ordinance, in effect at the time of submission.

4.400 Utilities

4.401 Easements: Utility easements shall be provided for wires, conduits, storm and sanitary sewers, gas, water, and/or other utility lines intended to service abutting lots. Utility companies shall be consulted by the applicant when locating utility easements. The requirements of the utility company shall serve as the minimum standards.

4.402 The Pennsylvania Public Utility Commission order regulating underground and overhead electrical distribution shall be complied with by the applicant.

4.500 Survey Markers

4.501 Survey markers shall be established or located at each existing and proposed lot corner. If it is impossible or impractical to set a survey marker precisely on the corner, then survey markers may be established on the line of the lot and offset a distance from the actual corner. Such distance shall be so noted on the final plat.

4.502 Survey markers shall be made of iron pipe, iron or steel bars, concrete, stone, or other similar durable material. Wooden stakes or other similar less durable material shall be prohibited.

4.503 A wooden stake or other suitable object shall be placed or found near each survey marker as a witness with a notation made on it which identifies the lot by number, letter, or name of landowner.

4.600 Drainage Easements

4.601 Drainage along and across streets shall be designed so as to meet the requirements in The Oregon Township Road Ordinance, in effect at the time of submission.

4.700 Sewage Disposal

4.701 All subdivision and land developments shall be required to have provisions for disposal of sewage and all other wastewater. The applicant shall provide for the most effective type of sanitary sewage disposal consistent with Pennsylvania Act 537 and the Oregon Township Sewer Ordinance as then in effect.

4.702 The applicant shall comply with all appropriate State and Township regulations for inclusion of the proposed subdivision or land development in Oregon Township's Official Plan for sewage systems.

4.703 If the applicant proposes to construct or connect to a public or private collection and treatment system, the system shall be designed in accordance with specifications of the

Commonwealth of Pennsylvania, Department of Environmental Protection.

- 4.704 If the applicant proposes that individual on-lot sewage systems will be used, the requirements of the PA. D.E.P. and Oregon Township governing the location and design of such systems shall be followed by the applicant and all present and future owners.
- 4.705 If the applicant proposes sewage service other than as described in Section 4.703 and 4.704, the design of such facilities shall meet accepted engineering practices.
- 4.706 The applicant shall design the sewage system utilizing the standards as set forth within section 3.205.8 Sewage Service Facilities.
- 4.707 Approval of a subdivision or land development proposing the use of on-lot sewage disposal shall in no way indicate or guarantee approval of any on-lot disposal system.
- 4.708 The applicant and/or all present and future owners shall be required to obtain appropriate permits from the State or Township prior to the construction of any sewage disposal system.
- 4.709 If the applicant proposes a community subsurface sewage disposal system as the means of treating and disposing of sewage, disposal areas shall be on separate "sewage disposal lot(s)". Each sewage disposal lot shall be a minimum of 1 acre.

4.800 Water Supply

- 4.801 If the applicant proposes to construct or connect to a public or private water supply and distribution system, the system shall be designed in accordance with Federal and State specifications. If no such Federal, State, or Township specifications exist or apply, the system shall be designed to meet accepted engineering practices.
- 4.802 If the applicant proposes a water supply and distribution system other than as described in Section 4.801, the design of such system shall meet accepted engineering practices and any Federal, State, or Township specifications that may apply.
- 4.803 The applicant shall design the water system utilizing the standards as set forth within Section 3.205.7, Water Service Facilities.
- 4.804 If the applicant proposes a new central water system, the well shall be located on a "well lot" if the system is intended to serve 3 or more lots. The "well lot" must be a minimum of 25 feet by 25 feet. If the central system will serve only 2 lots, and is simply a "shared well" no "well lot" will be required.

4.900 Erosion and Sedimentation Control

- 4.901 The erosion and sedimentation control plan, control measures, facilities, and restoration work shall comply with PA. D.E.P. rules and regulations, as well as requirements set forth by the Wayne Conservation District.
- 4.902 The applicant shall comply with the standards as set forth within the Oregon Township Stormwater Management Ordinance as adopted.
- 4.903 If the earthmoving activity proposed requires the obtaining of a PA. D.E.P. erosion and sedimentation control permit, the PA. D.E.P. rules and regulations governing the issuance of permits shall be adhered to.

4.1000 Storm Water Management

- 4.1001 Storm water runoff shall be computed using the methods of calculation of runoff flow parameters as described within the Oregon Township Stormwater Management Ordinance, in effect at the time of submission.
- 4.1002 Storm water management plans shall be drawn to the specifications and requirements of State, County, and/or Township regulations in effect at the time of submission, including, but not limited to, The Oregon Township Storm Water Management Ordinance.
- 4.1003 Storm sewers, culverts, and related facilities shall be provided in order to permit unimpeded flow of natural water courses, insure adequate drainage of all low points and areas along streets, and intercept water runoff along streets at intervals that are properly related to the extent and grade of the area drained.
- 4.1004 Measures shall be implemented to assure that the maximum rate of storm water runoff is no greater after subdivision and land development than prior to subdivision and land development activities; or, manage the quantity, velocity, and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.
- 4.1005 The applicant shall be responsible to pay all fees associated with the review, approval and inspection process as defined within the Stormwater Management Ordinance as it relates to the enforcement of the Township of Oregon's Stormwater Management Ordinance, in effect at the time of submission.

4.1100 Flood Plain Management

- 4.1101 All subdivisions and land developments shall comply with the provisions of State, County, and the Oregon Township Flood Plain Management Regulations.
- 4.1102 In addition thereto, the following shall be applied:
 - 4.1102.1 The general health, safety, and welfare of the community shall be promoted and preserved.
 - 4.1102.2 Each subdivision lot or land development site within designated one- hundred (100) year flood plains shall be provided with a safe building lot or site with adequate access. Public facilities which serve such lots or sites shall be designed and installed to preclude flood damage.
 - 4.1102.3 Where not prohibited by this or any other codes or ordinances, land located in designated one-hundred (100) year flood plains may be subdivided or developed with the provision that the applicant construct all buildings and structures to preclude flood damage in accordance with this and any other codes or ordinances regulating such subdivision or land development.
 - 4.1102.4 The finished elevation or proposed streets within designated one-hundred (100) year flood plains shall be no more than 1 foot below the one-hundred (100) year flood elevation. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.
 - 4.1102.5 All new or replacement sewer service facilities, water service facilities, and utilities, whether public or private, located in designated one-hundred (100) year flood plains, shall be flood-proofed up to a point 1 1/2 feet above the one-hundred (100) year flood elevation.

4.1200 Non-Residential Subdivisions and Land Developments

4.1201 Application. All Non-Residential and subdivisions and land developments shall conform with the provisions of the applicable section(s) of this ordinance and any other applicable regulations which are not addressed in this section (Section 4.1200).

4.1202 Size. Approval of lot or parcel size will be determined by the following factors:

4.1202.1 Total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping, and other facilities.

4.1202.2 Whenever possible, Non-Residential parcels should include enough land to provide for a group of Non-Residential establishments, planned, developed and operated as a unit. In no case will narrow, highway-ribbon developments be approved.

4.1203 Street Systems.

4.1203.1 Ingress and egress of Non-Residential areas shall be designed to provide the least amount of interference on external traffic. Such designs shall not create hazardous traffic flows.

4.1203.2 The design of internal streets, service drives and pedestrian ways shall provide for safe and hazard-free circulation.

4.1203.3 A dead-end street is a Minor street with only one outlet, and shall not be more than one thousand feet (1000') as measured.

4.1203.4 A Cul-de-sac shall be placed at the end of all dead-end streets to conform with the Township Road Ordinance.

4.1204 Block Layout.

Block layout shall conform with due consideration of site conditions, with best possible service to customers, traffic and parking circulation, and pick up and delivery service.

4.1205 Off-Street Parking

4.1205.1 Off street parking for Non-Residential and service oriented land developments shall be provided as per the following schedule. Internal street and parking design shall be designed to accommodate prospective traffic and facilitate fire protection.

Development Type	Parking Space(s) Required
Bowling alley	8 vehicle spaces for each alley
Churches, theatres, stadiums and other places of assembly	1 per every 3 seats
Drive-in eating facilities	3 per employee
Food markets and grocery	1 per 100 sq ft of public floor area
Funeral homes	1 per 100 sq ft of public floor area
Golf and other commercial outdoor recreation enterprises	1 per every 2 users
Hospitals on largest shift	1 per bed plus 1 per employee
Motels, hotels, boarding houses	1 per guest room unit
Office building	1.5 per employee
Personal services	4 parking spaces per patron capacity
Public and semi-public uses	1 per 200 sq ft of floor area
Multi-family residential apartments	2 per dwelling unit
Restaurants and taverns	1 per 50 sq ft of public floor area
Retail business	1 per 200 sq ft of public floor area
Schools	1 per every 15 classroom seats
Service stations & garages	1 per 100 sq ft of floor area

Swimming pools	1 per 10 sq ft of water surface
Wholesale & trucking establishments	1 per employee on largest shift

- 4.1205.2 Industrial subdivisions shall provide a sufficient number of paved parking spaces to accommodate the maximum number of employees' cars, and visitors to the manufacturing firm.
- 4.1205.3 In cases where there is a change of shift for employees, the number of parking spaces required would be determined by the estimated number of employees per two shifts.
- 4.1205.4 Truck loading areas shall be provided such that all truck loading, unloading, and maneuvering can be accommodated within the property lines.
- 4.1205.5 No more than 50 percent of the off-street parking area for the entire property of Non-Residential developments shall be located between the front facade of the principal building and the primary abutting street.
- 4.1205.6 All non-residential land developments shall provide and maintain a vegetative screening strip of planted or natural growth, along the exterior property boundary lines. Such screening shall be at a depth of not less than twenty (20) feet, to effectively screen the area within a reasonable (3-5 years) time period. A planting plan specifying types, size and location of existing and proposed plant material shall be required and shall meet the approval of the Oregon Township Board of Supervisors.

4.1300 Conservation Subdivisions

Conservation Subdivisions – As provided for in Act 247, The Pennsylvania Municipalities Planning Code, Section 503(5) this section is intended to provide "...for encouraging and promoting flexibility, economy and ingenuity in the layout and design of subdivision and land developments." Site requirements and/or design may be altered when the developer chooses to employ conservation development techniques that will maximize open space and/or conserve natural features. Such alterations must be consistent with the spirit, intent and purposes of this subdivision and land development ordinance. Procedural requirements shall follow those as contained in Article III of this Ordinance.

- 4.1301 Sketch plan requirements – Prior to submitting a preliminary plan for a conservation subdivision or land development, an applicant may prepare a sketch plan and submit the plan to the Oregon Township. The purpose of the sketch plan submission is to enable the applicant to provide to the Township a general idea of their proposed conservation subdivision or land development. This will also enable the applicant to obtain feed back from the Township in order that the conservation subdivision or land development may continue in a direction that is mutually agreed upon by both the applicant and the Township.

4.1302 General Design Considerations –

- 4.1302.1 Conservation subdivisions or land developments must contain a minimum of 10 lots or units.
- 4.1302.2 Conservation design shall provide, to the greatest extent possible, for the accommodation of common open space and sensitive natural sites. A minimum of 35% of the total development tract must be permanent open space. At a minimum 25% of the common open space must be open to active recreation for the enjoyment of the residents of the development and not include floodplains, wetlands and slopes over 25%.

4.1302.3 Access to all lots or units shall be from interior roads and not from existing state or township roads.

4.1302.4 All roads and other improvements must be designed to minimize earth disturbance in order to enhance the conservation aspects of the development.

4.1302.5 Stormwater management facilities shall be designed to insure that there is no increase in the rate of stormwater runoff after development than existed prior to development.

4.1303 Permitted number of lots or units – The total permitted number of lots or units shall be determined by dividing the area by the minimum lot size as provided for a conventional subdivision or land development.

4.1304 Lot size and width – Lot sizes and widths may be reduced provided adequate sewage sites and alternate sites are identified, tested and approved through the sewage enforcement officer. Developments served with central sewage facilities may be reduced to the extent that the design does not create unsafe or impracticable projects.

4.1305 Property Owners' Association (POA) – Every conservation subdivision or land development shall contain provisions through a POA for the permanent protection of the open space in the development along with all other common property, which may include (but not limited to) such amenities as roads and sewer and water.

4.1305.1 It shall be mandatory for all lot or unit owners to be a member of the POA.

4.1305.2 The POA shall be designed to provide flexibility in its dues structure in order to meet changing needs.

4.1305.3 The POA must also have the ability to file liens on properties where dues are not paid.

4.1306 Permanent Open Space Protection – A conservation easement shall be granted to the POA which will have the responsibility for the permanent protection and the insurance, taxes and maintenance of all common open space. If it can be demonstrated to the Township that another organization, such as a land conservancy or other similar group could provide better oversight* for the open space protection element, the Township may grant approval for such an arrangement.

* As amended March 1, 2006

ARTICLE V

SPECIAL APPROVALS

5.000 Special Approvals - This Article sets forth various approvals which are not addressed within other articles of this Ordinance.

5.100 General - Where provisions of this Article differ from or are not addressed in other articles of this Ordinance, the provisions of this Article shall apply. All special approvals shall be subject to the provisions of other articles of this Ordinance.

5.200 Conditional Approval

5.201 The Oregon Township Supervisors may decide when considering an application to offer the applicant a conditional approval. If the Oregon Township Supervisors decide to make such an offer to the applicant, the Oregon Township Supervisors shall specify in writing to the applicant the conditions and the time within which he may accept the same.

5.202 After the notice required under Section 5.201 has been sent to the applicant, a conditional approval shall be granted within the time specified by said notice if:

5.202.1 Both the Oregon Township Supervisors and the applicant or his formal designee enter into a written agreement which conforms with the provisions of Section 5.203 herein; and

5.202.2 Said written agreement is filed with the Oregon Township Supervisors within a time period established by the Oregon Township Supervisors; and

5.202.3 No condition specified in the agreement shall in any way negate or vary the requirements of this Ordinance or any other ordinances as they shall pertain to the application.

5.203 The agreement between the applicant and the Oregon Township Supervisors shall contain the following information:

5.203.1 Statement of Conditions.

5.203.2 A time period established by the Oregon Township Supervisors in which the applicant must agree to the conditions of approval.

5.203.3 Signatures required include those of the applicant, Chairperson of the Oregon Township Board of Supervisors and a witness.

5.203.4 The Oregon Township Supervisors shall determine a time period in which the applicant must complete the conditions as set forth with the approval. Failure to complete the conditions within the time frame established by the Oregon Township Supervisors without requesting and receiving an extension of time will result in an automatic revocation of approval.

5.300 Addition or Lot Improvement

5.301 An addition or lot improvement shall be considered as a minor subdivision or land development and all provisions provided for thereunder, shall apply.

5.302 Required supporting material for an addition or lot improvement:

- 5.302.1 A letter of intent, signed by the applicant, including a statement that the application is for an addition or lot improvement.
- 5.302.2 A copy of the proposed deeds which include the following: The first deed will include the acreage being conveyed as an addition or lot improvement to the parent parcel of the grantee and the second deed will describe the parent parcel and the addition or lot improvement as one (1) lot.
- 5.302.3 No planning module shall be required so long as both the remaining lots have existing septic systems. In the event that either lot does not have an existing septic system, a planning module shall be required.
- 5.302.4 The applicant shall submit copies of the proposed deed language with all applications. Two (2) deeds shall be recorded after approval of the plat. The first deed will include the acreage being conveyed as an addition or lot improvement to the parent parcel of the grantee. The second deed will describe the parent parcel and the addition or lot improvement as one (1) lot. The applicant agrees that the newly consolidated parcels shall not be further subdivided without the approval of the Oregon Township Board of Supervisors.

- 5.302.5 A map depicting the grantor's remaining property in relationship to the newly created lot addition or lot improvement shall be submitted.

5.400 Reapproval

- 5.401 A reapproval may be granted by the Oregon Township Supervisors.
- 5.402 Required supporting material for a reapproval:
 - 5.402.1 A letter of intent, signed by the applicant, including a statement that the application is for reapproval. The letter shall also contain a statement indicating that the submission for reapproval has not been altered in any way from the original submission that had been previously approved.
 - 5.402.2 No planning module shall be required so long as the lot or lots originally approved have existing septic systems. In the event that the lot or lots originally approved do not have an existing septic system, a planning module shall be required.

5.500 Lot of Record

- 5.501 Approval may be granted to a lot of record by the Oregon Township Supervisors.
- 5.502 Required supporting material for a lot of record:
 - 5.502.1 A letter of intent, signed by the applicant, including a statement that the application is for a lot of record. The applicant shall also provide evidence that the parcel in question is, in fact, a lot of record.
 - 5.502.2 No planning module shall be required so long as the lot or lots being considered for approval as a lot of record have existing septic systems. In the event that the lot or lots do not have an existing septic system, a planning module shall be required.

5.600 Change of Lot Lines

- 5.601 A change in lot lines shall be considered as a minor subdivision or land development and all provisions provided for thereunder, shall apply.

5.602 Required supporting material for a change in lot lines:

- 5.602.1 A letter of intent, signed by the applicant, including a statement that the application is for a change in lot lines.
- 5.602.2 No planning module shall be required so long as both of the resulting lots have existing septic systems. In the event that either lot does not have an existing septic system, a planning module shall be required.
- 5.602.3 The applicant agrees that the resulting parcel(s) are restricted to use for one (1) single family dwelling only and the subdivision map and deed of conveyance shall clearly note the restriction. The applicant further agrees that the newly created parcel(s) shall not be further subdivided without the approval of the Oregon Township Board of Supervisors. In addition the applicant agrees that any original development easements, right-of-ways or setbacks that were in existence prior to this change of lot lines shall not be altered by this action. Also, the grantors remaining lands which are re-subdivided or re-allocated, comply in all respects to the provision of this Ordinance and the Oregon Township Zoning Ordinance as then in effect.
- 5.602.4 A map showing the newly created parcel in relationship to the remaining lands of the grantor shall be submitted.

5.700 Un-subdivision

5.701 An un-subdivision shall be considered as a minor subdivision or land development and all provisions provided for thereunder, shall apply.

5.702 Required supporting material for an un-subdivision:

- 5.702.1 A letter of intent, signed by the applicant, including a statement that the application is for an un-subdivision.
- 5.702.2 A copy of the proposed deed which includes the deed restriction related to the use of the proposed lot. The deed restrictions and the subdivision map shall also include a statement that this newly created lot(s) shall not be further subdivided.
- 5.702.3 No planning module shall be required so long as the newly created lot(s) or the remaining lands have an existing septic system. In the event that either the newly created lot(s) or the remaining lands of the grantor do not have an existing septic system a planning module shall be required.
- 5.702.4 No un-subdivision shall render any of the involved lot(s) or remaining lands of the grantor substandard and/or non-conforming with this Ordinance and/or the Oregon Township Zoning Ordinance in effect at the time of application.
- 5.702.5 A map depicting the resulting lot(s) shall be submitted with the original unsubdivision request.

ARTICLE VI

MOBILE HOME PARKS

6.000 Mobile Home Parks - This Article contains provisions setting forth minimum standards for the design, construction, alteration, and extension of mobile home parks and related utilities and facilities.

6.100 Classification - Mobile home parks shall be considered as major subdivisions or land developments and shall be subject to the provisions of other articles of this Ordinance. Where the provisions of this Article differ from or are not addressed in those other articles of this Ordinance, the provisions of this Article shall apply to the mobile home park. Mobile Home Parks, due to its consideration as a major subdivision or land development shall require separate and distinct preliminary and separate and distinct final plan submissions as provided for within this Ordinance.

6.200 Plat Requirements - In addition to the requirements of Article III - Procedures, Specifications and Supporting Materials, Section 3.207 Final Plat Specifications of this Subdivision and Land Development Ordinance, the following plat requirements shall apply:

- 6.201 Location and dimension of all mobile home stands or pads.
- 6.202 Location and dimensions of all off-street parking areas.
- 6.203 Location and specifications for all pedestrian ways and sidewalks
- 6.204 Location of proposed open space.
- 6.205 Location and specifications for all planting and landscaping.
- 6.206 Location, dimension, and proposed use of all service and accessory buildings.

6.300 Design Standards - In addition to the requirements of Article IV Design Standards of this Subdivision and Land Development Ordinance, the following design standards shall apply:

- 6.301 Mobile home lots within the park shall have a minimum area of 10,000 square feet.
- 6.302 Mobile home lots within the park shall have a minimum width of 100 feet.
- 6.303 Building setbacks as defined within the Oregon Township Zoning Ordinance and the Oregon Township Subdivision and Land Development Ordinance in effect at the time of submission.
- 6.304 A minimum of 20% of the tract, excluding streets and parking areas, shall be provided for open space.
- 6.305 Central sewer disposal facilities shall be required.
- 6.306 Public or community water service facilities shall be required.
- 6.307 Streets and roadways within a mobile home park shall conform to the standards as set forth within the Oregon Township Road Ordinance in effect at the time of submission.

- 6.308 A minimum of two (2) off-street parking spaces with a minimum area of 200 square feet per space shall be provided for each lot.
- 6.309 Individual water riser pipes shall be provided on each mobile home stand or pad.
- 6.310 Design provisions shall be made to prevent freezing of service lines, valves, and riser pipes and protect them from heaving and thawing actions of the ground.
- 6.311 A shut-off valve below the frost line shall be provided on each mobile home lot.
- 6.312 Individual sewer riser pipes shall be provided on each mobile home stand or pad.
- 6.313 All fuel oil and liquefied petroleum gas systems provided for mobile homes, service buildings, or other structures shall be installed in conformity with any applicable rules and regulations.
- 6.314 Fire hydrants shall be installed within 600 feet of any mobile home, service building, or other structure within the mobile home park. Fire hydrants shall be maintained and inspected in accordance with a schedule which includes annual flushing and winter snow removal completed by the owners and/or property owners association.
- 6.400 Flood Plain Regulations - All proposed mobile home parks and expansions of existing mobile home parks within designated one-hundred (100) year flood plains shall meet the following requirements, in addition to the regulations contained within this Ordinance and all other applicable regulations:
 - 6.401 Stands or pads shall be elevated so that the floor of each mobile home will be above the regulatory flood elevation.
 - 6.402 Access for a mobile home hauler shall be provided.
 - 6.403 When mobile homes are to be elevated on pilings, lots shall be large enough to permit steps. Piles shall be placed in stable soil no more than 10 feet apart, and reinforcement shall be provided for pilings more than 6 feet above ground level.
 - 6.404 All mobile homes shall be anchored in accordance with accepted engineering practices to resist floatation, collapse, or lateral movement by providing over-the-top ties to ground anchors.
 - 6.404.1 Over-the-top ties shall be provided at each of the two (2) ends of the mobile home.
 - 6.404.2 Any additions to a mobile home shall be similarly anchored.
 - 6.500 Improvements - In addition to the requirements of Article X Improvements of this Ordinance, all mobile home parks shall be required to have installed the following as a minimum:
 - 6.501 Mobile home stands or pads.
 - 6.502 Off-street parking areas.
 - 6.503 Fire hydrants.
 - 6.504 Water riser pipes

6.505 Water shut-off valves.

6.506 Mobile home anchors, if any required.

6.507 Individual sewer riser pipes.

6.600 Permits

6.601 General

6.601.1 It shall be unlawful for any landowner, association or other persons to maintain, construct, alter or extend any mobile home park within Oregon Township, Wayne County, Pennsylvania, unless a valid permit has been issued by the Township of Oregon.

6.601.2 The Township of Oregon shall issue a permit which contains the number of mobile homes and lot locations (as numbered on the approved final plat), that may be occupied. The permit shall remain valid for one (1) year or until the Township establishes an annual renewal date for all mobile home park permits. The initial permit shall be updated at the time of renewal to reflect any changes in the existing mobile home park.

6.602 Permit Issuance: The Township of Oregon shall issue a permit allowing continued occupancy of the lots having final approval, if the mobile home park meets the following conditions;

6.602.1 No lot or site in the mobile home park is in violation of this Subdivision and Land Development Ordinance or any other Township ordinance.

6.602.2 No lot or site is maintained in an unsightly or unsanitary manner.

6.602.3 The mobile home park was inspected by the Oregon Township Supervisors or their designee and was found to be in compliance with Section 6.602.1.

6.602.4 That all fees to cover inspections are paid to the Township of Oregon. Said fees are established on an annual basis by resolution.

6.700 Application To Existing Mobile Home Parks - The regulations contained within Article VI - Mobile Home Parks shall apply to any extensions of existing mobile home parks, including increases in the number of lots or available spaces, even though no addition to total land area is involved.

ARTICLE VII
RECREATIONAL LAND DEVELOPMENTS

7.000 Recreational Land Developments - This Article contains provisions setting forth standards for the design, construction, alteration, and/or extension of recreational land developments and related utilities and facilities for any recreational land development purposes.

7.100 Classification - Recreational Land Developments shall be considered major subdivisions and land developments and shall be subject to the provisions of other articles of this Ordinance. Where the provisions of this Article differ from or are not addressed in those other articles of this Ordinance or other ordinances adopted by Oregon Township, the provisions of this Article shall apply to the Recreational Land Development. Recreational Land Developments due to its consideration as a major subdivision or land development shall require separate and distinct preliminary and separate and distinct final plan submissions as provided for within this Ordinance.

7.200 Plat Requirements - In addition to the requirements of Article III - Procedures, Specifications and Supporting Materials, Section 3.207 Final Plat Specifications of this Subdivision and Land Development Ordinance, the following plat requirements shall apply:

7.201 Location and dimensions of all Recreational Land Development lots or camping sites.

7.202 Location and specifications for all pedestrian ways and sidewalks.

7.203 Location and dimensions of all off-street parking areas.

7.204 Location of all proposed open space.

7.205 Location and specifications of all plantings and landscaping.

7.206 Location, specifications and proposed use of all service and accessory buildings.

7.300 Design Standards - In addition to the requirements of Article IV - Design Standards of this Subdivision and Land Development Ordinance, the following design standards shall apply.

7.301 A Recreational Land Development shall have a gross area of at least five (5) contiguous acres of land in single ownership or under unified control.

7.302 Recreational land development lots or camping sites shall be at least fifty (50) feet wide and one hundred (100) feet deep, excepting transient recreational land developments which may be clustered. Gross density, however, shall not exceed a total of eight (8) sites per acre for the development. Frontages on cul-de-sacs may be varied.

7.303 Individual recreational land development lots or camping sites shall be separated from service building structures and other occupied buildings and structures by a minimum distance of fifty (50) feet.

7.304 All Recreational Land Developments shall provide and maintain a vegetative screening strip of planted or natural growth, along the exterior property boundary lines. Such screening shall be at a depth of not less than twenty (20) feet, to effectively screen the area within a reasonable (3-5 years) time period. A planting plan specifying types, size and location of existing and proposed plant material shall be required and shall meet the

approval of the Oregon Township Board of Supervisors.

- 7.305 A minimum of two (2) off-street parking spaces with a minimum area of two-hundred (200) square feet per space shall be provided for each lot.
- 7.306 No individual on-site sewage shall be permitted and all community systems for the common use of each site identified within the Recreational Land Development shall comply as evidenced by approved plans, with the standards imposed by the Pennsylvania Department of Environmental Protection and Oregon Township.
- 7.307 No individual on-site water system shall be permitted, and all community systems for common use of each site identified within the Recreational Land Development shall comply as evidenced by approved plans, with the standards imposed by the Pennsylvania Department of Environmental Protection and Oregon Township.
- 7.308 Streets and roadways within a Recreational Land Development shall conform to the standards as set forth within the Oregon Township Road Ordinance in effect at the time of submission.
- 7.309 A minimum of twenty (20) percent of the Recreational Land Development, excluding streets and parking areas shall be provided for open space.
- 7.310 Fire hydrants shall be installed within six-hundred (600) feet of any service building or structure within a Recreational Land Development. Fire hydrants shall be maintained and inspected in accordance with the provisions set forth with a schedule which includes annual flushing and winter snow removal completed by the owners and/or property owners association.
- 7.311 If electric service is proposed to be provided within the Recreational Land Development to individual sites or proposed sections it shall be required to be installed underground.
- 7.400 Flood Plain Regulations - All proposed Recreational Land Developments and expansion of existing Recreational Land Developments within designated one-hundred (100) year flood plains shall meet the requirements as set forth in this Subdivision and Land Development Ordinance as well as all other applicable Township and State regulations.
- 7.500 Supplemental Regulations - The operational standards contained in Section 7.500 Supplemental Regulations shall be incorporated in restrictive covenants attached to the deeds for lots in nontransient Recreational Land Developments and shall be made part of a management plan for any transient Recreational Land Development, which covenants and/or plan shall be approved by the Oregon Township Board of Supervisors in its review of preliminary and final plans for the Recreational Land Development. A management plan shall be required for all Recreational Land Developments and restrictive covenants incorporating the standards of this Section shall be required of all non-transient Recreational Land Developments. A plan or set of covenants which does not adequately provide for conformance with this Section shall not be approved. The plan and/or covenants shall also provide Oregon Township with the option (but not the obligation) of being a party to their enforcement and include a right for Oregon Township to periodically inspect the development for continued compliance with the plan and/or covenants. This provision shall also include that any enforcement undertaken by Oregon Township may include a request for any or all cost of enforcement including but not limited to filing costs, service costs, misc. cost and/or legal fees.
- 7.501 Appurtenances - No permanent external appurtenances, such as carports, cabanas, or patios, may be attached to any travel trailer or other recreational vehicle parked in a Recreational Land Development, and the removal of wheels or placement of the unit on a

foundation in such a park is prohibited. Buildings are prohibited at all campsites except storage sheds not exceeding fifty (50) square feet in floor area and eight (8) feet in height. Storage sheds must be placed a minimum of ten (10) feet from any recreational vehicle and five (5) feet from all property lines. Storage sheds may only be placed in the rear and side yard areas. No storage sheds shall be placed in a front yard.

7.502 Location - A Recreational Land Development shall be so located that no entrance or exit from a park shall discharge traffic into a densely populated residential area exceeding one dwelling unit per acre, nor require movement of traffic from the park through such an area to obtain access to a public highway. A minimum of 150 feet of frontage on a State or Township highway shall be required.

7.503 Entrances and Exits - Entrances and exits to Recreational Land Developments shall be designed for safe and convenient movement of traffic into and out of the park, and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle (less than seventy (70) degrees measured along intersecting centerlines), for vehicles moving in the direction intended, and the radii of curbs and pavements at intersections shall be such as to facilitate easy turning movement for vehicles with trailer attached. No intersection of an entrance and/or exit with a State or Township highway shall be located where less than 500 feet of sight distance exists in either direction along the State or Township highway, nor shall such intersection be located within 150 feet of any other intersection.

7.504 Parking Areas - In connection with the use of any Recreational Land Development, no parking, loading or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, required buffer, right-of-way or any public grounds or any private grounds not part of the Recreational Land Development, unless the owner has given written permission for such use. Each Recreational Land Development operator shall provide off-street parking, loading and maneuvering space. The owner shall be responsible for the violation of these requirements.

7.505 Occupancy - Campsites shall be used only for camping purposes. No improvement or any mobile home designed for permanent occupancy shall be erected or placed on any campsite. All recreational vehicles in the development shall be maintained in a transportable condition at all times. An action toward removal of wheels or to attach the recreational vehicle to the ground for stabilizing purposes is hereby prohibited. Moreover, no campsite shall be occupied for more than 12 consecutive months, and no campsite shall be the primary and principal residence of the owner or any other occupant; each campsite to be used and occupied (excepting occasional guests) for camping and recreational purposes only by a single household. Oregon Township may require any owner to remove a recreational vehicle from the campground for a period of 7 days, unless such owner can establish a prior removal within the immediately preceding 12 months. These requirements shall be attached to each campsite sale or membership in nontransient Recreational Land Developments by restrictive covenant, management plan and/or rules and regulations.

7.506 Records - The management of every Recreational Land Development shall be responsible for maintaining accurate records concerning the occupancy of all campsites. The term "management" shall include associations of property owners when such are responsible for maintenance and operation of common facilities. Oregon Township shall have access to, and the right to inspect, records for evidence of permanent residency or lack thereof. The Oregon Township Board of Supervisors shall, in addition, have the authority, when any provision of this Article is violated, to prohibit the occupancy of any and all campsites in a Recreational Land Development until the owners and/or management provide evidence of compliance with these provisions. Any and all expenses, fees or cost associated therewith

may be sought by Oregon Township in any legal proceeding.

- 7.507 Sanitary Waste Disposal - No owner or occupant of any campsite or Recreational Land Development lot shall permit or allow the dumping or placement of any sanitary or other waste anywhere upon any campsite or elsewhere within the development, except in places designated therefore. No outside toilets shall be erected or maintained on any campsite. Plumbing fixtures within any recreational vehicles placed upon lots in the recreational land development shall be connected to the sewage disposal system for the development. Sanitary facilities, including toilets, urinals and showers, shall be provided within six-hundred (600) feet of each lot or campsite.
- 7.508 Fences - All property lines within the Recreational Land Development shall be kept free and open. Fences, ledges or walls may be erected around the original property line for security purposes. However, all such fences, ledges, or walls shall have at least two (2) places where gates or barriers might be removed to permit the easy passage of emergency vehicles. Where such gates or barriers are secured with locks, a key shall be made available and be in the possession of the Township Police Department, if any and the Fire Departments expected to serve the Recreational Land Development.
- 7.509 Nuisances - No noxious or offensive activities noises or nuisances shall be permitted on any campsite.
- 7.510 Animals - No animals shall be kept or maintained on any campsite, except the usual household pets. Pets shall be kept confined so as not to become a nuisance.
- 7.511 Garbage and Refuse Disposal - No person shall burn trash, garbage or other like refuse on any campsite. All such refuse shall be placed and kept in airtight receptacles for the same. No owner shall permit the accumulation of litter or refuse.
- 7.512 Camping Accessories - Notwithstanding any provisions herein contained to the contrary, picnic tables, benches, storage sheds, fire boxes or fireplaces, and similar items of personal property, may be placed on a campsite. All personal property on a campsite shall be maintained in good condition so as not to become unsightly.
- 7.513 Ditches and Swales - In the absence of curbs and gutters each owner shall keep drainage ditches and swales located on his campsite free and unobstructed and in good repair, and shall provide for the installation of such culverts upon his campsite as may be reasonably required for proper drainage. He shall also prevent erosion on his campsite.
- 7.514 Drilling and Mining - No drilling, refining, quarrying or mining operation of any kind shall be permitted, nor shall drilling for water or digging of water wells be permitted on any individual campsite.
- 7.515 Vehicle Parking - No recreation vehicle shall be parked on any street or roadway within the Recreational Land Development.
- 7.516 Fire Rims - Each campsite fireplace shall be provided with a fire rim of concrete construction at least eight (8) inches in height to contain the fire.
- 7.517 Water Supply - Potable water drinking fountains shall be provided within three-hundred (300) feet of each campsite.

7.600 Permits

7.601 General

7.601.1 It shall be unlawful for any landowner, association or other person to maintain, construct, alter or extend any Recreational Land Development within Oregon Township, unless a valid permit has been issued by the Township of Oregon

7.601.2 The Township of Oregon shall issue a permit which contains the number of Recreational Land Development sites and site locations (as numbered on the approved final plat), that may be occupied. The permit shall remain valid for one (1) year or until the Township establishes an annual renewal date for all Recreational Land Development permits. The initial permit shall be updated at the time of renewal to reflect any changes in the existing Recreational Land Development.

7.602 Permit Issuance - The Township of Oregon shall issue a permit to continue the operation of a Recreational Land Development if the following conditions are met:

7.602.1 No site within the Recreational Land Development is in violation of this Subdivision and Land Development Ordinance or any other Township Ordinance.

7.602.2 No site is maintained in an unsightly or unsanitary manner.

7.602.3 The Recreational Land Development was inspected by the Oregon Township Board of Supervisors or their designee and was found to be in compliance with section 7.602.1.

7.602.4 That all fees to cover inspections are paid to the Township of Oregon. Said fees are established on an annual basis by resolution.

7.700 Application to Existing Recreational Land Developments - The regulations contained within Article VII - Recreational Land Developments shall apply to any extensions of existing Recreational Land Developments, including increases in the number of lots or available spaces, even though no addition to total land area is involved.

ARTICLE VIII

MODIFICATIONS

8.000 Modifications

8.100 General - The Oregon Township Supervisors shall have the power to authorize such adjustments or modifications from the provisions or requirements of these regulations as will not be contrary to the public interest and will maintain the spirit and original intent of this Ordinance.

8.200 Applications - The Oregon Township Supervisors may grant a modification of the requirements of one 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 the ordinance is observed. 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(s) of the ordinance involved and the minimum modification necessary. The request for modification shall be referred to the Township Planning Commission for advisory comments. The Oregon Township Supervisors shall keep a written record of all actions on all requests for modifications.

8.300 Modification Approval - The Oregon Township Supervisors may grant a modification from these regulations providing the following findings are made where relevant in a given case:

8.301 That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions.

8.302 That because of such physical circumstances or conditions, there is no possibility that the property can be subdivided or developed in strict conformity with the provisions of this Ordinance and that the authorization of a modification is therefore necessary to enable the reasonable use of the property.

8.303 That such undue* hardship has not been created by the applicant. Financial hardship is no grounds for a modification.

8.304 That the modification, if authorized, will not alter the essential character of the area in which the property is located, nor substantially or permanently impair the appropriate subdivision or land development of adjacent property, nor be detrimental to the public welfare.

8.305 That the modification, if authorized, will represent the minimum variation that will afford relief and will represent the least modification possible of the regulations in issue.

8.306 In granting any modification, the Oregon Township Supervisors may attach such conditions and safeguards as it may deem necessary.

8.307 The Township, in its' sole and exclusive discretion, may schedule a public hearing to solicit comments and concerns regarding any applications for modification. The costs of any hearing shall be borne by the applicant as provided for under the appropriate provisions of this Ordinance.

* As amended March 1, 2006

Oregon Township Subdivision & Land Development Ordinance

ARTICLE IX

FEES

9.000 **Fees** – At the time an application for approval is submitted, a fee shall be paid to Oregon Township by the applicant. Such fee is to be determined from a schedule of fees as adopted by the Oregon Township Board of Supervisors. Checks shall be made payable to the Oregon Township Supervisors.

9.100 – County Review and Report fees – Fees as required by Section 502(b) of Act 247, The Pennsylvania Municipalities Planning Code, to cover the costs of a County review of all applications, whether preliminary or final approval shall be paid by the applicant, at the time of the application's submission, and forwarded by Oregon Township to the Wayne County Department of Planning. Checks shall be made payable to the Wayne County Department of Planning.

ARTICLE X

IMPROVEMENTS

10.000 Improvements – Physical improvements to the proposed subdivision or land development shall be provided, constructed, installed or guaranteed by the applicant. All improvements shall be constructed in accordance with the design specifications of this Ordinance or, as applicable, those of the Pennsylvania Department of Transportation, Department of Environmental Protection, or such other federal, state, county , or township agency having jurisdiction.

10.100 Minor Subdivisions and Land Developments – All minor subdivisions or land developments shall be required to have installed the following as a minimum:

10.101 Lot corner and/or line markers and wooden stake witnesses.

10.200 Major Subdivisions and Land Developments – All major subdivisions or land developments shall be required to have installed or guaranteed the following as a minimum:

10.201 Lot corner and/or line markers and wooden stake witnesses.

10.202 Erosion and sedimentation control measures, facilities, and restoration work.

10.203 Storm water management facilities.

10.204 Flood plain management measures, if any required.

10.205 All grading, excavation, and filling.

10.206 Streets: including sub-base, shoulders, ditches, culverts, base course, surface course, and grading.

10.207 Street signs.

10.208 Utility lines.

10.209 Fire hydrants, if any required.

10.210 Bridges, if any required.

10.211 Sidewalks and curbs, if any required.

ARTICLE XI

IMPROVEMENT GUARANTEES

11.000 Improvement Guarantees

11.100 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval-

- 11.101 No plat shall be finally approved unless the streets and other improvements required in Article X of 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, the applicant shall deposit with Oregon Township a financial security to cover the costs of the improvements.
- 11.102 When requested by the developer, in order to facilitate financing, the Oregon Township Board of Supervisors, 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 the Oregon Township Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing.
- 11.103 Without limitation as to other types of acceptable financial security Oregon Township may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution which shall be deemed acceptable financial security for the 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.
- 11.104 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.
- 11.105 Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within one (1) year of the date fixed in the subdivision or land development plat for completion of such improvements subject to review by the Township Engineer.
- 11.106 The amount of financial security shall be equal to 110% of the cost of the required improvements for which financial security is to be posted. The cost of the improvements shall be established by submission to Oregon Township of bona fide bid or bids from the contractor or contractors chosen by the party posting the financial security to complete the improvements. 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 10% for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as re-established on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- 11.107 In the case where subdivision or land development is projected over a period of

years, Oregon Township may authorize submission of final plats by section or stages of subdivision or land development subject to such requirements or guarantees as to improvements in future section or stages of subdivision or land development as it finds essential for the protection of any finally approved section of the subdivision or land development.

- 11.108 As the work of installing the required improvements proceeds, the party posting the financial security may require Oregon Township to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such request shall be in writing addressed to Oregon Township, and Oregon Township shall have forty-five (45) days from receipt of such request within which to allow the Oregon Township Engineer to certify, in writing, to Oregon Township that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification Oregon Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Oregon Township Engineer fairly representing the value of the improvements completed or, if Oregon Township fails to act within said forty-five (45) day period, Oregon Township shall be deemed to have approved the release of funds as requested. Oregon Township may prior to final release at the time of completion and certification by the Township Engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.
- 11.109 Where Oregon Township accepts dedication of all or some of the required improvements following completion, Oregon Township may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedications. 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.
- 11.110 If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.
- 11.111 If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Section, the Township shall not condition the issuance of building, grading, or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvements of the streets or roads providing access to and from existing public roads to such building or buildings to a mun-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. Any ordinance or statute inconsistent

herewith is hereby expressly repealed.

11.200 Release from Improvement Bond –

- 11.201 When the developer has completed all of the necessary and appropriate improvements, the developer shall notify Oregon Township, in writing, by certified mail or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Oregon Township Engineer. The Township shall, within ten (10) days after receipt of such notice, direct and authorize the Oregon Township Engineer to inspect all of the aforesaid improvements. The Oregon Township Engineer shall, thereupon, file a report, in writing, with Oregon Township, 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 Oregon Township Engineer of the aforesaid authorization from Oregon Township; 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 Oregon Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- 11.202 Oregon Township shall notify the applicant, within fifteen (15) days of receipt of the Township's Engineer's report, in writing by certified or registered mail of the action of said Oregon Township with relation thereto.
- 11.203 If Oregon Township or the Oregon Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the applicant shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- 11.204 If any portion of the said improvements shall not be approved or shall be rejected by Oregon Township, the applicant shall proceed to complete the same and, upon completion, the same procedure or notification, as outlined herein, shall be followed.
- 11.205 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 Oregon Township or the Oregon Township Engineer.
- 11.206 Where herein reference is made to the Oregon Township Engineer, he shall be a duly registered professional engineer employed by Oregon Township or engaged as a consultant thereto.
- 11.207 Oregon Township may prescribe that the applicant shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursements shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
 - 11.207.1 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 Township

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

- 11.207.2 If, within 20 days from the date of billing, the Township and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and the Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- 11.207.3 The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary, and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- 11.207.4 In the event that the Township and the applicant cannot agree upon the professional engineer to be appointed within 20 days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas, 22nd Judicial District (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 Township Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the applicant within the preceding five (5) years.
- 11.207.5 The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000 or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

11.300 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, Oregon Township is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, Oregon Township may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and for cost incurred by the Township in recovering the security, and not for any other municipal purpose.

ARTICLE XII

ADMINISTRATION, ENFORCEMENT AND PENALTIES

12.000 Administration Enforcement and Penalties

12.100 Amendments to the Pennsylvania Municipalities Planning Code (Act 247) - All Pennsylvania laws enacted which amend the Pennsylvania Municipalities Planning Code shall automatically supersede and amend those portions of this Ordinance which are affected by such enacted laws, unless specifically not intended or mandated to do so under law.

12.200 Amendments - Amendments to this Ordinance by the Oregon Township Board of Supervisors shall become effective only when enacted in the manner prescribed by the Pennsylvania Municipalities Planning Code.

12.300 Appeals - The decisions with respect to the approval or disapproval of subdivision and land development plans may be appealed, as is provided for in the Pennsylvania Municipalities Planning Code.

12.400 Enforcement - In addition to those who may, by law, have the authority to enforce and/or prosecute, it is specifically designated that it shall be the duty of the Oregon Township Board of Supervisors to administer this Ordinance.

12.500 Preventive Remedies

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

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

- 12.502.1 The owner of record at the time of such violation.
- 12.502.2 The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- 12.502.3 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.
- 12.502.4 The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of

an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may 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.

12.600 Enforcement Remedies:

- 12.601 Any person, partnership or corporation who or which has violated the provisions of the Subdivision and Land Development Ordinance of Oregon Township or any related Ordinance enacted under the Pennsylvania Municipalities Planning Code or the Municipalities Planning Code itself, whether enacted under this Act or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by Oregon Township, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorneys fees incurred by Oregon Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, Oregon Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the 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 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.
- 12.602 The Court of Common Pleas of Wayne County, Pennsylvania, 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.
- 12.603 Nothing contained in this Section shall be construed or interpreted to grant any person or entity other than Oregon Township the right to commence any action for enforcement pursuant to this Section.

12.700 Jurisdiction

- 12.701 The duly designated District Justice having authority in and for Oregon Township, Wayne County, Pennsylvania, shall have initial jurisdiction in proceedings brought under Section 12.600, Enforcement Remedies, above.
- 12.800 Continuation - The modification or repeal of any prior ordinance, resolution, or regulation by this Ordinance shall not annul or otherwise relieve any party from any permit issued, condition imposed, approval granted, approval denied, order issued, or violation, penalty, or other liability incurred pursuant to such affected ordinance, resolution, or regulation.

ARTICLE XIII

ENACTMENT

13.000 Enactment

13.100 Severability - If any section, subsection, or requirement of this Ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the legality of the remaining provisions of this Ordinance or of this Ordinance as a whole.

13.200 Repealer - The previous Subdivision Ordinance for Oregon Township, Wayne County, Pennsylvania is hereby repealed.

Ordained and enacted into an Ordinance this 7th day of December 2005.

David Cole, Chairman
Board of Supervisor

Russell Labar, Supervisor

Raymond Pulis, Supervisor

Amended, ordained and enacted into an Ordinance this 1st day of March 2006.

Amended, ordained and enacted into an Ordinance this 5th day of July 2006.

David Cole, Chairman
Board of Supervisors

Russell Labar, Supervisor

Raymond Pulis, Supervisor

ATTEST

Attest: Carla Komar, Sec/Treas