

MUDDY CREEK TOWNSHIP
BUTLER COUNTY, PENNSYLVANIA

SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE

ORDINANCE NUMBER 56

ADOPTED FEBRUARY 20, 2007

TABLE OF CONTENTS

ARTICLE I GENERAL PROVISIONS

SECTION 101. SHORT TITLE 2
SECTION 102. PURPOSE 2
SECTION 103. AUTHORITY 2
SECTION 104. JURISDICTION 2
SECTION 105. DUTIES AND RESPONSIBILITIES OF THE BOARD
OF SUPERVISORS AND TOWNSHIP PLANNING COMMISSION 3

ARTICLE II DEFINITIONS

SECTION 201. GENERAL 5
SECTION 202. GENERAL TERMS 5
SECTION 203. SPECIFIC TERMS 5

ARTICLE III PLAN PROCESSING PROCEDURES

SECTION 301. GENERAL 19
SECTION 302. CONCEPT (SKETCH) PLAN – INFORMAL REVIEW 19
SECTION 303. PRELIMINARY PLAN APPLICATIONS 19
SECTION 304. FINAL PLAN APPLICATIONS 21

**ARTICLE IV INFORMATION TO BE SHOWN ON OR SUBMITTED
WITH SUBDIVISION AND LAND DEVELOPMENT PLANS**

SECTION 401. GENERAL 24
SECTION 402. CONCEPT (Sketch) PLAN REQUIREMENTS 24
SECTION 403. PRELIMINARY PLAN REQUIREMENTS 25
SECTION 404. FINAL PLAN REQUIREMENTS 31

ARTICLE V IMPROVEMENTS

SECTION 501. COMPLETION OF IMPROVEMENTS OR GUARANTEE OF
IMPROVEMENTS (IMPROVEMENT BOND) AS A PREREQUISITE TO
FINAL PLAN APPROVAL 36
SECTION 502. FINAL RELEASE OF IMPROVEMENT BOND 37
SECTION 503. INSPECTION COST DEPOSIT 38
SECTION 504. INSPECTION COST DEPOSIT REFUND 40
SECTION 505. STATUS OF IMPROVEMENTS AFTER APPROVAL OF
CONSTRUCTION 40
SECTION 506. OFFERS OF DEDICATION 40
SECTION 507. MAINTENANCE BOND REQUIREMENTS 42
SECTION 508. FINAL RELEASE OF MAINTENANCE BOND 42

ARTICLE VI DESIGN STANDARDS

SECTION 601. GENERAL STANDARDS 43
SECTION 602. MONUMENTS AND PINS 43
SECTION 603. STREET DESIGN STANDARDS 44
SECTION 604. EASEMENTS 48
SECTION 605. LOT LAYOUT 48
SECTION 606. SANITARY SEWAGE DISPOSAL AND WATER SUPPLY.. 50
SECTION 607. GRADING 51
SECTION 608. STREET STANDARDS 53
SECTION 609. PARKING AREAS, INTERNAL DRIVEWAYS AND
OFF-STREET LOADING 70
SECTION 610. EASEMENTS 70
SECTION 611. STORM DRAINAGE 70
SECTION 612. EROSION AND SEDIMENTATION CONTROL 72
SECTION 613. DESIGN STANDARDS – LANDSCAPING 73

ARTICLE VII MOBILE HOME PARKS

SECTION 701. GENERAL REQUIREMENTS 74
SECTION 702. DEVELOPMENT STANDARDS 74
SECTION 703. UTILITIES 77

ARTICLE VIII RECREATIONAL VEHICLE PARK REGULATIONS

SECTION 801. GENERAL 80
SECTION 802. DESIGN REQUIREMENTS 80
SECTION 803. COMPLIANCE 84

ARTICLE IX ADMINISTRATION, ENFORCEMENT, AND APPEALS

SECTION 901. GENERAL 85
SECTION 902. RECORDS 85
SECTION 903. SCHEDULE OF FEES 85
SECTION 904. MODIFICATIONS 85
SECTION 905. AMENDMENT OF THIS ORDINANCE 86
SECTION 906. ENFORCEMENT 86
SECTION 907. FAILURE TO MAINTAIN PUBLIC AND PRIVATE
IMPROVEMENTS 88
SECTION 908. APPEALS 88

ARTICLE X ENACTMENT

SECTION 1001. CONFLICTS 89
SECTION 1002. SEVERABILITY 89
SECTION 1003. REPEALER 89
SECTION 1004. EFFECTIVE DATE 89

APPENDIX A: STANDARD CONSTRUCTION DETAILS.

A-01. SITE SYMBOLS 1
 A-02. CLEAR SITE TRIANGLE 2
 A-03. ROAD SECTION WITHOUT CURBING 3
 A-04. ROAD SECTION WITH CURBING 4
 A-05. FILL BENCH DETAIL 5
 A-06. CONCRETE MONUMENT 6
 A-07. PRECAST CONCRETE MANHOLE (8" TO 18") 7
 A-08. PRECAST CONCRETE MANHOLE (20" TO 33") 8
 A-09. POLYETHYLENE PIPE SPECIFICATIONS 9
 A-10. HEADWALLS AND ENDWALLS 10
 A-11. TRENCH BACKFILL 11
 A-12. PIPE ANCHOR 12
 A-13. TYPE M INLET 13
 A-14. STRUCTURAL STEEL GRATE BICYCLE SAFE 14
 A-15. MANHOLE COVER 15
 A-16. MANHOLE LADDER BARS 16
 A-17. ASPHALT PAVEMENT REPLACEMENT 17
 A-18. TYPICAL PAVEMENT REPLACEMENT 18
 A-19. PIPE UNDERDRAIN, PAVEMENT BASE DRAIN 19
 A-20. CONCRETE SIDEWALK 20
 A-21. CONCRETE DRIVEWAY/SIDEWALK APRON 21
 A-22. ROOF DRAIN SUMPS/SINGLE FAMILY DWELLING 22
 A-23. MINIMUM SEPARATION OF MULTI-FAMILY DWELLINGS 23
 A-24. SET BACKS 24
 A-25. MINIMUM SEPARATION OF MOBILE HOMES..... 25

APPENDIX B: CERTIFICATES.

B-01. INDIVIDUAL ADOPTION, DEDICATION, AND RELEASE 1
 B-02. INDIVIDUAL ACKNOWLEDGMENT 2
 B-03. CORPORATION ADOPTION, DEDICATION, AND RELEASE 2
 B-04. CORPORATION ACKNOWLEDGMENT 3
 B-05. CERTIFICATE OF TITLE – NO MORTGAGE 4
 B-06. CERTIFICATE OF TITLE – MORTGAGE CLAUSE 4
 B-07. TOWNSHIP PLANNING COMMISSION RECOMMENDATION
 FOR APPROVAL 4
 B-08. BOARD OF SUPERVISORS FINAL APPROVAL CERTIFICATE ... 5
 B-09. BUTLER COUNTY PLANNING COMMISSION CERTIFICATE..... 5
 B-10. PROOF OF RECORDING..... 5
 B-11. PROFESSIONAL LAND SURVEYOR CERTIFICATE 6
 B-12. DEVELOPER’S ACCEPTANCE OF RESPONSIBILITY FOR
 STORMWATER DRAINAGE FACILITIES AND CONTROL OF
 STORMWATER DRAINAGE 6
 B-13. PRIVATE ROAD/STREET NOTICE 7

ORDINANCE NUMBER 56

**MUDDY CREEK TOWNSHIP
BUTLER COUNTY, PENNSYLVANIA**

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

AN ORDINANCE ESTABLISHING COMPREHENSIVE RULES, REGULATIONS, AND STANDARDS REGULATING SUBDIVISION AND LAND DEVELOPMENT WITHIN MUDDY CREEK TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA, INCLUDING DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, AND PENALTIES AND ENFORCEMENT REMEDIES FOR VIOLATIONS.

WHEREAS, the Pennsylvania Municipalities Planning Code (MPC) empowers the Board of Supervisors of Muddy Creek Township to regulate subdivisions and land developments within the Township by enacting, administering, enforcing, and amending a subdivision and land development ordinance; and

WHEREAS, the Board of Supervisors of Muddy Creek Township duly appointed an Ordinance Review Committee to recommend appropriate amendments and revisions to the Muddy Creek Township Subdivision and Land Development Ordinance, Ordinance No. 13; and

WHEREAS, the Ordinance Review Committee submitted its recommendations to the Board of Supervisors in the form of a proposed Subdivision and Land Development Ordinance, amending and revising the Muddy Creek Township Subdivision and Land Development Ordinance, Ordinance No. 13; and

WHEREAS, the Board of Supervisors reviewed the proposal and made certain revisions to the proposed Ordinance; and

WHEREAS, the Board of Supervisors submitted the proposed Ordinance, with revisions, to the Butler County Planning Commission and Muddy Creek Township Planning Commission for review and comment; and

WHEREAS, the Board of Supervisors held a public hearing pursuant to public notice to receive public comment concerning the proposed Ordinance, as revised; and

WHEREAS, the Board of Supervisors of Muddy Creek Township deems it necessary and appropriate to amend and revise the Muddy Creek Township Subdivision and Land Development Ordinance, Ordinance Number 13.

NOW THEREFORE, BE IT ENACTED AND ORDAINED AND IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Muddy Creek Township that the Muddy Creek Township Subdivision and Land Development Ordinance, Ordinance Number 13, is hereby amended and revised to read as follows:

ARTICLE I

GENERAL PROVISIONS

SECTION 101. SHORT TITLE. This Ordinance shall be known, and may be cited as the "Muddy Creek Township Subdivision and Land Development Ordinance."

SECTION 102. PURPOSE. The purpose of this Ordinance is to provide for the safe, harmonious, orderly, and efficient development of the Township by:

- (a) In general, protecting and promoting the public health, safety, morals and welfare of the citizens of the Township;
- (b) Ensuring development plans conform with the Township's Comprehensive Plan, and other municipal regulations;
- (c) Ensuring the provision of adequate public facilities, including roadways, walkways, water supply and sanitary sewage facilities, open spaces, and other public improvements;
- (d) Securing the protection of water resources, drainage ways, and other environmental resources;
- (e) Facilitating the safe and efficient movement of traffic; and
- (f) Securing the equitable handling of all development plans by providing uniform standards and procedures.

SECTION 103. AUTHORITY. The Township of Muddy Creek is vested by law with jurisdiction and control of the subdivision land and development of land (including, mobile home parks, and recreational vehicle parks) located within the Township limits, pursuant to Article V of the Pennsylvania Municipalities Planning Code.

SECTION 104. JURISDICTION.

104.01. This Ordinance shall apply to all subdivision and land development plans submitted after the effective date of this Ordinance.

104.02. 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.

104.03. No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued, and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision or land development plan has been approved by the Board of Supervisors and recorded in the office of the Butler County

Recorder of Deeds, and until all the improvements required in connection therewith have been constructed or guaranteed in a manner prescribed herein.

104.04. Land subject to hazards of life, health, and safety shall not be developed until such hazards have been removed. These hazards shall be interpreted to mean land subject to flooding, slides due to excessive slope or excavation, land of excessive or improper fill material, or land improperly drained.

104.05. Any change or revision to a recorded plan, any combination of lots or adjustment of lot lines within a previously approved and/or recorded plan, and any rearrangement of structures, parking areas, access points, graded land surfaces, or other elements within a development plan, shall be considered a new subdivision or land development and shall comply with the provisions of this Ordinance.

104.06. The Board of Supervisors may reject subsequent subdivision and/or land development applications on the basis of the developer's acceptance of conditions imposed on the approval of prior subdivisions and/or land developments.

104.07 No subdivision or land development plan proposed within the corporate limits of the Township shall be recorded in any public office unless such plan officially notes the approval of the Board of Supervisors and review by the Butler County Planning Commission and Township Planning Commission.

104.08. This Ordinance shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of previous subdivision and land development ordinances of the Township, on an act done, contract executed, or liability incurred prior to the effective date of this Ordinance, nor shall any provision of this Ordinance be construed to waive the obligations imposed upon an applicant/developer to complete a previously approved preliminary or final plan, including the installation of all required improvements, in strict compliance with the requirements of the applicable Subdivision and Land Development Ordinance.

SECTION 105. DUTIES AND RESPONSIBILITIES OF THE BOARD OF SUPERVISORS AND TOWNSHIP PLANNING COMMISSION.

105.01. The Board of Supervisors reserves to itself approval authority on all subdivision and land development plans and requests for modifications. Generally, the Board will not act on a subdivision or land development plan until the plan has been reviewed by the Township Planning Commission and the Butler County Planning Commission and will not act on a modification request until it has been reviewed by the Township Planning Commission.

105.02. Before acting on proposed amendments to this Ordinance, the Board of Supervisors shall submit the proposed amendments to the County and Township Planning Commissions for review, and shall convene a public hearing for the purpose of receiving public comment on the amendments.

105.03. The Board of Supervisors shall direct the activities of the duly authorized Township representatives in the administration and enforcement of the provisions of this Ordinance.

**Muddy Creek Township, Butler County, PA
Subdivision and Land Development Ordinance**

105.04. The Township Planning Commission shall timely review all complete subdivision and land development plans submitted to the Township, and shall make timely recommendations to the Board of Supervisors regarding approval or rejection or approval with certain specific conditions of the plan in accordance with the requirements of this Ordinance.

105.05. The Township Planning Commission shall propose amendments and make timely recommendations to the Board of Supervisors on the adoption, modification, or rejection of proposed amendments to this Ordinance.

105.06. The Township Planning Commission shall make timely recommendations to the Board of Supervisors on requests for modifications to the requirements of this Ordinance.

105.07. The approval of any subdivision or land development plan shall not constitute a representation, guarantee or warranty of any kind by the Township or by any its officials or employees of the practicality or safety of the arrangement of lots and improvements or other elements within the development covered by the approval and shall create no liability upon the Township, its officials or employees.

ARTICLE II

DEFINITIONS

SECTION 201. GENERAL. Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this Article.

SECTION 202. GENERAL TERMS. For purposes of this Ordinance, the following rules of interpretation shall be used:

- (a) The word “lot” shall include the word “plot” and/or “parcel”.
- (b) The words “person”, “applicant”, and “landowner” includes a firm, association, organization, partnership, trust, company, corporation trust, estate, or any other legally recognized entity, as well as an individual.
- (c) The particular shall control the general.
- (d) The present tense includes the future tense.
- (e) The masculine gender includes the feminine and neutral genders.
- (f) The singular includes the plural and the plural includes the singular.
- (g) The words “shall”, “will”, and “must” are interpreted as mandatory; the words “may”, “could”, and “would” as permissive.

SECTION 203. SPECIFIC TERMS. The following words and phrases shall have the particular meanings given to them in this Section, unless the context clearly indicates otherwise:

ACCESS DRIVE: A private drive providing pedestrian and/or vehicular access between a public or private street and a parking compound on a single lot.

ACCESS POINTS: The locations along the perimeter of a lot or property abutting a street that provides for the authorized vehicular and pedestrian entry or exit from the lot or property.

ALIGNMENT, HORIZONTAL: The combination of bearings and distances, radii and arcs in the plan which describe the passage of a right-of-way across the land.

ALIGNMENT, VERTICAL: The combination of grades, distances, and vertical curves in profile which describe the passage of a right-of-way over the topography.

ALLEY: A service roadway providing a secondary means of public access to abutting property and not intended for general traffic circulation.

AMUSEMENT PARK: A tract or area of land used principally as a location for permanent amusement structures or rides.

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

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

APPLICATION, FINAL: A formal request by an applicant containing information required by these regulations to be used as a basis by the Township in granting final approval of a subdivision or land development plan.

APPLICATION, PRELIMINARY: A formal request by an applicant containing information required by these regulations to be used as a basis by the Township in granting preliminary approval of a subdivision or land development plan.

APPROVAL, FINAL: Acknowledgment by the Board of Supervisors that all plan reviews required prior to acceptance of a subdivision or land development proposal have been successfully completed, and that building permits may be issued.

APPROVAL, PRELIMINARY: An acknowledgment by the Township that the preliminary plan application conforms to all the requirements of these regulations and that the applicant may proceed to preparation of the final application.

ARC: A curved line that is centered from a point and has a definite length terminating each end in a tangent or another arc.

BACKFILLING: The process of replacing earth fill in an excavation.

BASE COURSE: The road building materials precisely laid down on the prepared subgrade of a roadway to support the pavement of the road.

BEARING: The direction that a line points relative to a referenced North.

BENCH: A flat or slightly sloped graded surface designed to divert storm drainage and/or stabilize a graded slope.

BENCHMARK: An elevation reference point.

BERM: The graded strip along each side of a street pavement when curbs are not present, designed to direct stormwater from the pavement to a gutter, and to provide a stable location for disabled or parked vehicles off the pavement.

BINDER COURSE: In asphaltic concrete paving, an intermediate course between the base course and the surface material consisting of intermediate sized aggregate bound by bituminous material.

BLOCK: An area of land, generally in a plan of lots, surrounded by streets.

BOARD OF SUPERVISORS OR BOARD: The duly elected governing body of Muddy Creek Township, Butler County, Pennsylvania.

BUFFER: A visual screen intended to separate existing developed lots or plans from adjacent development.

BUILDING: A man-made structure affixed to or placed on the ground enclosing or covering a volume of space, and intended to shelter or contain people, animals, businesses, or activities associated with any of them.

BUILDING, ACCESSORY: A detached, subordinate building or structure, the use of which is customarily incidental to that of the principal building or use and which is located on the same lot as occupied by the principal building or use.

BUILDING AREA: The total area taken on the a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, awnings, terraces and steps.

BUILDING PERMIT: A document attesting that a proposal for construction, repair, alteration, or addition to a structure has been reviewed and approved in accordance with the requirements of this Ordinance, and any applicable building code, or building regulations.

BUILDING, PRINCIPAL: A building which is enclosed within exterior walls or firewalls, which is built, erected, and framed of component structural parts, which is designed for housing, shelter, enclosure, and support of individuals, or property of any kind, and which is a main structure on a given lot.

BUILDING SETBACK LINE: A line within a property defining the required minimum distance between any structure and the adjacent right-of-way and/or property lines.

CAMPGROUND: A parcel (or contiguous parcels) of land which has been so designated and improved that it contains two (2) or more camp sites for lease, each pad or site intended for the placement of one (1) camp site or camper.

CARTWAY: The surface of a street, access drive, alley, or driveway available for vehicular traffic, including travel lanes and parking lanes, but not including shoulders, curbs, sidewalks or swales.

CENTERLINE: A line running parallel to and equidistant from the right-of-way lines on each side of a street.

COLLECTOR STREET: A street that in addition to serving the properties abutting it also receives traffic from intersecting minor streets for distribution to major highways.

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

COMMUNITY SEWAGE SYSTEM: A sewage disposal system, other than a public water system, which provides sewage disposal for more than two (2) units of occupancy which shall comply with all the applicable regulations of the Department of Environmental Protection or other regulatory agencies.

COMMUNITY WATER SUPPLY SYSTEM: A water supply system, other than a public water system, which provides water for more than two (2) units of occupancy which shall comply with all the applicable regulations of the Department of Environmental Protection or other regulatory agencies.

CONCENTRATED STORMWATER: The collection of run-off in select areas following a precipitation event, through activities such as grading, channeling, and excavating.

CONTOUR: An imaginary line connecting all points with the same elevation above or below a fixed base point whose elevation is known.

CORNER LOT: A lot abutting two (2) or more streets at their intersection.

COUNTY PLANNING COMMISSION: The Butler County Planning Commission.

COUNTY SOIL AND WATER CONSERVATION DISTRICT: The public agency charged with protecting the soils and water resources of Butler County, Pennsylvania, from erosion and pollution.

CROSS-SECTION: A cut through a road or utility at right angles to its length revealing materials and dimensions of components of construction.

CROSSWALK: A pedestrian right-of-way extending through a block between streets on opposite sides of the block or connecting across a block or blocks.

CUL-DE-SAC: A street with connection to other streets at only one (1) end and having a permanent vehicular turnaround at the closed end.

CULVERT: A pipe for carrying stormwater runoff.

CURB: Concrete, bituminous concrete, or other improved boundary material usually marking the edge of a roadway, parking lot, or other paved area.

CURB CUT: An opening requiring a local or Commonwealth permit along the curb line at which point vehicles may enter or leave the roadway.

CURVE: A rounded change of direction of an alignment that can be described by radii and arc distances. A sag curve includes the lowest elevation in a curve in vertical alignment while a crest curve includes the highest elevation. A compound curve is two (2) or more abutting curves without a tangent between them.

DEDICATION: The deliberate appropriation of land by its owner for any general public use, reserving unto himself no other rights that such as are compatible with the full exercise and enjoyment of the public use to which the property has been appropriated.

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

DEVELOPMENT PLAN: A plan for improving a lot, parcel or tract of land or part thereof, including all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used shall mean the written and graphic materials referred to in this definition.

DOUBLE FRONTAGE LOT: A lot that abuts two (2) streets that do not intersect adjacent to the lot.

DRAINAGE WAY: A continuing alignment following the lowest elevations, intended to carry stormwater, including swales, subsurface drainage pipes, creeks, streams and rivers.

DRIVEWAY PERMIT: Authorization issued by Muddy Creek Township allowing a property owner specific access to Township maintained roadways or streets from a lot or property, and required before a building permit for development of the property may be issued by the Township.

EARTH DISTURBANCE: The rearrangement of the earth's natural surface by creating cuts into the surface or fills upon the surface.

EASEMENT: A grant by a property owner to specific persons or to the public of the right to use that property for a specific purpose, such as access, egress, utilities, and/or drainage.

ENGINEER: A professional engineer licensed as such by the Commonwealth of Pennsylvania.

EROSION: The process of breaking down and carrying away of exposed ground surfaces by action of wind, water, and temperature change.

EXCAVATION: Removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances, or organic substances, other than vegetation, from water or land, on or beneath the surface thereof, whether exposed or submerged.

FILL: Earth material excavated elsewhere and deposited upon the ground surface in the process of grading.

FIRE SAFETY PLAN: A plan for the safe movement of vehicles and persons to designated areas in the event of a fire or similar emergency.

FLOODING, LAND SUBJECT TO: Land that lies within the one hundred (100) year floodplain as shown on the Township's flood hazard boundary maps prepared by the Federal Emergency Management Agency.

FORESTRY: The management of forests and timberlands when practiced in accordance with accepted silvicultural principals, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FRONTAGE: The horizontal or curvilinear distance along the street line upon which a lot abuts.

GRADE: The vertical alignment of a land surface as it exists or as modified by cut and/or fill activities.

GRADE, FINISHED: The final elevation of the ground level.

GRADING: Rearrangement of the earth's surface by stripping, cutting, filling or stockpiling of earth or land, including the land in its cut or filled condition, to create new contours or grades.

GROUNDWATER BASIN(S): A groundwater reservoir, residing in one or more geologic units and separated from neighboring reservoirs by geologic or hydrologic boundaries.

HIGHWAY OCCUPANCY PERMIT: Authorization issued by PaDOT allowing a property owner specific access to Commonwealth maintained roadways, and required before a building permit for development of the property may be issued by the Township.

HOMEOWNERS' ASSOCIATION: An organization formed to manage the open space and/or common facilities within a development that are not to be publicly maintained; membership in, and financial support of such organization is mandatory for all owners of property in the development.

IMPROVEMENT BOND (Performance Bond): Financial security, posted by the developer, in an amount sufficient to cover the costs of improvements or common amenities in a development, in accordance with the design and specifications depicted on the final plan.

IMPROVEMENTS: Those physical changes to the land necessary to produce usable and desirable land, including, but not limited to, grading, paving, curbs, sidewalks, gutters, storm sewers and drains, sewage disposal facilities, stormwater management facilities, street signs, landscaping, fire hydrants, lot line markers, survey monuments, water supply facilities and such other improvements required by this Ordinance.

LAND DEVELOPMENT:

A. Land development shall include the following activities:

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

(a) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure;
or

(b) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of developing streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

(3) Newly acquired acreage by an amusement park and/or the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park.

(4) A mobile home park.

(5) A recreational vehicle park.

B. Land development shall not include the following activities:

(1) The development of a single lot for a single-family detached dwelling.

(2) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium.

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

(4) A change of use or addition to an existing non-residential principal structure provided the addition does not create;

(a) Expansion of a building to cover additional ground area, provided the expansion is not more than five hundred (500) square feet and is not closer than one hundred feet (100') to any property line abutting a residential property or fifty feet (50') to any other property line; or represents more than a twenty-five percent (25%) increase in building area of the structure, whichever is less;

(b) Improvements to any building that do not increase the area it occupies on the ground or the need for additional parking spaces;

(c) The need for a revision or supplement to the Township's sewage facilities plan; or

(d) An additional dwelling unit for occupancy.

LAND DEVELOPMENT, MINOR: A small scaled development involving three (3) or fewer lots and/or a land area of less than three (3) acres, which does not require extension of streets, roads, utilities, or any other municipal services or facilities.

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 person with a proprietary interest in land..

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

LOT, FLAG: A lot not meeting minimum width requirements at the right-of-way and where access to a public road is by a narrow strip of land usually accommodating a driveway.

LOT WIDTH: The distance across a lot measured along the front building line between the side lot lines.

MAINTENANCE BOND: A financial guarantee, posted by the developer to secure the structural integrity and functioning of improvements dedicated to and accepted by the Township, in accordance with the design and specifications depicted on the final plan.

MAJOR HIGHWAY: For purposes of these regulations only, US 422, PA 19, I-79, and PA 488 shall be considered major highways.

MINOR (LOCAL) STREET: A vehicular street serving primarily as an access to the properties abutting it but not intended to carry traffic collected from other streets.

MOBILE (MANUFACTURED) HOME: A transportable single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

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

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

MODIFICATION: A process for alleviating specific requirements imposed by this Ordinance on the developer, granted or rejected by the Board of Supervisors.

MONUMENT: A permanent precise indication, established by a Registered Land Surveyor, of points at changes of direction in the boundary of a subdivision or land development plan, or at points of change of direction in street rights-of-way within or on the boundary of the plan.

MONUMENTATION, CONTROL: The placement of permanent markers constructed of concrete or metal at key locations in the ground, including tract corners, right-of-way centerline, offsets, and lot boundary lines.

OCCUPANCY PERMIT: A certificate issued by the Township attesting to the fact that the proposed use or reuse of premises is in accordance with the requirements of this Ordinance or with a previously issued building permit and may be legally occupied.

OFF-STREET PARKING SPACE: An identified area abutting an access lane or driveway and of such dimensions, as specified by this Ordinance, to accommodate one (1) vehicle.

ON-SITE SEWAGE DISPOSAL OR WATER SUPPLY: An independent utility system designed to accommodate the property on which it is located.

OWNER OF RECORD: The individual or corporation whose name appears on the records of the County Recorder of Deeds as the current owner of a property.

PARKING AREA: The portion of a lot or parcel set aside for motor vehicle storage in a multi-family, public, semi-public, commercial or industrial development.

PAVEMENT: The portion within a right-of-way designed for vehicular travel, improved to specifications and material established by the Township and designed to carry such traffic in all weather.

PERMANENT OPEN SPACE: Any parcel or area of land or an area of water designed and intended for recreation, resource protection, amenity, and/or buffers.

PIN: A permanent indicator, established by a Registered Land Surveyor, of points at the corners of lots in a subdivision plan or at points of changes of direction along lot lines.

PLAN, FINAL (Also Final Plat or Final Land Development Plan): A complete and exact subdivision or land development plan, prepared for official recording as required by this Ordinance, defining property rights, streets and other improvements.

PLAN, PRELIMINARY (Also Preliminary Plat or Preliminary Land Development Plan): A tentative subdivision or land development plan, in lesser detail than a final plan, showing approximate street and lot layouts as a basis for consideration prior to preparation of the final plan.

PLANNING MODULE: A revision proposed by the developer to the Township's official Act 537 Plan, submitted in connection with a subdivision or land development application.

PLAT: The map or plan of a subdivision or land development, whether preliminary or final.

POSITIVE DRAINAGE: The slope of the land surface to assure that stormwater flows off the surface to a drainage way or stream and nowhere does water lay upon the surface.

POTABLE WATER: Water meeting the Commonwealth Department of Environmental Protection's criteria for human consumption.

PROFESSIONAL CONSULTANT: A person or persons who provide expert or professional advise to the Township, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects, and planners.

PROFILE: A vertical cut along the centerline of a street or utility line indicating the vertical alignment, with the vertical dimension often exaggerated at a maximum five to one (5:1) ratio to clarify the relation between horizontal and vertical measurements.

PROPERTY LINE (Lot Line): The boundary line surrounding a property or lot of record, or any portion of such line or parcel which may be described by bearings and distances.

PROPERTY TRACT: An area of land, all portions of which are in the same ownership and the boundary of which closes on itself.

PUBLIC HEARING: A formal hearing held pursuant to public notice by the Board of Supervisors, intended to inform and obtain public comment, prior to taking action.

PUBLIC SANITARY SEWER: A system operated by a public authority or authorities appointed by the Township or group of municipalities served by the system, with power to issue revenue bonds, construct such systems, and operate them, as well as extensions built by others but dedicated to the authority to operate.

PUBLIC WATER SUPPLIER: A person, corporation or public or private entity that owns or operates a public water system and is regulated by the Public Utilities Commission.

PUBLIC WATER SYSTEM: A system which provides water to the public for human consumption which has at least two (2) service connections or regularly serves two (2) users whether residential or nonresidential daily at least sixty (60) days out of the year. The term includes collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term also includes wells or pretreatment storage facilities not under control of the operator which are used in connection with the system, and may include a system which provides water for bottling or bulk hauling for human consumption. Water for human consumption includes water that is used for drinking, bathing and showering, cooking, dishwashing or maintaining oral hygiene.

RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel uses, which either has its own mode of power or is mounted or drawn by another vehicle. The basic versions are: travel trailer, camping trailer, truck camper and motor home.

RECREATIONAL VEHICLE (RV) PARK: A parcel (or contiguous parcels) of land which has been so designated and improved that it contains two (2) or more recreational vehicle pads for lease, each pad intended for the placement of one (1) recreational vehicle or camper.

RECORDING: The act of registering with the County Recorder of Deeds a subdivision or land development plan which has received final approval by the Township.

RECORDING DOCUMENTS: The final approved land development or subdivision plan and any restrictive covenants or developers agreements that are recorded by the applicant after which he may commence development, but only in compliance with such documents.

RE-SUBDIVISION (Lot Consolidation): The rearranging of property lines or the combining of several properties into one or more new properties.

RESTRICTIVE COVENANT: A recorded private agreement legally binding successor owners of a property to certain conditions regarding use of the property stipulated by the original owner, and enforceable for a set number of years after recording.

RETAINING WALL: A wall at least four feet (4') high on its exposed side designed by a Registered Professional Engineer to contain the thrust of an earth embankment behind it.

RIGHT-OF-WAY: Land which is set aside for use as a street, alley or other roadway; also an easement across private property.

SEDIMENTATION: The process by which wind and water scour material from the earth's surface and carry it into nearby streams, raising their level and reducing their water-carrying capacity.

SEWAGE ENFORCEMENT OFFICER: An individual appointed by the Township and certified by the Commonwealth who is charged with enforcing the regulations of the Department of Environmental Protection within the Township relative to individual and community on-lot sewage disposal systems.

SIGHT DISTANCE: The minimum distance the driver of a vehicle can see unencumbered by intervening buildings, structures, land forms or vegetation, to safely negotiate an intersection of streets, usually measured between three and a half feet (3 1/2') and six inches (6") above the road surface.

SITE: Any plot or parcel of land or a part thereof or combination of contiguous lots or parcels of land.

SITE PLAN (Land Development Plan): The proposed layout of a lot showing all elements of the site development as well as utility and drainage lines and existing buildings and structures to remain as depicted.

SKETCH PLAN: A plan showing general layout of uses, access, and other development features on a site, for the purpose of informal review that carries no vested rights or obligations of any party.

SLOPE, STEEP: The deviation of a surface from the horizontal expressed in degrees or percent, in this case in excess of twenty-five percent (25%).

SLOPE, TOE OR TOP: The toe is the transitional area between the lower edge of a graded sloped surface and the adjacent horizontal ground; the top is the upper edge of the slope.

SOIL PERCOLATION TEST: A procedure for measuring the ability of soil to absorb moisture as a basis for design in connection with on-lot sewage disposal, conducted by the Township Sewage Enforcement Officer.

STORM DRAINAGE SYSTEM: An arrangement of swales, conduits, underground pipes and/or impoundment basins designed to collect stormwater, control its flow and direct it to a stream or established drainage way.

STORMWATER: Precipitation falling upon the ground surface, or falling upon improvements and carried to the ground surface.

STORMWATER MANAGEMENT: The process of controlling storm water runoff from surfaces to prevent the rapid release of large volumes of water at high velocity that would damage lower properties through flash flooding, erosion or sediment deposition.

STREET: A strip of land, including the entire right-of-way, utilized as a means of vehicular or pedestrian travel for more than one lot or parking compound. Street includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private, however, street shall not include driveway, common driveway or access drive.

STREET, COLLECTOR: A street that collects traffic from local streets and connects with minor or major arterials.

STREET, CUL-DE-SAC: A street with a single common ingress and egress and with a turnaround at the end.

STREET, LOCAL: A street designed to provide vehicular access to abutting property and to discourage through traffic.

STREET, PRIVATE: A street not offered for dedication or offered for dedication and not accepted by the Township or Commonwealth.

STREET, PUBLIC: A right-of-way dedicated for public vehicular use which has been accepted for maintenance by the Township or the Commonwealth of Pennsylvania.

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

SUBDIVISION: The division or 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 court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBDIVISION, MAJOR: The division of any lot, parcel, or tract of land or part thereof into two (2) or more lots, parcels, or tracts for the imminent or future conveyance, transfer, improvement, sale, or lease of such lots, parcels, or tracts of land, when any or all of the lots, parcels, or tracts so created do not abut a public street in existence prior to consideration of the proposed subdivision, or require an extension of public sewer or water lines, streets, or other public improvements; or result in the division or further subdivision of the original lot, parcel, or tract creating a cumulative total of four (4) or more lots, parcels, or tracts.

SUBDIVISION, MINOR: The division of any lot, parcel, or tract of land or part thereof into three (3) or less lots, parcels, or tracts for the imminent or future conveyance, transfer, improvement, sale, or lease of said lots, parcels, or tracts, where all the lots, parcels, or tracts thus created abut a public street in existence prior to consideration of the proposed subdivision and do not require extension of public sewer or water lines, streets, or other public improvements.

SUBGRADE: The ground surface in a street right-of-way prepared to receive the street base course.

SUPER ELEVATION: The warping of the surface of a vehicular road on horizontal curves inwards towards the center of the curve in order to maximize the contact of a vehicle with the road surface and minimize the effects of centrifugal force.

SURVEYOR, PROFESSIONAL LAND: A person who is licensed by the Commonwealth as a Registered Land Surveyor.

SWALE: A continuous depression across the land surface that carries stormwater from higher to lower elevations.

TANGENT: A straight line in horizontal or vertical alignment connecting the ends of curves.

THROUGH TRAFFIC: Traffic that is passing through an area but has no origin or destination there.

TITLE BLOCK: A box on a drawing containing specific information relative to a development required for review of the proposal.

TOPOGRAPHIC MAP: A map delineating by contours the surface elevations of a land area.

TOWNHOUSE COURT (Multifamily Court): A paved area serving multiple townhouse units, within which parking may be provided.

TOWNHOUSE LOT: A recorded lot designed with the minimum required area and dimensions to accommodate a townhouse structure and which may be further subdivided to accommodate individual dwelling units in the structure.

TOWNSHIP: Muddy Creek Township, Butler County, Pennsylvania.

TOWNSHIP ENGINEER: A Professional Engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Township by the Board of Supervisors.

TOWNSHIP PLANNING COMMISSION: The duly appointed Planning Commission of Muddy Creek Township.

USE: The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

UTILITY: A service normally required for the successful functioning of a development, whether provided by a community or a public system or by a private company. Utilities include, but are not limited to sanitary sewage, stormwater collection and disposal, water and gas supply, electric and telephone service and cable television.

WATER SURVEY: An inventory of the source, quantity, yield and use of groundwater and surface water resources in the Township

WATER TABLE: The average level that water below the ground surface assumes.

WEARING COURSE: In asphaltic concrete paving, the top layer of surfacing which carries vehicular traffic.

YARD: The area of a lot between the property line and the parallel adjacent setback line within which buildings or any part of them cannot be placed.

YARD, FRONT: A yard between the adjacent right-of-way line and the building line and extending the full width of the lot.

YARD, REAR: A yard between the rear lot line and the building line and extending the full width of the lot.

YARD, SIDE: A yard between the side lot line and the building line and extending from the front lot line to the rear lot line.

ARTICLE III

PLAN PROCESSING PROCEDURES

SECTION 301. GENERAL. This Article sets forth the required submittal, processing and review procedures for all subdivision and/or land development plans.

SECTION 302. CONCEPT (SKETCH) PLAN – INFORMAL REVIEW.

302.1 Prior to formal submittal of a subdivision and/or land development plan, applicants are urged to meet with the Township Planning Commission to present a concept (sketch) plan for the development.

302.2. Applicants desiring to meet with the Township Planning Commission shall notify the Township at least twenty-five (25) days prior to the meeting at which the concept plan will be presented.

302.3. Applicants shall submit a minimum of three (3) copies of the concept plan to the duly authorized Township representative not more than twenty-five (25) days and not less than ten (10) days prior to the regular meeting of the Township Planning Commission at which the plan will be formally presented.

302.4. The purpose of meeting with Township Planning Commission is to discuss the impact of the proposal upon the Township, inform the applicant of regulatory constraints upon the proposed development, explain the applicant's responsibility for reimbursing the Township for costs associated with professional consultants' review fees, technical reports, inspections and related services for the plan, and suggest to the applicant the procedures that should be followed to expedite approval of the plan.

302.5. Review and comment on the concept (sketch) plan shall not be subject to any time limit, and shall not be binding on any subsequent action of the Township.

SECTION 303. PRELIMINARY PLAN APPLICATIONS.

303.1. Applicants seeking approval of a residential subdivision of not more than three (3) lots, and which does not require the extension of any streets or public utilities, may, at their discretion, decide not to submit separate preliminary and final plans and instead may elect to concurrently submit a preliminary/final plan.

303.2. Applicants seeking approval of a subdivision plan that only adjusts property lines, and which does not create additional lots or eliminate existing lots, may, at their discretion, decide not to submit separate preliminary and final plans and instead may elect to concurrently submit a preliminary/final plan.

303.3. Applicants seeking approval of a land development plan with less than five thousand (5,000) square feet of new building area may request a modification from the requirement that a separate preliminary and final plan be filed, allowing the plan to be concurrently submitted as a preliminary/final plan.

303.4. All other preliminary subdivision and/or land development plan applications shall be submitted in accordance with the provisions of this Ordinance.

303.5. Applicants seeking preliminary approval of subdivision and/or land development plans shall submit a completed preliminary plan application form, as provided by the Township, together with five (5) full-sized copies and ten (10) half-sized (11"x17") copies of the preliminary plan, and the required fee(s) to the duly authorized Township representative not more than thirty (30) days and not less than twenty (20) days prior to the regular meeting of the Township Planning Commission at which the plan will be formally presented.

303.6. The applicant shall attend the scheduled Township Planning Commission meeting and formally present the preliminary plan to the Commission. The Commission shall review the plan as to its conformance with the requirements of this Ordinance and with other applicable Township regulations. If the Commission is satisfied that all such requirements have been met, it shall formalize its recommendations to the Board of Supervisors. The Commission may "table" its review of the plan if the applicant and/or his representative are not present at the meeting

303.7. If the Township Planning Commission determines that certain aspects of the preliminary plan as submitted are deficient, the Commission shall inform the applicant of the deficiencies in writing and note the deficiencies in its meeting minutes. The Commission shall offer the applicant an opportunity to revise the plan to correct the deficiencies before the Commission formalizes its recommendations to the Board of Supervisors. If the applicant agrees to revise the plan and re-present it at the next regularly scheduled meeting of the Commission, the Commission may "table" its review of the plan. If the applicant elects not to revise the plan, the Commission shall complete its review of the plan, as submitted, and formalize its recommendations to the Board of Supervisors.

303.8. The Township Planning Commission shall forward its recommendations on the plan to the Board of Supervisors.

303.9. Upon completion of the Township Planning Commission's review, the applicant shall submit the preliminary plan to the County Planning Commission for review/comment.

303.10. Upon completion of the County Planning Commission's review, the applicant shall attend and formally present the preliminary plan to the Board of Supervisors at its next regularly scheduled meeting or workshop. At which time the Board may review the plan with the applicant and/or the Board may decide to call and hold a public hearing on the preliminary plan. In either case, the Board shall render a decision on the preliminary plan not later than ninety (90) days following the date of the meeting at which the preliminary plan was initially reviewed by the Planning Commission, and not subsequently rejected due to incompleteness. The Board's official decision shall be transmitted in writing to the applicant at his last known address not later than fifteen (15) days following the Board's decision. If the application is not approved in terms as filed, the decision shall specify any conditions of approval and/or defects found in the application and describe the requirements which have not been met and cite to the provisions of the statute or Ordinance relied upon. Failure or refusal by the applicant to accept any/all conditions of approval within thirty (30) days of receipt of the Board's written decision shall constitute disapproval of the preliminary plan.

303.11. Failure of the Board of Supervisors to render a timely decision and/or communicate it to the applicant within the prescribed time or in the manner specified shall be deemed an approval of the application as filed, unless the applicant has agreed in writing to an extension of time or change in the manner of notification.

303.12. Preliminary plan approval binds the applicant to the plan as approved. Approval of a preliminary plan shall not be construed to constitute final approval but only an authorization to proceed with preparation of the final plan application. An approved preliminary plan does not authorize the recording, sale, or transfer of lots, nor shall the plan be recorded in the office of the Butler County Recorder of Deeds.

303.13. Final plans are required to be submitted to the Township within one (1) year of the date of preliminary plan approval, unless the applicant submits a timely, written, and reasonable request for an extension of time and the request is approved by the Board of Supervisors. Failure to timely submit a complete final plan application package shall render the preliminary plan approval null and void.

SECTION 304. FINAL PLAN APPLICATIONS.

304.1. The final plan application may be submitted for all or a part (phase) of the plan given preliminary approval but the portion submitted shall be consistent in key design elements as identified on the approved preliminary plan, including the location of primary and back-up on-lot septic systems where applicable. A key map shall be provided on the final plan showing the location and boundaries of the submitted part (phase) of the overall plan.

304.2. Applicants seeking final plan approval shall submit a completed final plan application form, as provided by the Township, together with five (5) full-sized copies and ten (10) half-sized (11"x17") copies of the final plan and the required fee(s) to the duly authorized Township representative not more than thirty (30) days and not less than twenty (20) days prior to the regular meeting of the Township Planning Commission at which the final plan is to be formally presented.

304.3. The applicant shall attend the scheduled Township Planning Commission meeting and formally present the final plan to the Commission. The Commission shall review the plan as to its conformance with the requirements of this Ordinance, other applicable Township regulations, and the approved preliminary plan (including conditions of approval). If the Commission is satisfied that all requirements have been met, it shall formalize its recommendations to the Board of Supervisors. The Commission may "table" its review of the plan if the applicant and/or his representative are not present at the meeting

304.4. If the Township Planning Commission determines that certain aspects of the final plan as submitted are deficient or that the final plan application deviates substantially from the approved preliminary plan, the Commission shall inform the applicant of the deficiencies and/or discrepancies in writing and note the deficiencies and/or discrepancies in its meeting minutes. The Commission shall offer the applicant an opportunity to revise the plan to correct the deficiencies and/or discrepancies before the Commission formalizes its recommendations to the Board of Supervisors. If the applicant agrees to revise the plan and re-present it at the next regularly scheduled meeting of the Commission, the Commission may "table" its review of the

plan. If the applicant elects not to revise the plan, the Commission shall complete its review of the plan, as submitted, and formalize its recommendations to the Board of Supervisors.

304.5. The Township Planning Commission shall forward its recommendations on the final plan to the Board of Supervisors, indicating approval, disapproval or approval with conditions

304.6. Upon completion of the Township Planning Commission's review, the applicant shall submit the final plan to the County Planning Commission for review/comment.

304.7. Upon completion of the County Planning Commission's review, the applicant shall attend and formally present the final plan to the Board of Supervisors at its next regularly scheduled meeting or workshop. At which time, the Board may review the final plan with the applicant and/or the Board may decide to call and hold a public hearing on the final plan application. The Board shall render its decision on the final plan within ninety (90) days following the date of the meeting at which the final application was initially reviewed by the Township Planning Commission, and not subsequently rejected due to incompleteness. The official decision shall be transmitted in writing to the applicant at his last known address not later than fifteen (15) days following the decision. If the application is not approved in terms as filed, the decision shall specify any conditions of approval and/or defects found in the application and describe the requirements which have not been met and cite to the provisions of the statute or Ordinance relied upon.

304.8. Failure or refusal by the applicant to accept any/all conditions of approval within thirty (30) days of receipt of the Board's written decision shall constitute disapproval of the final plan.

304.9. Failure or refusal by the applicant to comply with any/all conditions of final plan approval and submit the final plan for certification (i.e. signature) by the Board of Supervisors within one (1) year of the date of the Board's written decision shall constitute disapproval of the final plan.

304.10. Failure of the Board of Supervisors to render a timely decision and/or communicate it to the applicant within the prescribed time or in the manner specified shall be deemed an approval of the application as filed, unless the applicant has agreed in writing to an extension of time or change in the manner of notification.

304.11. No final plan shall be approved and/or certified by the Board of Supervisors unless and until the applicant has completed all required public improvements, in accordance with the provisions of this Ordinance, or has filed with the Board of Supervisors an improvement bond.

304.12. When requested by the applicant, in order to facilitate financing, the Board of Supervisors shall furnish the applicant with a signed copy of a resolution indicating approval of the final plan contingent upon the applicant obtaining financial security in a form satisfactory to the Board of Supervisors. The resolution's contingent approval shall expire and be deemed to be revoked if the financial security is not provided within ninety (90) days from the date of the resolution, unless an extension of time is requested, in writing, by the applicant and granted by the Board of Supervisors.

304.13. Upon approval and certification of the final plan, the applicant shall within ninety (90) days of certification or ninety (90) days after the date of delivery of an approved signed plan following the completion of conditions imposed for such approval, whichever is later, record the plan with the office of the Butler County Recorder of Deeds. Failure to timely record the plan shall render the final plan approval null and void, requiring re-submittal of the plan for review by the Township.

304.14. Within thirty (30) days following recording, the applicant shall file a full-sized paper copy of recorded plan with the Township.

ARTICLE IV

INFORMATION TO BE SHOWN ON OR SUBMITTED WITH SUBDIVISION AND LAND DEVELOPMENT PLANS

SECTION 401. GENERAL. This Article sets forth requirements specifying the information to be shown or submitted with subdivision and/or land development plans.

SECTION 402. CONCEPT (Sketch) PLAN REQUIREMENTS.

402.01. Where the applicant decides to submit a sketch plan, the applicant shall appear before the Township Planning Commission at a regularly scheduled meeting and present a minimum of three (3) copies of a scaled plan of the property to be developed.

402.02. The applicant shall be prepared to discuss the details of the proposed site including a description of existing covenants, land characteristics, community facilities, and utilities, commercially developed areas, residential areas, industrial areas, playgrounds, and proposed protective covenants, utilities, and street improvements with the Commission.

402.03. The concept plan shall show or be accompanied by the following data, legible in every detail, but not necessarily containing precise dimensions:

- (a) Name and address of the applicant.
- (b) Name and address of individual and firm who prepared the plan.
- (c) Location map with sufficient information to locate the property.
- (d) North arrow.
- (e) Written scale and graphic scale.
- (f) Existing tract boundaries accurately labeled with the name(s) of adjacent landowners and adjacent plans of record.
- (g) Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of the property.
- (h) Significant topographic and man-made features (e.g. steep slopes, bodies of water, quarries, floodplains, tree masses, structures, and suspected wetlands).
- (i) Location and width of all proposed streets and alleys.
- (j) Proposed streets, parking, buildings, lot layouts, water supply, sanitary sewage facilities, and other planned features.

(k) Proposed areas of grading on the site, indicating steepness of slopes and means to collect and dispose of stormwater, in accordance with this Section.

(l) Proposed land use; if several land uses are proposed, the location of each use shall be indicated.

SECTION 403. PRELIMINARY PLAN REQUIREMENTS.

403.01. All preliminary plans shall be prepared by an engineer or land surveyor licensed to practice in the Commonwealth of Pennsylvania to perform such duties.

403.02. All preliminary plans shall show, be accompanied by, and be prepared in accordance with the following:

A. Existing Conditions Map at a scale of one inch equals one hundred feet (1" = 100') or larger (i.e. 1" = 50', 1" = 40', etc.) showing:

(1) Contours at two feet (2') intervals throughout the property (may be interpolated from U.S.G.S. data);

(2) Boundary of the property indicating bearings and distances of each line enclosing the property;

(3) Area of the property;

(4) Boundaries of abutting properties or lot plans, where they adjoin the property under consideration, and names of owners of abutting lots and lot plans within one hundred feet (100') of subject property;

(5) Existing streets or roads abutting the property or within fifty feet (50') of the parcel boundary line, indicating name, type of surfacing, right-of-way width and paving width;

(6) Existing easements, if any, indicating width, bearings, distances, use and lessee within or adjacent to the property;

(7) Existing electric, telephone, sanitary sewer, water and/or gas lines, and/or other public utilities, if any, in abutting streets or within fifty feet (50') of the boundary of the property, indicating line (pipe) size, manholes, hydrants, and similar appurtenances;

(8) Existing streams or watercourses on the property or within fifty feet (50') of the parcel boundary, together with culverts, inlets and/or storm drain lines, if any;

(9) Boundaries of the one hundred (100) year floodplain from Federal Emergency Management Agency maps, if applicable;

(10) Vegetative cover in approximate location and/or other natural features;

**Muddy Creek Township, Butler County, PA
Subdivision and Land Development Ordinance**

- (11) Existing buildings, structures, or other significant man-made features such as driveways or walls within the property or within fifty feet (50') of the boundary of the property;
- (12) North arrow;
- (13) Graphic scale, date that map was prepared, name and address of Registered Land Surveyor who prepared the map (including his Pennsylvania Seal), name of the subdivision or land development, and names and addresses of owners of record of the property together with the developer's name and address if not the owner;
- (14) Vicinity map at a scale of one inch equals two thousand feet (1" = 2,000') showing the position of the plan relative to major roads and landmarks in the vicinity; and
- (15) Butler County Soils Classification Map.

B. A subdivision and/or land development plan, drawn at the same scale as the Existing Conditions Map, preferably combined with the Existing Conditions Map as one (1) drawing, showing:

- (1) Proposed lot plan, indicating minimum and typical lot sizes, minimum and typical lot widths at front building line, setback line from street rights-of-way, proposed use of each lot, and identification number of each lot running consecutively through the plan;
- (2) Proposed street plan indicating right-of-way widths, pavement widths, approximate grades, and street names;
- (3) Proposed plan for surface storm drainage management including location of culverts, inlets, detention basins, outfalls, and natural drainage ways;
- (4) A plan or description for sanitary sewers and/or water supply systems, whether proposed as public or private, including points of connection to existing systems;
- (5) Location and size of the area to be set aside for recreation, community use, common open space, or permanent open space, if any; and
- (6) Proposed location of easements through or into the plan, indicating width and use.

C. In the event the plan will not be connected to a public sewer system, soil percolation tests conducted under the direction of the Township Sewage Enforcement Officer, with the location of the test holes, test hole data and Department of Environmental Protection Sewage Permit Application number shall be shown separately on the plan.

D. Water Availability and Water Development Impact Study:

(1) Where the plan will be served by a public water system regulated by the Pennsylvania Public Utilities Commission, the applicant shall furnish a letter from such company or authority, in a form acceptable to the Township, evidencing the availability of water to service the plan and any applicable conditions thereto.

(2) Where the plan will not be served by a public water system regulated by the Pennsylvania Public Utilities Commission, the applicant shall conduct a water development impact study as hereinafter set forth. In the event that the water development impact study, indicates that a reasonable likelihood exists that the proposed development will not provide for a reliable, safe and adequate water supply to support the intended uses within the capacity of available resources, such factors shall constitute grounds for disapproval of the plan.

(a) Exception to the water development impact study: No water development impact study shall be required where the applicant proposes less than ten (10) residential lots or the further subdivision of the original lot, parcel or tract creates a cumulative total of less than ten (10) residential lots, parcels or tracts, for imminent or future conveyance, transfer, improvement, sale or lease.

(b) Provided further, a water development impact study shall not be required where the reasonably anticipated non-residential water usage of the plan is less than three thousand five hundred (3,500) gallons per day.

(3) Conduct and Scope of Study: The water development impact study shall be prepared by a Registered Professional Geologist qualified to conduct groundwater investigations in the Commonwealth of Pennsylvania. The purpose of this study will be to determine whether there is an adequate supply of groundwater for the proposed use and to estimate the impact of the anticipated additional water withdrawal on existing nearby wells, springs, aquifers and streams.

(4) Study Requirements: The water development impact study shall be prepared at the developer's expense and shall bear the seal of and be signed by the person(s) preparing the study. Calculations of the projected water needs shall utilize the criteria set forth in the following references as the same may be amended from time to time:

(a) "Public Water Supply Manual," Bureau of Community Environmental Control New Bureau of Water Supply and Community Health, Publication No. 15 by the Pennsylvania Department of Environmental Protection, Harrisburg, Pennsylvania, Document No. 383-0300-001, Guide for Determination of Required Fire Flow by the Insurance Services Office, ISO.

(b) American Waterworks Association, Denver, Colorado.

(5) The water development impact study shall include the following information:

- (a) A geological map of the groundwater basin(s) containing the development shall be compiled at a minimum scale of 1:24,000.
- (b) The location of all identified faults, lineaments and fractures within the area of the geologic map. In addition, a fracture trace analysis shall be conducted for the development and the area within one thousand feet (1,000') of the development.
- (c) The location of all existing and proposed wells within the groundwater basin(s) containing the development having a design capacity to withdraw seventy-two thousand (72,000) gallons per day or more.
- (d) The location of all existing and proposed on-lot septic systems and sewer lines within five hundred feet (500') of the development.
- (e) The location of all streams, perennial and intermittent, within fifty feet (50') of the proposed development.
- (f) The location of all existing and proposed mines of any type within one thousand feet (1,000') of the proposed development.
- (g) The location of all existing and proposed oil or natural gas production or storage wells within one thousand feet (1,000') of the proposed development.
- (h) The location of all existing and proposed gas storage pools underlying the development or within one thousand feet (1,000') of the development.
- (i) The location of all existing water wells within one thousand feet (1,000') of the lot boundary lines of the proposed development.
- (j) A discussion of the hydrologic setting of the development and its relationship to the groundwater basin(s) in which it resides.
- (k) A hydrologic budget shall be calculated for the groundwater basin(s) containing the development and the results extrapolated back to the area of interest using long-term records for both stream flow and groundwater levels and long-term precipitation data. Such data shall be used to determine both extreme and average water budgets for the basin(s) that include the development. Records collected at the United States Geological Survey (USGS) stream gauge on Connoquenessing Creek at Hazen, Beaver County (USGS site number 03106000) will be acceptable to the Township for use in the water budget analysis. With justification, gauged water basins of superior similarity to the development may be used. Groundwater level records collected by the USGS for wells in the Pennsylvania Observation Well Network are recommended for analysis of

the groundwater response. Records for well BT-311 (USGS site number 410501079524401) in Butler County, well 03106300 downstream from Lake Arthur dam near Portersville, and well #LA1201 at State Game Land No. 150 near Pulaski. The water budget analysis should include a summary of the expected hydrologic response of the basin(s) to extremes in precipitation and an analysis (problems, reliability, long-term trends) of the data used to prepare the budgets. Utilizing the budget which has been developed, the study shall focus on the relationship of the development to the basin including whether it is in a recharge, intermediate or discharge part of the system and whether there is ample recharge area for the needs of the community.

(l) An analysis of the relationship of the development to the overall hydrologic setting of the groundwater basin(s) and the expected hydrologic response of the development to the variations noted in the hydrologic budget analysis of the basin(s).

(m) The study shall include a minimum of one (1) test well for each ten (10) lots or at least one (1) test well for each reasonably anticipated withdrawal of five thousand (5,000) gallons per day per development or part thereof, whichever is less, and for each well constructed shall include:

(i) An accurate geologic log shall be kept which describes the materials penetrated during well construction. Such descriptions shall include the type, thickness, color, moisture content, and depth encountered of the soil and rock encountered during construction. In addition, the log will note the depth, nature and water yield of each water bearing zone encountered during construction. Yield of the well shall be measured periodically during construction by volumetric or other quantitative method. The well depth at the time of the measurements, the yield and other relevant information shall be recorded on the log.

(ii) An aquifer pumping test of not less than forty-eight (48) hours duration or such time as is necessary to obtain sufficient data to characterize the hydro geological system shall be conducted at a rate of not less than one hundred and fifty percent (150%) of the average peak demand of all wells planned for the development. A minimum well yield of five (5) gallons per minute per single family lot or equivalent dwelling unit as defined by the Pennsylvania Department of Environmental Protection, 25 Pa. Code § 71.1, shall be used. Such aquifer pumping test shall include a pumping well and at least one (1) observation well, both completed to monitor the same hydrologic unit. Pre and post pumping water level data will be collected from the pumping well and all observation wells for periods of time adequate to correct the data collected during pumping and to analyze the recovery of the wells following pumping. Poorly designed or improperly

conducted aquifer pumping tests yield results that are, at best, inconclusive. For this reason, the applicant is strongly urged to submit to the Township an aquifer pumper test design for approval prior to conducting the test. A complete log of the pumping test shall be maintained and submitted as part of the report.

(iii) An analysis of a water sample, collected from the well at the end of the aquifer pumping test and submitted to a Department of Environmental Protection certified laboratory to determine its compliance with Environmental Protection Agency Safe Drinking Water parameters, shall be provided to the Township for each well and a copy of such test results shall be submitted with the study.

(iv) To determine the impact of the development on existing wells, a sample of the existing wells, necessary to characterize the hydrogeology of the development shall be monitored for changes in water level. Water level monitoring in these wells shall be sufficient to construct a hydrograph for each well showing a continuous record of water levels before, during and after the aquifer pumping test.

(v) The discharge of the pumping well shall be periodically and accurately measured during the aquifer pumping test. The results of the measurements and the time they were taken shall be recorded on the pumping test log.

(vi) A copy of the Pennsylvania Department of Environmental Protection Water Well Completion Report Form, or such successor form for each well constructed as part of this study, shall be included in the report.

(n) The study shall analyze and interpret all relevant data regarding the anticipated impact of the proposed development on the groundwater supply and existing wells within one thousand feet (1,000') of the proposed development. The credentials of the person(s) preparing the report shall be included and conclusions shall be drawn from the analysis with respect to:

(i) The availability of sufficient water for the proposed development and existing wells.

(ii) The probable effects of long term pumping of the wells proposed for construction in the development on: the groundwater levels of the development; the groundwater levels of the property adjacent to the development; and on the water budget of the groundwater basin(s) in which the development is proposed, including the probable effects during drought conditions.

(iii) Whether the groundwater recharge in the groundwater basin(s) serving the subject property after development, during drought conditions (where the twelve (12) months precipitation deficit is forty percent [40%] of average annual precipitation) will exceed the anticipated water usage and whether the proposed development will lower the groundwater table in the area to the extent of decreasing the groundwater supply available to other property below acceptable levels. Comprehensive analysis may include development of probability curves to provide a substantial statistical basis for determining how frequently a drought is likely to occur.

(o) The location, nature and potential influence of possible sources of groundwater contamination within the development or up grade of the development. Such sources would include, but not be limited to, occupied or abandoned industrial sites, above and below ground fuel storage tanks, agricultural chemical storage handling and application areas, waste handling and disposal facilities, active or abandoned mining operations, active or abandoned oil or gas wells.

(p) The impact of projected consumptive use on the groundwater system shall be included in the analysis of the water budget for the development. Such analysis shall include, but not be limited to, the consequences on the water budget of diversions of water due to public sanitary sewerage, stormwater management and such other alterations to the hydrologic system that may result from construction of the development itself or from existing or proposed construction up gradient of the development.

SECTION 404. FINAL PLAN REQUIREMENTS.

404.01. All final plans shall be prepared by an engineer or surveyor licensed to practice in the Commonwealth of Pennsylvania to perform such duties.

404.02. All final plans shall show, be accompanied by, or be prepared in accordance with the following:

A. General Information:

(1) The map scale shall be in the range of a maximum of one inch equals fifty feet (1" = 50') to a minimum of one inch equals one hundred feet (1" = 100');

(2) The plan shall be prepared in ink on Mylar material;

(3) If final plan approval is sought for only a part of the area for which preliminary plan approval has been granted, a key map shall be provided showing the relationship of the area for which final approval is requested to the area granted preliminary approval;

(4) A title block in the lower right hand corner of the plan sheet containing:

- (a) Title/name, approved by the Township, under which the subdivision or development plan is to be recorded;
- (b) Date of submission of the plan;
- (c) Graphic scale;
- (d) Name and address of landowner and/or applicant, if different;
- (e) Designation of the plan as a concept (sketch) plan, preliminary plan, or final plan; and
- (f) Name and address of Registered Land Surveyor who prepared the plan with his Pennsylvania seal affixed.

(5) Certificates and acknowledgments, as may be required:

- (a) Individual or corporate adoption, notarized;
- (b) Individual or corporation acknowledgment, notarized;
- (c) Guarantee of title and mortgagee's consent to recording, if applicable, notarized;
- (d) Engineers and surveyors certificates, sealed;
- (e) Review by Township Planning Commission;
- (f) Review by County Planning Commission;
- (g) Approval by Board of Supervisors;
- (h) Release of Muddy Creek Township from obligations to construct improvements;
- (i) Approval of any waivers/modifications, if granted;
- (j) Developer's acceptance of responsibility for stormwater drainage facilities and control of stormwater drainage.
- (k) Private road/street notice;
- (l) Proof of recording; and
- (m) State Highway Occupancy notice, if access is to a State Highway.

B. Information on Plan:

- (1). Perimeter boundary line of area for which final plan approval is sought, indicating bearings and distances of each line;
- (2) Street right-of-way lines, indicating bearings to the nearest second and distances of lines, radii and lengths of curves and right-of-way width to the nearest hundredth of a foot;
- (3) Subdivision or lot lines indicating bearings and distances of lines and radii and length of curves to the same accuracy as for streets;
- (4) All setback lines;
- (5). Easement right-of-way lines, indicating bearings and distances, widths and use of easement;
- (6) Names of all streets and street addresses for all building lots;
- (7) Lot or parcel numbers for each lot conforming to the approved preliminary plan;
- (8). Location of all monuments to be set by the developer in accordance with the provisions of this Ordinance;
- (9). Location of any lands within the property to be dedicated for public use, public recreation or open space, such land to be designated for a specific use on the plan and dimensioned as for other lots;
- (10) Area of each parcel of land to be sold to the nearest one-hundredth (.01) of a square foot;
- (11) Names of owners of unplatted adjacent property and names of adjacent lot or development plans, in appropriate locations; and
- (12) North arrow.

C. Supplemental Information on Plan:

- (1) On-Lot Sewage Disposal: Approximate location of primary and secondary soil test sites approved by the Sewage Enforcement Officer within the plan, approximate location of absorption fields on each lot, and the Sewage Permit application number for each lot.

(2) Water Supply:

- (a) Supply from on-lot well: Approximate location of well on each lot and volume of water capable of being produced, expressed in gallons per minute; or
- (b) Attachment to existing public system: Location of proposed lines indicating size and material, hydrants, valve boxes, point of connection to existing system and any storage or pumping facilities in the plan.

(3) Stormwater, grading and erosion control:

- (a) The location of culverts, catch basins and subsurface storm lines, with size, pipe material and direction of flow;
- (b) The location of stormwater detention facilities and staged release structures, together with a section through the release structure showing elevations of inlet and outflow pipes and maximum water level, overflow dam, freeboard, and other features;
- (c) Where grading is to occur, the area to be disturbed shall be shown as well as the percentage of slope to be created and those methods proposed to contain erosion from the graded slopes; and
- (d) Proposed planting of the slopes and means of directing stormwater around the top and toe of the slope.

(4) Profiles and typical cross-sections of public improvements shall be shown at the same horizontal scale as the Final Plan Map, but the vertical scale should be exaggerated for clarity. Existing and proposed grades along the centerlines and existing and proposed grades indexed at ten foot (10') vertical intervals shall be shown:

- (a) Profiles along centerline of each section of street to be constructed showing existing ground elevation, proposed grades, vertical curves connecting changes in grade and connection to existing roads;
- (b) Typical cross-section through proposed streets between right-of-way lines showing depth and widths of materials to be used to meet Township road construction standards;
- (c) Profiles along the centerline of each section of storm drain line, indicating line size, material and slope, inlets, culverts, points of intersection with other utilities and outfalls; and
- (d) If attachment to a public sewage disposal system is proposed, the rules and regulations of the Municipal Authority with jurisdiction shall dictate.

D. Supplemental Documents:

- (1) If the plan will be connected to existing public sewage disposal and/or water supply systems, letters from the utilities indicating they will accept sewage and/or provide water to the plan, as well as a Certificate of Public Convenience from the Pennsylvania Public Utilities Commission or a copy of an application for such a certificate provided by the water supplier;
- (2) An accounting by a Registered Professional Engineer or Professional Land Surveyor preparing the submission, of all costs for constructing improvements to be provided by the developer. Costs shall be broken down into quantities, unit costs and totals;
- (3) An improvement bond, or other financial security approved by the Township, equal in value to one hundred and ten percent (110%) of the estimated cost of installing the improvements;
- (4) Any restrictive covenants, deed restrictions, and/or rights of easement in the form in which they will be recorded;
- (5) If the proposed plan includes access to a State Highway, the Final Plan Map shall bear a notice that a highway occupancy permit is required, pursuant to Section 420 of the State Highway Act, before access to the adjacent State Highway will be permitted;
- (6) Developers Agreement: A written agreement/contractual commitment signed by the applicant and approved by the Township solicitor. Such agreement shall require that the developer not cause any physical change in the land or to any structure which requires prior approval or the issuance of a permit, or both, from any governmental body or agency until such permits or approvals are actually obtained. Such agreement shall also specify among other things, that the subdivision or land development shall be completed and maintained in the manner approved in the final plan within the time schedule agreed upon and the hours within which construction is permitted to take place, the maintenance of existing and proposed roads and facilities and authorizing the Township to obtain an immediate ex-parte injunction, the withdrawal of permits and such other remedies as the Township deems appropriate against the developer, its agents and contractors in the Court of Common Pleas of Butler County, if work is commenced without such permits or approvals or in violation of the terms of the agreement. Such agreement shall also specify what additional information, as deemed appropriate by the Board of Supervisors, must be provided by the developer and shall specify available remedies for developer's failure to comply with the terms of the agreement; and .
- (7) For developments located in the Agricultural Security Area, the developer shall formally petition the Township to remove the land from the designated area.

ARTICLE V

IMPROVEMENTS

SECTION 501. COMPLETION OF IMPROVEMENTS OR GUARANTEE OF IMPROVEMENTS (IMPROVEMENT BOND) AS A PREREQUISITE TO FINAL PLAN APPROVAL.

501.01. Developers shall be required to complete all required improvements and common amenities prior to final plan approval, unless the developer and Township agree to the posting of adequate financial security to guarantee the completion of all improvements.

501.02. In lieu of the completion of all improvements prior to final plan approval, the developer shall be required to deposit financial security, with the Township, in a form acceptable to the Township, in an amount sufficient to cover the costs of all such improvements or common amenities, prior to final plan approval.

501.03. The financial security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. Generally, developers shall be required to complete all required improvements and common amenities within five (5) years of the date of the final plan approval, unless the developer and Township agree to an extension of time.

501.04. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution or letter of contingent approval indicating approval of the final plan contingent upon the developer obtaining satisfactory financial security. The final plan shall not be signed by the Chairman of the Board nor recorded until after the financial security is provided. The resolution or letter of contingent approval shall expire and be deemed revoked if the financial security is not provided within ninety (90) days, unless an extension of time is granted by the Board.

501.05. The amount of the financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten percent (110%) of the cost of completion of all of the required improvements estimated as of ninety (90) days following the date scheduled for completion of the improvements by the developer. Annually, the Township may adjust the amount of financial security by comparing the actual cost of improvements which have been completed and the estimated cost for the completion of the remaining improvements estimated as of ninety (90) days after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to any adjustment, the Board may require the developer to post additional security in order to assure that the financial security equals (110%) of the cost of completion of all of the required improvements.

501.06. If the developer's engineer and the Township engineer cannot agree on the amount of the financial security, or if the Township engineer recommends that the Board of Supervisors refuse to accept the developer's estimate, the Board and the developer shall agree to retain and share the expenses of a third Registered Professional Engineer to recalculate the estimated cost to

complete the required improvements. The estimate certified by the third engineer shall be presumed to be fair and reasonable and shall be the final estimate.

501.07. If the developer requires more than one (1) year from the date of posting the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of financial security.

501.08. Partial Release of Improvement Bond: As installation of the required improvements proceeds, the developer may request that the Board of Supervisors 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 the Board. The Board shall have forty-five (45) days from receipt of the request within which to allow the Township engineer to certify, in writing, to the Board that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Board shall release or authorize the release of an amount estimated by the Township engineer fairly representing the value of the improvements completed. If the Board fails to act with the forty-five (45) day period, the Board shall be deemed to have approved the release of funds as requested, unless the developer and Township agree to an extension of time. The Board may, prior to final release at the time of completion and certification by the Township engineer, require retention of ten percent (10%) of the estimated cost of the required improvements.

501.09. If the improvements have not been installed within the agreed time period or approved extension, or in accord with the approved final plan, the Board of Supervisors may have the securities held in escrow declared forfeit and shall utilize them solely for the completion or repair of the improvements covered by the securities. If the proceeds of the securities are insufficient to pay the cost of installing or making repairs or corrections to all improvements covered by the security, the Board 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 monies necessary to complete the remainder of the improvements.

501.10. Financial security to assure proper completion and maintenance of the improvements installed under the jurisdiction of a public utility or municipal authority, 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 required and posted with the Township.

SECTION 502. FINAL RELEASE OF IMPROVEMENT BOND.

502.01. The developer shall contact the Township engineer before placing sub base or paving any vehicular street, before backfilling any sanitary or storm sewers, water lines, retaining wall foundations, or any other structures which are part of the improvements covered by the bond and shall not backfill until authorized to do so by the Township Engineer.

502.02. When all required improvements have been completed, the developer shall notify the Board of Supervisors, in writing, by certified or registered mail of the completion of the improvements and shall send a copy of the notice and at least one (1) copy of the as-built drawings for all improvements to the Township engineer.

502.03. The Board of Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township engineer to inspect the improvements.

502.04. After completing the inspection, the Township engineer shall file a report, in writing, with the Board of Supervisors, not later than thirty (30) days after receipt of the authorization to proceed, with a copy of the report sent by certified or registered mail to the developer. The report shall be detailed, and indicate approval or rejection of the improvements either in whole or in part. If the event that the Township engineer does not approve or rejects any or all of the improvements, his report shall contain a statement of specific reasons for each non-approval or rejection.

502.05. The Board of Supervisors shall notify the developer within twenty-one (21) days of receipt of the engineer's report, in writing, by certified or registered mail of its action relative to the developer's request for release from the obligations of the improvement bond.

502.06. If the Board of Supervisors or the Township engineer fail to comply with the time limitations, all improvements listed on the developer's notice will be deemed to have been approved, unless the developer agrees in writing to an extension of time. If the event improvements are deemed approved, the developer shall be released from all liability, pursuant to his improvement (performance) guaranty bond or other security agreement.

502.07. If the Board of Supervisors does not approve any improvement or rejects any improvement, the developer shall proceed to repair and/or complete the improvements so designated and, shall notify the Township upon repair and/or completion, as required in subsection 502.02, above.

502.08. Upon completion and/or repair of the improvements and/or final approval and/or acceptance of the improvements by the Township engineer, the Board of Supervisors shall release the remaining financial securities or return monies remaining in the improvement escrow account to the developer.

502.09. Nothing in this Section shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board of Supervisors or Township engineer.

SECTION 503. INSPECTION COST DEPOSIT.

503.01. Developer shall be required to reimburse the Township for the reasonable and necessary expenses incurred by the Township in connection with the inspection of improvements performed by the Township's professional consultants.

503.02. The Board of Supervisors shall establish and may amend by resolution a schedule of such charges based on the professional consultants' ordinary and customary hourly rates and expenses charged to the Township.

503.03. Concurrent with final plan approval, the developer shall deposit with the Township a sum, as determined by the Board of Supervisors, for the purpose of reimbursing the Township for the costs and expenses incurred in connection with the inspection of required improvements.

503.04. The Township's professional consultants shall submit an inspection report and itemized bill to the Township showing the work performed in connection with the inspection of improvements, identifying the person performing the services and the time and date spent for each task.

503.05. Subsequent to the final release of financial security for completion of improvements, the professional consultant shall submit to the Township a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.

503.06. The Board of Supervisors shall submit copies of all professional consultant's inspection reports, and itemized bills to the developer. Subsequently, the Board shall authorize the Township treasurer to draw down the developer's deposit account in the amount of the itemized invoice forwarded to the developer. At such time as draws from the deposit result in a balance of five hundred dollars (\$500.00) or less, the developer shall deposit such additional monies as are necessary to bring the account balance to at least one thousand dollars (\$1,000.00), within thirty (30) days of receiving written notice from the Township that such additional deposits are required.

503.07. In the event the developer disputes the amount of any such expense in connection with the inspection of improvements, the developer shall, within thirty (30) days after the date of transmittal by the Board, notify the Township and the professional consultant that such inspection expenses are disputed as unreasonable or unnecessary, and shall explain the basis of his objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of financial security, a subdivision or land development application, or any approval or permit related to development due to the developer's dispute of inspection expenses. Failure of the developer to dispute a bill within thirty (30) days shall be a waiver of the developer's right to arbitration of that bill under this Article.

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

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

503.10. In the event that the Township's professional consultant and developer cannot agree upon the arbitrator to be appointed within twenty (20) days of the request for such appointment, then, upon application of either party, the President Judge of the Court of Common Pleas of Butler County (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who has been retained by, or performed services for, the Township or the developer within the preceding five (5) years.

503.11. The fee of the arbitrator shall be paid by the developer if the review fee charged is sustained by the arbitrator; otherwise it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than five thousand dollars (\$5,000.00), the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the developer or the professional consultant. The Board of Supervisors and the consultant whose fees are the subject of the dispute shall be parties to the proceeding

SECTION 504. INSPECTION COST DEPOSIT REFUND. The Township shall return monies remaining in the deposit for inspection costs to the developer upon receipt of the required maintenance bond, as-built plans of the recorded plan, legal descriptions of all public improvements installed, specifically road rights-of-way, copies of any deed restrictions placed on the property, and a certification by the developer's Registered Professional Surveyor that all required control monumentation has been installed as shown on the recorded plan.

SECTION 505. STATUS OF IMPROVEMENTS AFTER APPROVAL OF CONSTRUCTION. Approval of construction shall not constitute an acceptance of improvements for repairs or maintenance by the Township. All improvements shall remain in private ownership until such time as their dedication shall have been accepted by ordinance or resolution of the Board of Supervisors or until condemned for public use.

SECTION 506. OFFERS OF DEDICATION.

506.01. Maintenance of Streets. The developer shall maintain all streets in its subdivision or development in travelable condition, including but not limited to maintenance, repairs, and the prompt removal of mud, snow and ice, until such time as the streets are accepted by the Township as part of the Township's public road system; or, if such streets are not to be dedicated to public use or are not accepted for dedication, until a homeowners' association or other legal entity responsible for the maintenance of the streets has been formed.

506.02. Discretion to Accept Dedicated Streets. The Township shall have the sole and uncontrolled discretion to accept or decline to accept streets offered for dedication. In no case shall the Township accept/approve a request for dedication prior to completion of the improvement of ninety (90%) percent of the lots or units in the development. For multi-phase developments, the Township may accept those streets or portions of streets within completed phases of the development; however, in no case shall the township accept streets in a completed phase where the streets are to serve as the primary access/egress route for uncompleted future phases or remnant parcels capable of being developed.

506.03. General Procedures for Acceptance of Dedicated Streets.

- A. The developer shall notify the Board of Supervisors, in writing, of its desire to transfer ownership and maintenance of the dedicated street to the Township. If the Township desires to accept dedication, the developer shall provide the Township with a draft agreement providing that the developer will be responsible for reimbursing the Township for all costs and expenses incurred with processing the request, including attorneys and engineering fees, and requiring the developer to provide the Township with a security deposit to cover such expenses, in an amount determined by the Township.
- B. Once the agreement has been signed by all parties, the developer shall submit to the Township three (3) certified copies of the as-built plans and the legal description of the dedicated street, and any other documentation required by the Township. Where the street contains or is required to contain regulatory signs, the developer shall also provide three (3) certified copies of the engineering study justifying the signage and a copy of a draft ordinance authorizing the signage.
- C. Landowners of driveways directly accessing the dedicated street and landowners accessing remaining private streets or joint/common driveways from the dedicated street shall be required to obtain a driveway permit prior to acceptance of the dedicated street. Landowners accessing remaining private streets or joint/common driveways from the dedicated street shall also be required to prepare and sign maintenance agreements, approved by the Township, for such street/driveways and record the agreement in the office of the Butler County Recorder of Deeds.
- D. After reviewing the documentation, the Township shall inspect the dedicated street, and all driveways and private streets directly accessing the dedicated street. The developer shall fully remediate any defects in the dedicated street prior to acceptance. Landowners accessing remaining private streets or joint/common driveways from the dedicated street shall fully remediate any defects prior acceptance of the dedicated street.
- E. After full remediation of the defects, the developer shall submit to the Township a deed, in a form acceptable to the Township, and a resolution and certification of the Board of Supervisors accepting the street for dedication. The developer shall also provide the Township with the required maintenance bond, for such time and in such amount and form as are acceptable to the Township. The developer shall also provide a title insurance policy in favor of the Township for the full cost of the street, which policy shall incur the street in fee simple title, free and clear of all liens encumbrances, easements and restrictions, other than customary utility rights.
- F. In the event the Township is unable to meet PennDOT's annual deadline for eligibility for liquid fuel tax reimbursements for the dedicated street, developer shall fully reimburse the Township for the lost liquid fuel tax money for the street for the calendar year involved.

SECTION 507. MAINTENANCE BOND REQUIREMENTS.

507.01. Where the Board of Supervisors accepts dedication of all or some of the improvements following completion, the developer shall post with the Township, in a form acceptable to the Township, a maintenance bond or other surety in favor of the Township to secure the structural integrity and functioning of the accepted improvements in accordance with the design and specifications depicted on the approved final plan.

507.02. The financial security shall be in an amount equal to fifteen percent (15%) of the actual cost of installation of the accepted improvements and shall run for a period of eighteen (18) months from the effective date of the ordinance accepting dedication of the public improvements.

507.03. If, at any time during the bonding period, it is determined by the Board of Supervisors that the public improvements covered by the securities require maintenance or repair, the Board may have the securities or a portion thereof declared forfeit and shall direct the utilization of the forfeited funds solely for the completion of maintenance or repairs necessary to secure the structural integrity and functioning of the improvements covered by the security.

SECTION 508. FINAL RELEASE OF MAINTENANCE BOND.

508.01. Prior to the expiration of the financial security bond, the Board of Supervisors shall direct and authorize the Township engineer to inspect all the public improvements covered by the security.

508.02. The Township engineer shall file a detailed report, in writing, with the Board of Supervisors, not later than thirty (30) days after receipt of the authorization to proceed with the inspection.

508.03. The Board of Supervisors shall forward a copy of the Township engineer's report by certified or registered mail to the developer within fifteen (15) days of receipt of the report.

508.04. The Board of Supervisors shall notify the developer within thirty (30) days of receipt of the engineer's report, in writing, by certified or registered mail of its action relative to the report.

508.05. If the Board of Supervisors elects to perform the required maintenance or repairs, the Board may have the securities or a portion thereof declared forfeit and shall direct the utilization of the forfeited funds solely for the completion of maintenance or repairs necessary to secure the structural integrity and functioning of the improvements covered by the security

508.06. Upon completion of the maintenance and/or repairs and the expiration of the financial security, the Board of Supervisors shall release the remaining securities or return monies remaining in the maintenance escrow account to the developer.

508.07. Nothing in this Section shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board of Supervisors or Township engineer.

ARTICLE VI

DESIGN STANDARDS

SECTION 601. GENERAL STANDARDS.

601.01. The developer shall install, at no expense to the Township, all required improvements in accordance with the design standards set forth in this Article.

601.02. The Board of Supervisors may, at its discretion, modify improvement design standards where the developer presents clear and convincing proof that unusual conditions exist, normal application of the design standard requirements would jeopardize the public safety or the safety of any occupants of the plan, subdivision or abutting properties, or the required design standards impose a clear hardship on the developer through no fault created by the developer.

601.03. The Township engineer shall inspect the installation of all required improvements under bond in all approved subdivision and/or land development plans while they are being constructed and upon completion.

601.04. The design standards contained in this Article are considered to be minimum standards.

601.05. Land susceptible to flooding or exceptionally high water table, or underlain by unstable subsurface conditions, steep or unstable slopes, or impacted by the presence of high voltage electric or high pressure gas or oil transmission lines shall not be approved for subdivision or land development, unless the plan proposes safeguards adequate, in the opinion of a Registered Professional Engineer, to protect the general public and adjacent property owners.

601.06. The subdivision of a tract of land shall not leave remaining any portions that are landlocked or parts that are not designated as lots, streets, or lands dedicated for public use, or land to be retained by the owner of the tract without reasonable access.

601.07. All required information shall be submitted in a form and at the scale specified in this Article.

SECTION 602. MONUMENTS AND PINS.

602.01. Concrete monuments shall be set permanently on at least one side of the street on right-of-way lines, at all points of tangent and points of curvature along interior streets to be recorded.

602.02. Monuments and markers shall be set in the field by a Registered Land Surveyor exactly in accordance with the bearings and distances shown on the recording drawing.

602.03. Monuments shall be made of pre-cast concrete thirty inches (30") long by six inches (6") in cross-section and shall be set flush with the ground level. Ferrous material shall be imbedded in each monument and scored or marked to indicate the exact point of crossing of the intersecting lines.

602.04. Any monuments or pins that are removed shall be replaced at the developer's expense until such time as the Township accepts the monumentation and the developer's interest in the subject property ceases.

602.05. The cost for the placing of all monuments shall be a line item included in the surety posted for required site improvements.

SECTION 603. STREET DESIGN STANDARDS.

603.01. General Standards:

A. Circulation within a subdivision or land development plan shall logically relate to and be an extension of the Township road system, or, if extending beyond the Township boundary, to the road network in the adjacent municipality.

B. The layout of streets shall relate as closely as possible to existing topography in order to minimize earth moving, produce usable lots or development areas, create reasonable grades, and preserve the amenities and natural cover of the site.

C. The Township may impose higher standards where it is clear that a dangerous situation may be created by the location, grade or intersection of streets or by topographical conditions.

D. Minor streets shall be designed to discourage use by traffic with no origin or destination within the subdivision plan, or land development, or extensions thereof.

E. Streets shall be extended to the boundaries of a subdivision or land development plan if connection can be made to an existing or recorded street in an adjacent subdivision or plan or if topography or shape of the adjacent unplanned property suggests a logical extension exists to that property.

F. The Township may require a developer whose land abuts a major highway to orient his plan away from the highway with no lots having access directly to it and to limit points of access into the subdivision plan or land development to a minimum number with required sight distances.

G. Half-streets along the boundary of a proposed plan shall be prohibited except where the plan proposes to complete a half-street existing on an adjacent property. In that case, the half-street proposed in the plan shall meet the specifications in this Article.

H. Alleys shall be prohibited and all streets, roadways, and rights-of-way shall be designed and constructed based on the functional classification of such streets and roadways as per the current edition of the Institute of Transportation Engineers' Trip Generation.

I. The developer may construct streets and install other improvements at the same time that buildings in the subdivision plan or land development are being built, but no building within the plan shall be occupied until the street is acceptable to the Township across the

front of the lot containing the building to be occupied and extending to completed portions of the road system.

J. Private driveways/streets shall provide access to no more than two (2) developed lots, tracts or parcels. A third lot, tract or parcel, whether proposed initially or at a later date, accessing such private driveway/street shall mandate the design and construction of such driveway/street to Township public street specifications.

K. All public or private driveways, and local streets and Township roads which intersect with Commonwealth owned and maintained roads, shall be designed and constructed as per the standards of Chapter 441 of the State Highway Law (36 P.S. §670-420), as amended

603.02. Street Width:

A. Rights-of-way for all existing streets abutting a subdivision or land development plan shall be at least fifty feet (50'), and rights-of-way within subdivision or land development plans shall be at least fifty feet (50') in width.

B. Pavements shall be designed and constructed in accordance with the current Township Standard Construction Details, Appendix A of this Ordinance.

603.03. Street Alignment:

A. The minimum centerline horizontal radius of a street curve shall be one hundred and fifty feet (150').

B. Adjacent horizontal tangents shall be connected by an arc.

C. For compound curves the radius of the curve with the greater radius shall be not more than fifty percent (50%) longer than the radius of the adjacent curve, or the transition between curves may be achieved by a three-centered compound curve.

D. Curves shall be super elevated in relation to the radius of curves used as determined by the Township engineer.

E. Where horizontal alignment curves around a topographical or other obstruction, there shall be maintained an unobstructed sight distance at all points along the curve of at least one hundred and fifty feet (150') measured three feet six inches (3' 6") above the finished road surface along the road centerline.

F. The K factor for vertical sag curves shall be thirty-five (35) and for crest curves shall be twenty-eight (28).

603.04. Street Grades:

A. Centerline grades shall not exceed twelve percent (12%) with no slope over ten percent (10%) permitted over a distance in excess of twelve hundred linear feet (1,200').

B. Minimum grades along centerlines shall be not less than one percent (1%).

C. Vertical curves shall be installed on all street grade changes exceeding one percent (1%).

603.05. Street Intersections:

A. Streets shall be laid out to intersect as nearly as possible at right angles and not less than sixty degrees (60°) or more than one hundred twenty degrees (120°).

B. Where two (2) streets intersect, a third street from opposite sides, the distance between the centerlines of the two (2) streets shall be not less than one hundred and twenty-five feet (125'), or else they shall intersect the third street directly opposite.

C. Unobstructed sight distances shall be maintained at intersections. A triangular area whose sides are the centerlines of the intersecting streets and are not less than seventy-five feet (75') in length shall be maintained clear of any obstructions so that from any point along either side, objects six inches (6") in height, are visible at three feet six inches (3' 6") above the street surface.

D. Where street grades at intersections exceed five percent (5%), a leveling area shall be provided so that within a distance of sixty feet (60') from the intersection of street centerlines, a grade of not more than three percent (3%) shall be created.

E. Intersections involving the crossing of more than two (2) streets shall not be permitted.

F. Intersecting pavements shall be designed with a radius of not less than twenty-five feet (25') at intersecting minor streets, twenty-five feet (25') at intersecting minor and major streets and thirty feet (30') at intersecting major streets.

603.06. Cul-de-Sacs and Temporary Dead-End Streets:

A. Streets to be permanently closed at one end (cul-de-sacs) shall not be greater than twelve hundred linear feet (1200') to the center of the turnaround nor less than two hundred fifty feet (250') in length measured between the center of the turnaround at the closed end and the centerline of the intersected street at the other end. The turnaround shall have a right-of-way diameter of at least one hundred feet (100') and a paved diameter of at least eighty feet (80') on the outer edge, exclusive of curbs.

B. Where the twelve hundred linear feet (1200') maximum cul-de-sac street length is exceeded by modification, a paved area sufficient in size to allow for the turning and maneuvering of school busses, emergency vehicles, and maintenance equipment shall be provided within a dedicated right-of-way and placed in a location beyond two-thirds (2/3) of the street length as modified, from the centerline of the intersection of the open end of the street, to the terminus of the street right-of-way line. An appropriately enlarged cul-de-sac bulb may comply with this requirement.

C. Where a subdivision or land development consisting of twenty (20) lots or more is proposed with only one (1) point of public access to an abutting public right-of-way, a paved area sufficient in size to allow for the turning and maneuvering of school busses, emergency vehicles, and maintenance equipment shall be provided within a dedicated right-of-way. An appropriately enlarged cul-de-sac bulb may be constructed to comply with this requirement.

D. All cul-de-sac streets shall be provided with a snow storage easement extending fifteen (15) feet from the paved portion of the cul-de-sac bulb. The easement shall be a minimum of four hundred and fifty (450) square feet and the area shall be graded to direct runoff to the paved portion of the roadway for discharge into the storm sewer system. The easement may extend over two (2) lots.

E. If a subdivision or land development plan is developed over several stages and streets are to be extended as development proceeds, temporary dead-end streets produced in one stage to be extended in a later stage shall be provided with an all-weather turnaround whose use and maintenance is guaranteed to the public by the developer.

603.07. Private Driveways: Driveways entering public streets shall be graded to prevent stormwater flowing from the driveway onto the paved portion of the public street. The street's gutter line shall be maintained across the private driveway, or stormwater may pass under, provided the gutter alignment is not compromised and the pipe under the private driveway is of sufficient size to carry the stormwater flow from the one hundred (100) year storm without creating ponding on the upstream end.

603.08. Street Construction Standards: All public and private streets shall be designed, graded, surfaced and improved to the widths and dimensions identified in Section 608, below, and profiles and cross-sections submitted by the developer shall be consistent with the provisions of the Table in subsection 608(4)(a).

603.09. Street Names and Signposts.

A. Streets that are extensions of existing streets or are substantially in alignment with them shall bear the name of the existing street.

B. Street names shall be subject to the approval of the Board of Supervisors and shall not duplicate names already in use within the same postal zip code zone.

C. Approved street name signs shall be placed at all street intersections within the plan or at the intersection of existing streets and streets entering the plan.

D. Signs and supports may be provided by the Township at the developer's expense and installed by the developer, although the Township and developer may mutually agree on an alternative sign type.

SECTION 604. EASEMENTS.

604.01. Public Utilities:

A. Where possible utilities shall be placed within the street rights-of-way but where that is not possible they shall be placed, except to accommodate unusual sanitary sewer or storm drainage conditions, within easements centered on side or rear lot lines.

B. Easements across private property shall be not less than twenty feet (20') in width, shall be aligned from lot to lot across a subdivision or land development plan, or within a single tract, and shall be clearly identified on the final plan as to their intended purpose.

C. A minimum distance shall be maintained between any point of a residential building and the nearest petroleum products or natural gas transmission line in accordance with the Pennsylvania Public Utility Commission regulations, but in no case less than twenty feet (20').

604.02. Drainage:

A. Where a subdivision or land development plan is traversed by a watercourse or storm drainage line, a drainage easement or right-of-way shall be provided and recorded on the plan.

B. The easement shall be of sufficient width to accommodate the watercourse or line as well as areas adjacent to the watercourse subject to frequent high water conditions or utilized as detention ponds, etc., and to allow access for work crews to maintain the drainage way.

SECTION 605. LOT LAYOUT.

605.01. Every new lot or lot consolidation shall be a minimum of one and a half acre (65,340 square feet) in area.

605.02. Every lot in a subdivision shall abut a recorded street and have a minimum of one hundred feet (100') of frontage at the right-of-way line.

605.03. Side lines of lots shall be at right angles or radial to street lines as nearly as possible.

605.04. Building Setback Lines:

A. Front setback shall be seventy-five feet (75'), at a minimum, measured from the right-of-way line of the abutting road or street.

B. Side and rear yard setback shall be ten feet (10'), minimum, measured from the property line.

605.05. Double frontage or reverse frontage lots shall be discouraged except where lots abut along their rear property line a collector or arterial roadway, in which case the rear building

setback line of the lots shall be a minimum of fifty feet (50') from the collector or arterial roadway right-of-way line.

605.06. Minimum lot dimensions and areas shall not be less than those specified in this Article.

605.07. Lot lines within a subdivision shall be arranged to minimize the amount of drainage passing from one lot directly onto a neighboring lot. The developer shall provide drainage easements or grade swales along lot lines to control drainage across lots.

605.08. Existing natural features, existing topography and significant trees shall be retained wherever possible and disturbance of ground cover shall be minimized to reduce erosion and maintain drainage patterns.

605.09. Within a subdivision or land development plan where public sewage collection and water supply systems are not available, lot location and minimum lot size, as well as the location and size of on-lot sewage disposal systems, shall be determined by the Municipal Sewage Enforcement Officer under the regulations of the Pennsylvania Sewage Facilities Act, as amended. The Officer's determinations shall not permit smaller lots than stipulated but may require larger lots or a rearrangement of lots where unusual soil conditions dictate.

605.10. No land shall remain in a subdivision that is not platted for sale, development, or for permanent open space. Areas to be developed for purposes other than for residential dwellings shall be indicated on the plan as to their specific use. Approved nonresidential areas shall be designated "dedicated" or "reserved" on the final plan.

605.11. Flag Lots.

A. Flag lots shall not be created when lots can be designed to provide the required minimum lot width directly along a public street.

B. Plans proposing the creation of more than one (1) flag lot in the entire development, or the cumulative total of more than one (1) flag lot in phased developments shall not be approved.

C. The "pole" segment or access area of the flag lot shall abut a public street. The pole segment shall maintain a minimum width of twenty-five feet (25') and shall not change direction more than once. The area of the pole segment shall not be included with the "flag" segment or the body of the lot in the calculation of minimum lot size (square footage) requirements. The cartway located within the pole segment shall maintain a six foot (6') setback from the property line. No portion of the pole segment shall be used for on-site sewage disposal or improvements other than for access and utilities.

D. The "flag" segment or body of the lot shall comply with all area and setback requirements of this Ordinance. The lot line which is most parallel to the public street shall be designated as the front yard of the flag segment.

605.12. Rear Lot: One (1) second lot may be created from the rear portion of an existing lot of record provided the following standards are met:

A. The rear lot is connected to a public street by an access strip of land at least twenty feet (20') wide in the same ownership as the rear lot;

B. The front lot will retain the frontage and area required under this Article, after the access strip is removed;

C. The rear lot shall contain only one (1) single-family detached dwelling and normal accessory use;

D. The rear lot shall meet the minimum specified lot area requirements of this Article;

E. The access strip shall not be used in calculating lot area for either lot, and will not be extended or used as access for any other lots; and

F. The dwelling on the rear lot is set back from the rear lot line of the front lot by at least fifty feet (50').

SECTION 606. SANITARY SEWAGE DISPOSAL AND WATER SUPPLY.

606.01. Sewage Disposal:

A. Every structure in any subdivision, land development plan, mobile home park, or recreational vehicle park connected to a water supply shall also be connected to a sanitary sewage disposal system. Such system shall be either an on-lot system approved by the Township Sewage Enforcement Officer, or a community system approved by the Commonwealth Department of Environmental Protection.

B. Where a public sanitary sewerage system exists adjacent to or within five hundred feet (500') of a subdivision, land development plan, mobile home park, or recreational vehicle park boundary, the developer shall connect all the lots or buildings with a water supply to the public sanitary sewerage system, constructing the necessary collector and lateral lines. In the event the proposed plan is not in the same watershed as the adjacent or nearby sewer connection and the sewer authority with jurisdiction has no plans to extend lines beyond the edge of the watershed, the Board of Supervisors may allow the plan to proceed with approved on-lot or community systems.

C. All on-lot septic disposal systems shall be installed in compliance with the PaDEP "Standards for Sewage Disposal Facilities" and shall not be backfilled until inspected and approved by the Sewage Enforcement Officer.

D. No storm sewers, footer drains or downspouts shall be connected to any sanitary sewage disposal system.

E. Developers installing sewer lines to connect with those of a sewer authority with jurisdiction, shall do so in accordance with the authority's rules and regulations.

606.02. Water Supply System:

A. Every lot, dwelling unit, and each commercial business and public or semi-public building shall be provided with a potable water supply as hereinafter set forth, of sufficient quality, quantity and pressure to meet the minimum standards of the Department of Environment Protection. If such standards are not applicable, the water supply shall be of sufficient quality, quantity, and pressure to meet the requirements of the intended and actual use.

B. Existing Public Water Supply System:

(1) Where a public water system exists adjacent to or within one thousand feet (1,000') of a subdivision, land development plan, recreational vehicle park or mobile home park boundary, the developer shall connect every lot or principal building in the plan to the water supply, providing the necessary piping system, laterals and hydrants.

(2) Developer shall install water lines in accordance with the applicable regulations of the Public Utility Commission or the rules and regulation of the authority, with jurisdiction, that will assume maintenance of the lines.

(3) Where a public water supply system will serve the plan, hydrants shall be placed so that no principal building on a lot is more than six hundred feet (600') distant from a hydrant. Hydrants shall be placed within street rights-of-way, preferably at street intersections. The plan for distribution of hydrants in the plan, and the quantity and pressure of water available at each hydrant, shall be reviewed and approved by the Fire Chief of the fire company providing coverage for the plan.

C. Private Water Supply or Proposed Public Water System: Where the water is to be supplied by private wells or a proposed public water system, the developer shall comply with this Section, as amended, as well as the applicable requirements of the Pennsylvania Public Utility Commission and/or Pennsylvania Department of Environmental Protection.

SECTION 607. GRADING.

607.01. A grading permit shall be required for any and all earthmoving activities resulting in alterations to the surface exceeding three feet (3') in elevation or disturbance of a surface area greater than two acres (87,120 square feet).

607.02. Every applicant for a grading permit shall file a written application with the Township, containing, at a minimum, the following information:

A. Description of the land on which the proposed work is to be done by lot, tract or street address or a similar description which will readily identify and definitely locate the proposed work.

B. Accompanied by plans and specifications prepared, signed and sealed by a Professional Engineer, Surveyor or Architect, giving a reasonable description of the site and proposed soil erosion controls, if any. The Board of Supervisors may waive the preparation or approval and signature by the Registered Professional Engineer, Professional Land Surveyor or Registered Architect only when it is self-evident that the proposed work is simple, is clearly shown on the plans submitted, and creates no potential nuisance to adjacent property or hazard and does not include the construction of a fill upon which a structure may be erected. All plans shall be prepared in accordance with the requirements of the Pennsylvania Department of Environmental Protection. In addition, if required, a copy of the Soil Erosion and Sedimentation Control Plan shall be submitted to, and deemed adequate by, the Butler County Conservation District, as required.

C Estimated dates for the starting and completion of grading work.

D. Purpose for which the grading application is filed and the intended use of the site.

607.03. Excavation:

A. Maximum slope steepness of a cut should be two (2) horizontal to one (1) vertical for minimizing erosion and landslide hazard. However, a Registered Professional Engineer or Certified Geologist may recognize the types of soil on the site to be graded from the soil survey or other source of information. Maximum slopes can then be determined by the engineer or geologist upon concurrence of the Township engineer.

B. Cut slopes which are steeper than those specified in this Section may be allowed under a grading permit, provided that one or both of the following are satisfied:

(1) The material in which the excavation is made is sufficiently stable to sustain a slope steeper than the slope specified herein for recognized soil conditions on the site. A written statement, signed and sealed by a Registered Professional Engineer or Certified Geologist, stating that the steeper slope will have sufficient stability and that risk of creating a hazard will be slight, shall be submitted to the Township.

(2) A retaining wall other than that required for a single-family dwelling, or other approved support, designed by a Registered Professional Engineer and approved by the Township engineer, is provided to support the face of excavation.

C. The top or bottom edge of cut slopes shall be set back a minimum of three feet (3') from adjacent property lines or street right-of-way lines in order to permit the normal rounding of the edge without encroaching on the abutting property or street.

607.04. Fills:

A. No fill should be placed over trees, stumps, trash, or other material which could create a hazard. Instead, such material may be buried in natural ground where no structure will be built or hazard created. Limbs can be chipped and mixed with the topsoil.

B. All fills should be compacted to provide stability of fill material and to prevent undesirable settlement or slippage. Structural fills shall be compacted to a ninety-five percent (95%) modified proctor and be certified by a Professional Soils Engineer.

C. Coal, boney, red dog, expansive slag, cinders, wood, trash, organic material or refuse shall not be placed or used for fill material unless blended with suitable soils capable of maintaining soil stability.

D. The top or bottom edge of fill slopes should generally be set back three feet (3') from adjacent property lines or street right-of-way lines in order to permit the normal rounding of the edge without encroaching on the abutting property or street.

607.05. Retaining Walls:

A. If the construction of a retaining wall requires a grading permit, a building permit shall also be required.

B. The retaining wall shall be constructed in accordance with sound engineering practice. Plans submitted for retaining walls four feet (4') or higher shall bear the seal of a Registered Professional Engineer.

C. The backfilling of retaining walls and the insertion of subterranean drainage facilities shall be done strictly in accordance with the provisions of this Ordinance.

D. In general, where a wall is replacing an exposed slope, the vertical face of the wall shall be a minimum of three feet (3') back from the adjoining property boundary line. The requirement of this subsection may be set aside when the proposed retaining wall is a joint venture between adjacent property owners and appropriate documents so stating are filed with the application for the building and/or grading permit.

SECTION 608. STREET STANDARDS.

608.01. General requirements: All new and widened portions of existing rights-of-way intended for public use shall be dedicated to the Township and an offer of dedication shall be placed on the recorded plan, subject to final acceptance. All streets shall comply with the following general requirements:

A. The proposed street pattern shall be related to existing streets and to such County and Commonwealth road plans as have been duly adopted.

B. Streets shall be arranged in a manner to meet with the approval of the Board of Supervisors, considered in relation to both existing and planned streets, and located so as to allow proper development of surrounding properties. Secondary and through streets shall be connected with such existing streets and highways to form continuations thereof. Residential streets shall be laid out to discourage their use as secondary or through highways.

C. Streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable grade, alignment and drainage.

D. Streets shall be graded to the minimum conditions shown on the cross-sections. Provisions made for slopes beyond the ultimate right-of-way shall be in conformance with Township grading standards.

E. Access shall be given to all lots and portions of the tract in the subdivision or land development plan and to adjacent unsubdivided territory by streets. Streets giving such access shall be improved to the limits of the subdivision or land development. Remnants, reserve strips, and landlocked areas shall not be created.

F. New streets shall be laid out to continue existing streets at the existing right-of-way and cartway width or the minimum standards of this Ordinance, whichever is greatest. All costs associated with the design and construction of street or road extensions shall be borne by the developer.

G. Dead-end streets are prohibited, unless designed as a cul-de-sac or designed as a stub street with a temporary turnaround for access exclusively to neighboring tracts, with no more than two (2) lots being provided access thereto.

H. Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets in the Township or zip code area serving the Township. All street names shall be approved by the Board of Supervisors, assigned by the Township secretary, and coordinated with the developer.

I. The dedication of half streets at the edges of a new subdivision or land development plan is prohibited. If circumstances render this impracticable, adequate provisions for concurrent dedication of the remaining half of the street must be furnished by the developer. When there exists a half street in an adjoining subdivision, the remaining half shall be provided by the proposed development where, in the opinion of the Board of Supervisors, the need is valid.

608.02. Street Classifications: The street classifications listed herein are to be used for all planned subdivisions or land developments. Existing streets have been classified as arterials, collectors or minors. New streets shall be classified according to their function as follows:

A. Arterial street: A major street serving as a principal or heavy traffic street of considerable continuity and used primarily as a traffic artery for intercommunications between large areas.

B. Collector street: A street which carries traffic from minor streets to arterial or major streets, including the principal entrance streets of a subdivision or land development and the streets for circulation within such a subdivision or land development.

C. Minor street: A street predominantly serving as an access street to a particular lot or serving another minor function as sub classified below:

(1) Residential streets: Residential streets shall be those streets which are used to provide access to properties, connect with other residential streets and/or streets of a higher classification.

(2) Other Streets: See Section 608.03, below.

D. Where the classification of a new street is in question, the classification shall be determined on the basis of traffic load, using a factor of ten (10) trips per day per lot served. Based on this factor, average daily traffic (ADT) of three thousand (3,000) or more shall classify a street as arterial, ADT from eight hundred to three thousand (800-3,000) shall classify a street as collector, and ADT of less than eight hundred (800) shall classify a street as minor.

608.03. Other Streets: Other streets are sub-classifications of minor streets. Because of their uniqueness and abundance, they are discussed in greater detail in this Subsection.

A. Nonpublic Streets (private streets).

(1) Plans proposing new private streets or proposing extensions to existing private streets shall not be approved unless:

(a) There shall be no more than one (1) private street in the entire development or a cumulative total of one (1) private street in phased developments;

(b) The proposed private street shall have a minimum right-of-way width of twenty-five feet (25'); and

(c) There shall be no more than two (2) dwellings assessing a private street, whether proposed initially or added by future development.

(2) Private streets shall not be used for non-residential purposes.

(3) The maintenance and/or repair of nonpublic streets shall be the full and sole responsibility of the developer or lot owners with access rights, or an association of landowners or other legal entity formed and administered for the purpose of maintaining/repairing the nonpublic street.

(4) If the maintenance and/or repair of nonpublic streets shall be the responsibility of the developer or lot owners with access rights, the developer shall file a (joint) maintenance and repair agreement for the private street with the Township prior to final plan approval and shall record the agreement with the approved plan at the office of the Recorder of Deeds of Butler County.

(5) All properties depending on a nonpublic street for access shall be guaranteed an irrevocable right of access under the terms of a right-of-way, access easement or other legal covenant. Such access rights shall be clearly noted on the plan which creates the nonpublic street, shall be included in deeds for all properties

with access rights, and shall be recorded in the office of the Recorder of Deeds of Butler County.

(6) Plans proposing new private streets or proposing extensions to existing private streets shall include language on the Mylar substantially similar to the Private Road/Street certification contained in Appendix B.

(7) Further subdivision or land development in a plan with existing private streets shall not be approved, unless and until all existing private streets in the plan are paved and brought into compliance with the requirements of this Ordinance and are dedicated for public use.

B. Temporary cul-de-sac streets.

(1) Streets may be temporarily closed at one end, with the intent to extend the street onto the abutting tract upon its development.

(2) Such streets shall be built to the tract boundary line at a location and grade that are logical for extension onto the abutting tract but shall not exceed six hundred feet (600') in length, unless a modification is approved by the Board of Supervisors when warranted by special conditions.

(3) Shall not be extended as a cul-de-sac street but shall be connected to another through street.

(4) Shall form a logical step in the circulation pattern.

(5) Shall be provided with a vehicular turnaround at the closed end, abutting the tract boundary, with a paving radius of at least forty feet (40'), or hammerhead, as approved by the Board of Supervisors. Construction shall meet the same requirements as for a permanent cul-de-sac turnaround. Those portions of the turnaround extending beyond the street right-of-way shall be located on temporary access easements, valid only until the road is extended. Upon the extension of the street, the full rights and responsibilities for the area of the temporary easements shall revert to the owner of the lots on which they were located.

(6) The developer responsible for the extension of the street shall also be responsible for the following:

- (a) Removal of all curbing construction of the temporary turnaround beyond the width of the streets paved area.
- (b) Installation of new construction to complete the street connection as required.
- (c) Extension of utilities as necessary.

(d) Repair of any improvements or utility facilities damaged in this process.

(e) Grading, installation and/or restoration of lawn areas where affected by this removal and construction process.

(7) Multiple cul-de-sac streets:

(a) May be permitted where the length of each individual cul-de-sac is less than five hundred feet (500'), unless a modification is approved by the Board of Supervisors when warranted by special conditions such as steep topography or land configuration or when qualified as a temporary cul-de-sac.

(b) Shall be served by an appropriately located emergency access way when required by the Board of Supervisors.

(c) Shall be constructed to the same requirements as a permanent cul-de-sac.

C. Stub streets:

(1) Shall be provided in appropriate locations for vehicular access to abutting undeveloped lands when required by the Board of Supervisors.

(2) Shall be provided with a vehicular turnaround.

(3) Shall be constructed to the property line in accordance with the standards of this Ordinance applicable to the classification of street it will be upon extension.

(4) Shall serve no more than two (2) lots when used as a dead-end street. The developer shall pave access to the two (2) lots from a higher road classification according to the standards set forth in this Ordinance.

(5) Any new lots created by extending a stub street shall front on a minimum fifty foot (50') right-of-way. The developer shall pave an area equal to the distance of one hundred linear feet (100'), and make arrangements to extend the pavement to additional lots, should a stub street be extended to a higher road classification, as described in this Ordinance.

D. Alleys:

(1) Alleys are not permitted in residential developments, except where they are a logical extension of an existing alley.

(2) Alleys, where permitted, shall meet the standards set forth in this Ordinance.

(3) Alleys shall be provided on commercial and industrial sites, except that the Board of Supervisors may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.

(4) Alleys shall be paved to a width of not less than sixteen feet (16').

(5) Alley intersections and sharp changes in alignment shall be avoided but, if necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

(6) Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the Board of Supervisors.

(7) Alleys shall have a right-of-way of at least twenty-five feet (25').

(8) Alleys do not require curbs, sidewalks or shoulders.

608.04. Street Design and Construction Criteria.

A. The following table presents the minimum design and construction standards for all streets defined in Section 608. These standards shall apply to all new streets and renovation of existing streets in subdivisions and land developments.

Item	Arterial	Collector	Minor: Residential	Minor: Cul-de-Sac	Minor: Private Street
Ultimate ROW Width (feet)	80	50	50	50	40
Paving Width (feet)	*	36	26	26	20
Curbs	Yes ¹	Yes ¹	Yes ²	Yes ²	No ²
Intersection radius (feet) ROW and Paving	35	30	25	25	25
Maximum Allowable Grades (percent)	10	10	12	12	12
Minimum Horizontal Curve Radius (feet)	³	300	200	150	150
Minimum Length of Tangents Between Horizontal Curves (feet)		150			20
Minimum Vertical Curve Length per 1% Algebraic Difference (feet)	³	25	28	20	28

Minimum Intersection Spacing (feet)	600	300	200	200	200
Minimum Sight Triangles (feet)	125	100	75	75	75
Minimum Sight Distance (feet)	600	450	300	300	300
Minimum Design Speed (mph)	60	40	25	25	25

NOTES:

* As required by traffic operations, Pennsylvania Department of Transportation or county standards.

¹ Nonmountable

² Mountable

³ As required by the American Association of State Highway Officials standards for rural highways.

B. Ultimate right-of-way widths are either existing, proposed or expanded from existing rights-of-way, depending on the ultimate classification of a street as determined by the Board of Supervisors. The following shall apply to ultimate rights-of-way:

(1) No fences, walls or other obstruction shall be constructed within a street right-of-way, except retaining walls where necessitated by road widening and constructed by the governmental agency having jurisdiction over the road.

(2) The front building setback shall be the distance set forth in this Ordinance, measured from the planned (ultimate) street right-of-way line.

(3) Additional rights-of-way and/or paving widths may be required by the Board of Supervisors where it is necessary for public safety and/or the installation of traffic control facilities or turning lanes, or where existing roads do not provide the required width and additional dedication is necessary.

(4) The area between the existing right-of-way line and the ultimate right-of-way line shall be dedicated to the authority having jurisdiction over any public streets which abut or pass through any subdivision or land development proposed within the Township.

(5) Ultimate right-of-way widths shall be as defined in Subsection 608, unless otherwise noted in this Ordinance.

C. Pavement:

(1) Paving widths shall be as defined in Section 608, unless otherwise noted in this Ordinance:

(a) The Township Board of Supervisors may require paving widths in excess of the standards in Section 608 for special situations, including the following:

(i) Where necessary for additional lanes for traffic volume, additional street parking, turning movements, public safety and convenience; and/or

(ii) Where existing roads do not provide the minimum width.

(b) Modifications of the paving requirements may be approved by the Board of Supervisors in instances where parking, turning, safety and convenience considerations have been adequately met.

(2) Road paving standards: All roads shall be constructed as herein described, using specified materials, and as shown in Appendix A, Standard Construction Details.

(a) Base course/pavement design: Three (3) pavement designs are specified for Township streets. All public streets within the Township shall be constructed to a total sub base-to-wearing-course thickness of thirteen inches (13").

(i) Minor public streets (Average daily traffic [ADT] less than 800). Minor streets shall consist of a ten inch (10") aggregate base, a two inch (2") ID-2 binder course and a one inch (1") ID-2 wearing course. Minor streets shall be constructed as specified in the Appendix A, Standard Construction Details.

(ii) Collector (public) streets (ADT from 800 to 3,000). Collector streets shall consist of an eight inch (8") aggregate base, a three inch (3") ID-2 binder course and a two inch (2") ID-2 wearing course. Collector streets shall be constructed as specified in Appendix A, Standard Construction Details.

(iii) Private streets (ADT less than 100). Private streets shall consist of an eight inch (8") aggregate base, a prime coat, and a bituminous surface treatment (tar and chip)

(iv) Pavement restoration: Pavement restoration following trenching shall be in accordance with the requirements of Appendix A, Standard Construction Details.

- (b) Sub base compaction: Prior to installing the road base, the sub base shall be prepared as described in the Appendix A, Standard Construction Details.
 - (c) Under curb/drains: All roads shall be provided with under curb drains as specified in Appendix A, Standard Construction Details.
- (3) All under pavement utilities, including services, shall be installed prior to paving.
- (4) No paving shall be permitted between October 31st and April 1st, unless approved by the Township engineer.

D. Curbs and Sidewalks.

- (1) Curbs shall be installed along all proposed public streets.
- (2) Sidewalks shall be installed along at least one side of all proposed public streets. The Board of Supervisors may waive the sidewalk requirement under one or more of the following situations:
 - (a) In proposed residential developments, where no destination exists or is anticipated to exist which can be reached by pedestrians (shopping centers, bus stops, employment sites, or schools).
 - (b) Where the sidewalk(s) would not be an extension of an existing network which provides neighborhood or village circulation.
 - (c) Where an alternative pedestrian circulation concept can be shown to be more desirable, especially when using open space areas, provided that appropriate walks are provided between the open space walkways and the pedestrian origins and destinations.
 - (d) Where the rural character, density of the area and/or small size of the proposal preclude the purposeful use of sidewalks.
- (3) Regardless of the size of land development or subdivision proposal, sidewalks and curbs shall be required at the Board of Supervisors discretion when they fill a gap in an existing network.
- (4) Sidewalks shall be not less than four feet (4') in width, the Board of Supervisors may require additional width where higher volumes of pedestrian traffic are anticipated.
- (5) Sidewalks shall not extend beyond the right-of-way line of public streets or the equivalent right-of-way line of private streets, unless located in legal easements guaranteeing adequate pedestrian access.

(6) Sidewalks shall be provided in appropriate locations to provide safe and efficient pedestrian access between parking areas and nonresidential buildings.

(7) Additional sidewalks shall be required where deemed necessary by the Board of Supervisors to provide access to schools, churches, parks, community facilities and commercial centers or to provide necessary pedestrian circulation within land development and/or subdivisions where otherwise required sidewalks would not be sufficient for public safety and convenience.

(8) Sidewalks shall be designed to facilitate access and use by the handicapped, in accordance with requirements in Appendix A, Standard Construction Details.

(9) Sidewalks shall be laterally pitched at a slope of not less than 1/4 inch per foot to provide for adequate surface drainage towards the street abutting high side lots and away from streets on low side.

(10) At corners and pedestrian street crossing points, sidewalks shall be extended to the curb line with an adequate apron area for anticipated pedestrian traffic.

(11) Sidewalks shall not exceed a grade of twelve percent (12%). Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. A non-slip surface texture shall be used on all sidewalks.

(12) The grades and paving of sidewalks shall be continuous across driveways, except in nonresidential and multi-family residential developments and in certain other cases where heavy traffic volume dictates special treatment.

(13) The thickness and type of construction of all sidewalks and curbs shall be in accordance with the following:

(a) In general, where Commonwealth specifications govern, these standards shall be used.

(b) Otherwise, sidewalks and curbs shall be constructed in accordance with the detailed specifications in Appendix A, Standard Construction Details.

E. Pavement and right-of-way radii at intersections:

(1) Road intersections shall be rounded with tangential arcs at the pavement edge (curb line) and rights-of-way lines as listed below. Where two (2) roads of different right-of-way width intersect, the radii of curvature for the higher classification road shall apply. The pavement edge (or curb line) radius and right-of-way radius shall be concentric.

(2) For arterial streets, the right-of-way width at intersections should be as specified by the Pennsylvania Department of Transportation.

(3) For collector and minor streets, the right-of-way width at intersections should extend ten feet (10') beyond the pavement edge or as approved by the Township engineer.

(4) Pavement radii at intersections shall comply with the requirements of Section 608, unless otherwise noted in this Ordinance.

F. Street grades: All streets shall be graded as shown on the street profile submitted and approved as a part of the plan approval process for subdivision and/or land development. Street grades shall comply with the general requirements of Section 608 and the following specific requirements:

(1) The minimum grade for all streets shall be one percent (1%).

(2) Maximum grades for all streets shall be as required in Section 608, unless otherwise noted in this Ordinance.

(3) Street grades shall be measured along the centerline.

(4) Curve/grade combinations shall follow accepted engineering guidelines for safety and efficiency and in all cases provide for the minimum sight distance. For example, minimum-radius horizontal curves shall not be permitted in combination with maximum grades.

(5) At all approaches to intersections, street grades shall not exceed five percent (5%) for a minimum distance of thirty-five feet (35').

(6) The grade of the outer perimeter of cul-de-sac turnarounds shall not exceed five percent (5%) measured at any curb gutter from center of the cul-de-sac along the curb line.

(7) Arterial and collector streets, where necessary, shall be super elevated, not to exceed six percent (6%), in compliance with accepted engineering standards.

G. Horizontal curves and tangents:

(1) Horizontal curves shall be used at all changes of direction. Long radius curves shall be used rather than a series of curves connected by short tangents. Minimum radius curves at the end of long tangents shall not be approved. Minimum radii shall meet the requirements of Section 608.

(2) Curve/tangent relationships shall follow accepted engineering guidelines for safety and efficiency.

(3) Approaches to intersections shall follow a straight horizontal course for a minimum of fifty feet (50') for minor streets. All other streets shall follow a straight course in accordance with accepted engineering standards but shall in no case be less than one hundred feet (100').

(4) Any developer who encroaches within the legal right-of-way of a Commonwealth highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation prior to final plan approval. In addition, the Township may require the developer to obtain an occupancy permit for a highway encroachment which is consistent with the internal access and street plan.

H. Vertical curves: Vertical curves shall be used at changes in grade of more than one percent (1%), in compliance with the following requirements:

(1) Minimum curve lengths shall be as defined in Section 608, unless otherwise noted in this Ordinance.

(2) The high-point or low-point curve length, grades and stations on a vertical curve shall be clearly identified on profiles submitted.

I. Intersections and sight triangles: All street intersections under the jurisdiction of this Ordinance shall be subject to the requirements of this Subsection.

(1) No more than two (2) streets shall intersect at the same point.

(2) Corrective changes to existing intersections: When existing streets intersect at odd angles or have more than four (4) approaches, the developer shall make corrective changes to bring the intersection into compliance with this Ordinance, as required by the Board of Supervisors. For Commonwealth highways, corrective changes shall comply with the requirements of the appropriate agency.

(3) Angle of intersections: All intersection approaches shall be designed at right angles whenever practicable. There shall be no intersections with an arterial of less than seventy-five degrees (75°), and there shall be no intersections of less than sixty degrees (60°) for all other streets, measured at the centerline of the intersection.

(4) Intersection spacing: Street intersections shall be spaced the minimum distances apart as specified for the street classifications listed in Section 608, whether on the same or opposite sides of the street. The minimum distance between intersections shall be measured along the higher-classification intersecting street and shall be measured between the centerlines of intersecting streets.

(5) Sight triangles:

(a) Proper sight lines required by Section 608 shall be maintained at all intersections of streets. Clear sight triangles shall be maintained along all approaches to all intersections and shall be measured along street centerlines from their point of intersection. Where streets of differing classifications intersect, the dimension for the higher classification street shall be used.

(b) Within the area of clear sight triangles, obstructions to visibility shall not be permitted within the following ranges of height:

(i) From ground level and a plane ten feet (10') above curb level.

(ii) Groundcover plants within the clear sight triangle area shall not exceed two feet (2') in height.

(iii) Grading within the clear sight triangle shall not obstruct the line of sight.

(c) Modifications may be granted by the Board of Supervisors to allow the location of the following items at the time of new street construction in the clear sight triangle as long as the sight triangle is maintained:

(i) Private signposts, provided that the post does not exceed one foot (1') in diameter and that the sign itself is above the minimum height limit.

(ii) Shade trees, provided that, as the tree matures, the lower branches will be kept pruned to the minimum height limit and the trunk will not inhibit sight distance.

(iii) Existing shade trees, provided that lower branches are kept pruned to the minimum height limit and that the size, number and arrangement of trees does not impede adequate visibility. The Board of Supervisors may require the removal of one (1) or more trees if necessary to provide adequate visibility.

J. Sight distance:

(1) Proper sight distance shall be provided with respect to both horizontal and vertical alignments, measured at the driver's eye height of three and one-half feet (3 1/2'). An object six inches (6") off the finished road grade must be visible at the sight distance specified.

(2) Sight distances (minimal) shall be as defined in Section 608.

(3) Since sight distance is determined by both horizontal and vertical curvature, sight distance standards will, in all cases, usurp standards for either of these curvatures in instances where a conflict in standards might arise.

K. Design speed: Design speed shall be as required in Section 608.

L. Maintenance of Access Easements or Rights-of-Way:

(1) In those cases where access to a residential or commercial development is by means of an easement or right-of-way which does not comply with the design

standards for public streets as prescribed in this Ordinance, the Board of Supervisors shall determine the continuing maintenance responsibilities of such access easement or right-of-way as a part of the development application review process.

(2) In the event that the Board of Supervisors determines that the health, safety or welfare of the inhabitants of such development or of the citizens of the Township would be prejudiced by the failure to maintain such easement or right-of-way of access by the owner thereof, the Board of Supervisors may require as a condition precedent to the approval of such subdivision or land development the preparation and execution of a maintenance agreement providing for the maintenance of such easement or right-of-way of access, signed and acknowledged by all of the owners of property within such development and/or all of the owners of property having the legal right to utilize such easement or right-of-way of access, whereby such easement or right-of-way of access shall be maintained, and said agreement shall be recorded in the office of the Recorder of Deeds of Butler County.

(3) In determining whether such maintenance agreement shall be required, the Board of Supervisors may consider the following:

(a) That the easement or right-of-way of access shall be of sufficient width and topography so as to provide access to all lots and/or tracts of land in the subdivision or development and to adjacent unsubdivided property.

(b) That the continued maintenance of such easement or right-of-way of access to the development or subdivision is necessary to accommodate the travel of ambulances, emergency medical service vehicles, fire vehicles, police vehicles and other emergency vehicles to or from the development or subdivision.

(c) That the configuration of such easement or right-of-way of access shall be such so as to properly accommodate its use for both pedestrian traffic and vehicular traffic without placing pedestrians or vehicular traffic in danger.

(d) That it is impossible to finance the sale of property within such subdivision or land development without the existence of a maintenance agreement binding all owners of property within such subdivision and others having the legal right to use such easement or right-of-way of access to participate in the maintenance of such access easement or right-of-way.

(4) The Board of Supervisors shall determine, with particularity, the details and specifications of the maintenance required to maintain said easement or right-of-way of access.

(5) In the event those persons responsible for maintenance under such agreement should fail, neglect or refuse to provide the same, the Board of Supervisors shall,

in writing delivered to each of said persons, require that such maintenance shall be performed within such time as shall be required by the Board of Supervisors in said notice, and in the event that such maintenance is not so performed within said time, the Board of Supervisors may, at its discretion, perform such maintenance and collect the cost thereof from those persons responsible therefor under the agreement by a civil action at law or by the filing of a municipal claim against the properties owned by such persons in such proportions as set forth in the maintenance agreement.

M. Parallel parking:

- (1) In general, parallel parking on all streets is discouraged, except as required for emergencies, deliveries, and standing when necessary.
- (2) Off-street parking is required for all new subdivisions and land developments.
- (3) Parallel parking on collector streets will be subject to approval by the Board of Supervisors and may require landscaped, curbed street widening up to eight feet (8') wide.
- (4) Parallel parking on minor streets will be subject to approval by the Board of Supervisors.

N. Other street standards:

- (1) Islands, median strips and channelization may be required in any area where traffic volumes warrant their use for safety and efficiency and may be permitted in any area at the discretion of the Board of Supervisors. Such devices on Commonwealth roads must meet or exceed the requirements of the Pennsylvania Department of Transportation. The Board of Supervisors may require additional rights-of-way when such devices are used.
- (2) Walls, slopes and guide rails:
 - (a) Where the grade of the street is above or below the grade of the adjacent land, the developer may be required to construct walls or slopes.
 - (b) Where the grade of the street is steeper than a slope of four to one (4:1) above the grade of the adjacent land, the developer may be required to install guide rails or posts in a manner satisfactory to Pennsylvania Department of Transportation standards.
- (3) Embankments: Subject to appropriate slope stability and the conditions of grading specifications, embankments at the sides of streets and cross-sections of drainage ditches shall not exceed a maximum slope of one and one-half feet (1 1/2') horizontally to one foot (1') vertically in a cut section and two feet (2') horizontally to one foot (1') vertically in a fill section, or as recommended by the Township engineer.

O. Driveways: The requirements for private driveways shall be the standards of the Pennsylvania Department of Transportation regarding access to and occupancy of highways by driveways and local roads (67 Pa. C.S.A. §441, as amended). Driveway access to Commonwealth highways shall be subject to the permit process of that department. Driveway access to Township roads shall be subject to the Township permit process. All driveways shall be subject to the standards, requirements and processing of this subsection.

(1) Location:

(a) Driveways shall be located so as to provide adequate sight distance at intersection with streets.

(b) Driveways shall be located in a manner which will not cause interference to the traveling public, will not be a hazard to the free movement of normal highway traffic, or cause areas of traffic congestion on the highway.

(c) Driveways shall be located, designed, and constructed in such a manner so as not to interfere with or be inconsistent with the design, maintenance, and drainage of the highway.

(d) Alternatives shall be to provide reverse frontage interior roads to be built according to standards for subdivision roads and to provide marginal access roads.

(2) Distance from street intersections: Driveways shall be located as far from street intersections as is reasonably possible, but not less than the following distances:

(a) Individual residential lots: fifty feet (50').

(b) Multi-family residential and nonresidential lots: one hundred feet (100').

(3) Number of driveways (nonresidential):

(a) Properties with frontage of ninety-nine feet (99') or less shall be limited to one (1) curb cut.

(b) Not more than two (2) curb cuts per street frontage may be permitted for any single property, tract, or lot for each street frontage.

(c) More than two (2) curb cuts per street frontage may be permitted when such points of access are a characteristic of the interior circulation plan and if anticipated traffic volumes warrant more than two (2) which is supported by a traffic study prepared by a qualified Transportation Engineer.

(4) Choice of streets: When streets of different classes are involved, the driveway shall provide access to the street of lesser classification unless this requirement is waived by the Board of Supervisors for reasons of sight distance, incompatibility of traffic, grading, or drainage.

(5) Driveway Design Requirements: The following table presents the minimum design standards for driveways in subdivisions and land developments:

Land Use	Minimum Paving Width (feet)		Minimum Radius Turn	Maximum Grade
	Single Way	Two Way		
Residential:				
Single-family/ Townhouse units	N/A	N/A	5 feet	15%
Townhouse courts	12 feet	22 feet	20 feet	12%
Multi-family courts	12 feet	22 feet	20 feet	12%
Commercial	15 feet	24 feet	25 feet	10%
Industrial	15 feet	26 feet	25 feet	10%

(a) Stopping areas, residential: All driveways shall be provided with a stopping area within which the grade shall not exceed six percent (6%). The stopping area shall be measured as follows:

(i) The minimum length of the stopping area with the maximum six percent (6%) grade shall be a minimum of ten feet (10').

(ii) Stopping areas shall be measured from the edge of the existing cartway line for arterial and collector streets and from the edge of the paving, curb line, or sidewalk of minor streets.

(b) Stopping areas, nonresidential: All driveways shall be provided with a stopping area within which the grade shall not exceed six percent (6%). The stopping area shall be measured as follows:

(i) The minimum length of the stopping area with the maximum six percent (6%) grade shall be a minimum of twenty feet (20').

(ii) Stopping areas shall be measured from the edge of the existing cartway line for arterial and collector streets and from the edge of the paving, curb line, or sidewalk of minor streets.

(c) Clear sight triangle: Clear sight triangles shall be provided where driveways intersect streets, in compliance with the standards of Section 608. The dimensional standards shall be determined by the classification of the street which the driveway intersects.

(d) No nonresidential driveway location, classification, or design shall be considered finally approved until permits have been granted by the

Commonwealth and/or Township and final plan approval has been granted by the Board of Supervisors for the subdivision and/or land development which the driveway(s) will serve.

(e) No building permit shall be issued nor shall any occupancy permit be issued as to any improvement or improvements until the application for a driveway permit shall have been made, in writing, and a permit approved by the Township staff or review agency which may have jurisdiction over the road or street.

SECTION 609. PARKING AREAS, INTERNAL DRIVEWAYS, AND OFF-STREET LOADING. Parking areas, related internal driveways, and off-street loading shall be governed by the provisions of Appendix A, Standard Construction Details.

SECTION 610. EASEMENTS.

610.01. Easements with a minimum width of twenty feet (20') shall be provided as necessary for all utilities.

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

610.03. Natural watercourses shall be maintained as permanent easements.

610.04. Stormwater outlets shall have permanent easements from headwall to the centerline of the existing watercourse.

610.05. Subsequent to completion of construction, all utility easements shall be identified on the as-built drawing and recorded if revised from the original recorded plat.

SECTION 611. STORM DRAINAGE.

611.01. Any development which when completed will contain less than five thousand (5,000) square feet of impervious surface per lot, tract or parcel, (area covered by buildings and paved surfaces), or a grading operation that disturbs less than forty-three thousand five hundred and sixty (43,560) square feet of site area shall be exempt from the regulations of this Section, except that subsequent development of the site after the exemption has been exhausted shall be subject to these requirements.

611.02. No final subdivision or land development plan shall be approved, no permit authorizing construction issued, or any earth-moving or land disturbance activity initiated until a final stormwater management plan for the site is approved as provided for in this section. The Board of Supervisors shall determine if a development project is exempt.

611.03. Concentrated stormwater drainage shall not be permitted to flow across the surface of streets that are within or adjacent to the plan. Nor shall concentrated stormwater drainage flow across neighboring property without the benefit or a recorded easement of an accepted drainage way.

611.04. The design of underground storm drainage systems, including the type and size of inlets and pipe selected, shall be approved by the Township engineer as part of the final plan approval process.

611.05. The following general criteria shall govern the design of stormwater control measures:

A. The maximum rate of runoff from the property shall be no greater after development than before.

B. The plan for the site shall consider runoff flowing over the site and originating upstream of the site as well as the steepness of slopes and character of soils and surface cover.

C. For analysis, a two-year, twenty-four hour storm of 2.28 inches, a ten-year, twenty-four hour storm of 3.28 inches, and a one hundred-year, twenty-four hour storm of 4.65 inches shall be considered as recognized event intensities. The post-development site shall not increase runoff intensities, from existing conditions, to adjoining properties.

D. If the rate or volume of runoff after development is calculated to exceed the rate or volume before development, on-site stormwater detention shall be required.

611.06. The calculations to determine the need for on-site detention, and the design of the detention facilities themselves shall be prepared by a Registered Professional Civil Engineer or Registered Professional Land Surveyor retained by the developer, whose work may be evaluated by the Township engineer.

611.07. In designing the storm system the developer shall use the publication "Urban Hydrology for Small Watersheds" technical release No. 55, U.S. Department of Agriculture Soil Conservation Service, January 1975, as amended, as a guide.

611.08. Stormwater may be impounded in detention basins, inside oversized underground pipes, within curbed parking areas, on flat rooftops, in cisterns or any combination of these.

611.09. In residential developments where a series of lots occur on sloped land and lot-to-lot stormwater drainage is anticipated, drainage easements for overland flow. Detention sumps for roof drains on individual lots shall be required if not provided for otherwise.

611.10. Detention facilities shall be designed to the following criteria:

A. Satisfy the specifications for the two (2), ten (10) and one hundred (100) year storms described in this section;

B. Pass runoff from storms greater than the one hundred (100) year storm without damage to the facilities;

C. Minimize effects of erosion on inflow and outflow structures;

- D. Have side slopes within the confines of the detention area not steeper than one foot (1') vertical to each three feet (3') horizontal;
- E. Simplify control and removal of debris from all parts of the facility;
- F. All slopes shall be stabilized with fescue or perennial grass;
- G. Provide a minimum of two feet (2') of freeboard when passing the one hundred (100) year return frequency storm;
- H. Utilize the modified PULS storage indication method for stormwater routing; and
- I. Service or maintenance access to detention facilities shall be via a stabilized ten foot (10') wide cartway within a minimum twenty foot (20') wide easement constructed at a maximum grade of fifteen percent (15%).

611.11. The stormwater management plan shall establish responsibility for the continuing maintenance of the detention facilities by the developer and/or his successors or assigns. If not properly maintained, the Township shall have the right to enter onto property containing detention facilities for the purpose of maintaining them and/or remove obstructions and shall assess the developer and/or his successors or assigns for the costs of such maintenance.

SECTION 612. EROSION AND SEDIMENTATION CONTROL.

612.01. No earth movement or removal of trees or ground cover in any subdivision or land development plan, except a minor subdivision or an earth disturbance of less than forty-three thousand, five hundred and sixty (43,560) square feet, shall commence until an erosion and sedimentation control plan has been reviewed and approved by the Township engineer or Butler County Conservation District, as required.

612.02. The plan shall be prepared by a design professional with experience in this aspect of land development.

612.03. If the site proposed for development exceeds minimum Department of Environmental Protection area requirements or involves any activity requiring a Department of Environmental Protection permit, developer shall secure the permit prior to the start of construction.

612.04. Evidence that, when required, a plan has been approved by the Soil Conservation District, or that an earth disturbance permit has been issued, shall be provided before any earth disturbance may take place.

612.05. The approved erosion and sedimentation control plan shall be kept on the construction site available for inspection by public officials until the work covered by it has been completed.

612.06. The Board of Supervisors may require surety in favor of the Township to be posted by the developer to cover the full cost of installing any facilities relating to erosion and sedimentation control.

SECTION 613. DESIGN STANDARDS – LANDSCAPING. Where a proposed commercial, industrial, or institutional land development will abut residentially developed property, landscaping shall be installed as follows:

- (a) A minimum ten foot (10') wide planted buffer yard shall be provided the entire length of the property line abutting the residential property;
- (b) A 50% - 50% mix of deciduous and evergreen trees, a minimum of three inches (3") in diameter measured four foot (4') from grade, shall be planted on fifteen foot (15') centers;
- (c) Where applicable, existing vegetation may be identified and counted toward the provision of the minimum number of trees required within the buffer yard; and
- (d) All plant materials, once in place, shall be maintained by the property owner and replaced if necessary.

ARTICLE VII

MOBILE HOME PARKS

SECTION 701. GENERAL REQUIREMENTS.

701.01. After the effective date of this Ordinance, no person shall construct, operate, or expand any mobile home park within the Township unless and until all required permits and licenses have been issued by the Pennsylvania Department of Environmental Protection and any municipal Authority with jurisdiction.

701.02. After the effective date of this Ordinance, no person shall construct a new mobile home park, add to or expand an existing park, or rearrange or relocate existing pads or lots, unless an until a final land development plan is submitted to the Township, in accordance with the provisions of this Ordinance, and approved by the Board of Supervisors.

701.03. The park owner shall provide the Township with copies of all valid operating permits and licenses issued by the Pennsylvania Department of Environmental Protection and any municipal authority with jurisdiction, prior to final plan approval.

701.04. All streets which provide access to lots proposed for the placement of mobile homes and all utilities shall be installed and approved by the Township, Pennsylvania Department of Environmental Protection and any municipal authority with jurisdiction, prior to final plan approval.

701.05. Permits and licenses shall be valid for the period specified by the reviewing agency.

701.06. No mobile home may be placed within a mobile home park except upon an approved lot.

701.07. No mobile home lacking its own toilet, bathing, cooking and food storage facilities, all in working condition, shall be permitted in a mobile home park.

701.08. No mobile home may be moved, either to another location in the Township or from the Township, without the park owner/operator first obtaining a permit from the Township Tax Collector verifying that all outstanding taxes have been paid. The park owner/operator shall be responsible for payment of all outstanding taxes if a mobile home is relocated or moved without a permit having first been issued.

SECTION 702. DEVELOPMENT STANDARDS.

702.01. Bulk and Dimensional Requirements:

A. Minimum size of park: Ten (10) contiguous acres.

B. Minimum size of mobile home lot: Ten thousand (10,000) square feet, excluding street right-of-way, recreation areas, laundry or administrative facilities, guest parking areas and public utility sites or easements.

C. Minimum mobile home lot width: Seventy-five feet (75').

D. Minimum setbacks:

(1) Minimum setback from park property boundary line not adjacent to a public street: Fifty feet (50').

(2) Minimum setback from right-of-way line of adjacent public road: Fifty feet (50').

(3) Minimum setback of closest point of mobile home from interior park street right-of-way boundary line: Thirty feet (30').

E. Minimum distances between mobile homes:

(1) Minimum distance between ends of adjacent mobile homes: Thirty feet (30').

(2) Minimum distance between parallel sides of adjacent mobile homes: Forty feet (40').

(3) Minimum distance between the end of one (1) mobile home and the parallel side of an adjacent mobile home: Thirty feet (30').

(4) Minimum distance between parallel sides of adjacent mobile homes when they overlap by no more than fifteen feet (15') if extended towards one another along a plane at right angles to their parallel sides: Thirty feet (30').

(5) Sides or ends of adjacent mobile homes shall be considered parallel if they form an angle, when the adjacent sides or ends are extended to intersect, of not less than forty-five degrees (45°), nor more than one hundred thirty-five degrees (135°).

702.02. Traffic Circulation within the Park.

A. All streets for vehicular traffic within the park shall be designed and constructed in accordance with the provisions of this Ordinance, and Appendix A, Standard Construction Details.

B. Streets within the park shall be constructed to meet the standards of this Ordinance and shall be maintained in perpetuity by the park owner, his successors and assigns, or by an organization formed to maintain such improvements, with no obligation to the Township.

C. The main entrance to a mobile home park from the public road shall be located to maximize sight distances for those entering or leaving the public road right-of-way. Mobile home parks shall have a minimum of two (2) points of access from public road rights-of-way.

D. Each mobile home lot in a park shall abut a nonpublic interior access street which shall connect to the public road serving the property. No lot in a park shall have direct access to a public road right-of-way.

E. Parking, if provided in group areas serving several mobile homes, shall be no further distance than one hundred and fifty feet (150') from the farthest mobile home served. Otherwise, each mobile home lot shall be provided with two (2) off-street parking spaces with dust-free stabilized surfaces, each nine feet by eighteen feet (9' x 18') in size. No parking shall occur on any park street.

702.03. Development of Mobile Home Lots:

A. Mobile homes shall be supported on masonry or concrete foundation piers extending at least three feet (3') below finished grade, such foundations capable of bearing the mobile home weight without settlement.

B. Mobile homes shall be securely fastened to their foundation by tie-downs at each corner and at the mid-point of each side, each tie-down capable of withstanding a pull of four thousand eight hundred (4,800) pounds. The area below the mobile home extending to the ground shall be enclosed with a continuous metal or vinyl skirting, ventilated to inhibit structural deterioration.

C. Mobile homes shall be placed on their required foundations within thirty (30) days of arrival in the park.

D. No enclosed permanent addition to a mobile home shall be permitted. Concrete slabs on grade covered by canopies or awnings attached to a mobile home to provide an open sided patio are permitted provided such structures are securely fastened to the mobile home and the ground.

E. No mobile home shall be occupied until it has been attached to either the park sewage disposal and water supply systems or available public utilities.

F. No area of a mobile home park to be developed for lots or permanent structures shall be subject to periodic flooding or have slopes in excess of fifteen percent (15%).

702.04. Other Uses Within the Park: No part of any park shall be used for any other uses except mobile home lots, traffic and pedestrian circulation, guest parking, park office, residence of the manager, central laundry facility, recreation facilities (both outdoor and enclosed), and maintained open space.

702.05. Sale of Portions of the Mobile Home Park: No portion of an approved mobile home park shall be severed for separate sale, unless the portion to be sold abuts a public street, requirements for setbacks from property lines in a mobile home park are maintained in the original and severed sections, and access and utilities are separated in each property and neither property is dependent upon the other for any services or access. Any subdivision of the park or subsequent rearrangement of lots to accommodate the sale of a portion of the park shall be considered as a subdivision of land.

702.06. Recreation:

A. When a mobile home park has at least eight (8) occupied mobile home lots, a recreation area or areas totaling at least two thousand five hundred (2,500) square feet or at least two hundred (200) square feet in area for each mobile home served, whichever is greater, shall be provided. The unobstructed, useable floor area of a recreation building may be included in determining the total area required.

B. The recreation area or areas shall be centrally located and so placed that all portions are on land that does not slope in excess of five percent (5%) in any direction. No part of an approved mobile home lot shall be considered as a recreation area.

C. Recreation areas shall be provided with appropriate equipment, benches and landscaping and shall be maintained by the park owner/operator, or by an organization formed to maintain such areas and improvements, with no obligations to the Township.

SECTION 703. UTILITIES.

703.01. Water Supply:

A. Each mobile home lot and every other structure in the park with water supply connections shall be supplied with potable water from a public system when available, or from a central water system provided by the park owner on the park premises and approved by the Department of Environmental Protection.

B. The water supply source shall be capable of producing at least two hundred and fifty (250) gallons per day per mobile home at a pressure of at least twenty (20) pounds per square inch.

C. Individual water riser pipes at each mobile home lot shall be located and protected to insure against freezing, shall be protected from ground water drainage contamination, shall have a shut-off valve located below the frost line, and shall be capable of being capped when not in use.

703.02. Sewage Disposal:

A. Each mobile home lot in a park and every other structure connected to a water supply shall be served by a public sewage disposal system when available, or by a central sanitary sewage system provided by the park owner on the park premises and approved by the Department of Environmental Protection.

B. Each mobile home lot shall be provided with a vertical three inch (3") inside diameter sewer riser pipe, capable of being plugged when the lot is not in use, or an equivalent approved by the authority with jurisdiction.

C. Each riser pipe shall extend at least one-half inch (1/2") above the ground surface, which surface shall slope away from the riser pipe in all directions, or an equivalent approved by the authority with jurisdiction.

D. Sanitary sewer pipe shall have a smooth inside surface, water-tight joints, a slope of not less than one quarter inch (1/4") per foot, and be made of semi-rigid, corrosion resistant, durable, nonabsorbent material. Pipe shall be placed at least two feet six inches (2' 6") below finished grade and encased in concrete where passing below a vehicular way, or an equivalent approved by the authority with jurisdiction.

703.03. Electrical Distribution:

A. Each individual mobile home shall be connected to an electrical distribution system, which complies with the current Township Building Code or the Pennsylvania Construction Code Act.

B. Pole mounted street lighting with sharp cut-off luminaries shall be installed at all intersections, at the ends of cul-de-sacs, and at entrances to a mobile home park. The park owner/operator shall provide and install the system and pay for the electricity used to operate it.

703.04. Solid Waste Disposal and Insect and Rodent Control:

A. Solid waste and refuse generated by each mobile home and any other facility in the park shall be bagged and stored in covered, vermin-proof containers and shall be removed by a contract hauler not less frequently than once per week.

B. No waste shall be disposed of by burying or burning within any mobile home park. Waste disposal shall be in accordance with Township and/or PaDEP regulations.

C. Grounds, buildings and structures shall be maintained free of insect and/or rodent harborage or infestation.

D. Mobile home parks shall be kept free of litter and flammable or inflammable material accumulations.

703.05. Fuel Supply and Storage:

A. All piping from outside fuel storage tanks to mobile homes shall be securely but not permanently fastened in place, shall have secured shut-off-valves, and shall be capable of being capped when the lot is not in use.

B. Natural gas piping systems shall be buried under at least eighteen inches (18") of cover and shall not run under any mobile home.

C. Liquefied petroleum gas systems shall be provided with safety devices to relieve excess pressures and shall have an accessible shut-off valve outside each mobile home served.

D. Gas cylinders of at least twelve (12) but not more than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and securely but not permanently mounted.

E. Cylinders or other fuel storage vessels shall not be located inside or beneath any mobile home or other structure in the park, and shall be placed at least five feet (5') from any exit from a mobile home or other structure.

703.06. Fire Protection When Public Water Supply is Available:

A. The public water supply system in a mobile home park shall be capable of providing the full operation of at least two (2) one and one half inch (1 1/2") hose streams simultaneously for one (1) hour.

B. Fire hydrants shall be provided by the park owner and shall be located within six hundred feet (600') of any mobile home or service building or other structure in the park, or at a distance specified by the municipal authority with jurisdiction. The cost of maintenance and rental of hydrants shall be borne by the park owner. Fire hydrants selection and locations shall be approved by the Township volunteer fire company which provides coverage for the park, with input from the Township engineer.

ARTICLE VIII

RECREATIONAL VEHICLE PARK REGULATIONS

SECTION 801. GENERAL.

801.01. After the effective date of this Ordinance, no person shall construct, operate, or expand a recreational vehicle park within the Township unless and until all required permits and licenses have been issued by the Pennsylvania Department of Environmental Protection and any municipal Authority with jurisdiction.

801.02. After the effective date of this Ordinance, no person shall construct a new recreational vehicle home park, add to or expand an existing park, or rearrange or relocate existing pads, lots, or campsites, unless and until a final land development plan is submitted to the Township, in accordance with the provisions of this Ordinance, and approved by the Board of Supervisors.

801.03. The park owner shall provide the Township with copies of all valid operating permits and licenses issued by the Pennsylvania Department of Environmental Protection and any municipal authority with jurisdiction, prior to final plan approval.

801.04. All streets which provide access to proposed lots, pads or campsites and all utilities shall be installed and approved by the Township, Pennsylvania Department of Environmental Protection and any municipal authority with jurisdiction, prior to final plan approval.

801.05. Permits and licenses shall be valid for the period specified by the reviewing agency.

SECTION 802. DESIGN REQUIREMENTS.

802.01. Lot Area Requirements: The planning and location of individual recreational vehicle lots, pads and campsites shall be governed by the following minimum requirements:

A. Lot Area: Recreational vehicle lots shall be a minimum width of thirty feet (30') and shall not be less than one thousand five hundred (1,500) square feet in total area, excluding rights-of-way. Such size is considered to accommodate parking for one (1) recreation vehicle, one (1) automobile parking space, an accessory structure and related outdoor facilities (grill, picnic tables, benches, etc.).

B. Setback Requirements for Recreational Vehicle Lots:

(1) Front setback shall be fifteen feet (15'), at a minimum, measured from the right-of-way line of an interior road or street.

(2) Side setback shall be five feet (5'), at a minimum, measured to the closest point of the perimeter of the leased lot area.

(3) Rear setback shall be five feet (5'), at a minimum, measured to closest point of the perimeter of the leased lot area.

C. Setback Requirements for Ancillary Facilities. Setbacks for structures, such as bathhouses, administration offices, recreation centers and other ancillary facilities of a permanent nature, shall be setback from adjacent or access streets sixty-five feet (65'), at a minimum, measured from the roadway right-of-way line.

D. Street Access. No recreational vehicle lot shall be accessed from a roadway other than an interior collector street.

802.02. Perimeter Buffer Requirements:

A. When abutting residentially developed properties, a buffer strip shall be provided, a minimum of thirty feet (30') in width, parallel to the park property line.

B. When abutting nonresidential properties, a buffer strip shall be provided, a minimum of twenty feet (20') in width, parallel to the park property line.

C. When abutting an existing dedicated right-of-way, a buffer strip shall be provided, a minimum of seventy-five feet (75') in width, measured from the street or roadway centerline, or a minimum of twenty-five feet (25') in width measured from the existing right-of-way line, whichever results in the greater setback distance.

802.03. Roadway Design Standards: Recreational vehicle park roads shall be designed for the safe and convenient movement of recreational vehicles minimizing disturbance of the natural environment. The internal street system shall be privately owned and maintained and shall be designed and constructed as follows:

A. Collector Streets: Collector streets shall meet all the requirements of this Ordinance, including, but not limited to, public street construction and design standards, a twenty-six feet (26') paving width, and a fifty foot (50') right-of-way.

B. Local Streets:

(1) One-way. Minimum paving width: twelve feet (12').

(2) Two-way. Minimum paving width: twenty-two feet (22').

C. Local streets shall be constructed of select material surfacing as per current PaDOT Highway Specifications (Form 408), as amended, or approved by the Township engineer as equivalent. Materials used shall be No. 2 R.C. aggregate. The street shall be made from stone, slag, gravel, or bituminous paving material.

(1) The aggregate shall be uniformly spread upon the graded areas, without segregation of coarse and fine material, in loose layers a minimum of five inches (5") in depth, and compacted with a 10-ton roller meeting the requirements and specifications of the Commonwealth of Pennsylvania Department of Transportation, Form 408.

(2) The surfacing shall be crowned or sloped as indicated, and the final compacted depth shall comply with the depth shown on the approved plans.

(3) Satisfactory compaction and stability of the material under the specified compaction equipment, in accordance with Form 408 of the Department of Transportation, shall be determined by the Township engineer. The Township engineer will specify in writing to the developer any additional needs for satisfactory compaction.

D. Cul-de-Sac Streets: Shall be provided with a turnaround having an outside roadway diameter of at least eighty feet (80'), exclusive of curbs.

802.04. Parking Spaces: Car parking spaces, at a minimum size of nine feet by eighteen feet (9' x 18'), shall be provided in sufficient number to meet the needs of the occupants of the property and their guests. Such facilities shall be provided at the rate of at least one and one half (1 1/2) parking spaces for each recreational vehicle lot, and shall be on the recreational vehicle lot or in designated parking areas. No on-street parking shall be permitted for safety reasons.

802.05. Recreation (not mandatory): At least five percent (5%) of the total park land area should be reserved for active and passive recreation with appropriate location, dimensions and topographic characteristics which lend themselves to recreational use. Such area shall exclude required buffer areas and setbacks.

802.06. Ancillary Services: The developer may include certain ancillary services such as a laundromat, camp store, grocery store, office, bathhouse, caretakers' residence, etc., provided that such services shall be strictly for the use and convenience of those persons utilizing the recreational vehicle park.

802.07. Excavation and Grading:

A. Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades, and limits indicated on the drawings or as may be revised by the Board of Supervisors to meet conditions encountered during construction or excavation for intersecting roadways, stream channels, and culverts within the approved right-of-way limits; and shall also include the widening of cuts, grading of slopes outside the right-of-way as called for on approved plans, removal of top soil, excavating of ditches, and the compaction of fill. Inspections shall be performed by the Township engineer and approvals granted by the Board of Supervisors as work progresses.

B. All drainage structures shown on the approved plans shall be designed and constructed as per the provisions of this Ordinance and Appendix A, Standard Construction Details and installed to current Commonwealth standards. Culverts may be corrugated metal pipe, concrete, or reinforced concrete according to Pennsylvania Department of Transportation Form 408 specifications.

802.08. Fire Protection:

A. After the effective date of this Ordinance, fire hydrants shall be required in all new recreational vehicle parks and in existing parks where the plan proposes an extension of a central distribution system of water lines, whether public or private.

(1) Hydrant size and type: All hydrants installed shall be of a standard size and type as specified by the Township, the Volunteer Fire Company Chief and the municipal authority with jurisdiction, where applicable.

(2) Spacing: Hydrant spacing shall be adequate to serve all lots within the recreational vehicle park. Hydrants shall be located not more than one thousand feet (1,000') linear feet from each other. Where an existing hydrant is less than one thousand feet (1,000') from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined, taking the existing location of the hydrant into consideration.

(3) Location: Hydrants shall be located as required by the Township, the Volunteer Fire Company Chief and the municipal authority with jurisdiction, where applicable.

(4) Design: The proposed locations of fire hydrants shall be identified on the submitted plans. Any existing fire hydrants less than one thousand feet (1,000') from the proposed park, shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the recreational vehicle park.

B. In new and existing parks where there no central water line extensions are proposed, the following standards for fire prevention shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.

(1) The tank system: Approved underground, static water tanks of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred feet (500'):

(a) The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.

(b) Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four inches (24") square covered by either a removable type lid or a hinged type lid.

(c) Each tank shall have an approved outlet above ground, no less than four and one half inches (4 1/2") in diameter. This outlet shall be encased in a hydrant for drafting, with at least two (2) two and one half inch (2 1/2") outlets.

(2) The Pond System: A water pond shall be located in such a way as to service all park lots.

(a) The pond shall be utilized by a "dry hydrant" type of outlet.

(b) The volume of water within the pond shall be of sufficient size and depth, as determined by the Volunteer Fire Company Chief and Township engineer, according to nationally accepted standards (i.e. NFPA), to adequately serve all park lots.

(c) In addition, a cyclone or steel mesh fence with a lockable gate, at a minimum height of six feet (6') with a single strand of barbed wire on top shall enclose the area of the pond.

SECTION 803. COMPLIANCE.

803.01. No person shall construct, open, or dedicate any road or drainage facilities in connection therewith, for public use or travel within a recreational vehicle park without submitting plans thereof to the Township for review and approval.

803.02. All development plans shall be prepared in accordance with these regulations and shall be accompanied by information as required by the provisions of this Ordinance and Appendix A, Standard Construction Details.

803.03. Construction and installation of all improvements shall be in accordance with the approved land development plan and are subject to inspection by the Township engineer during construction.

ARTICLE IX

ADMINISTRATION, ENFORCEMENT, AND APPEALS

SECTION 901. GENERAL. This Article outlines the procedures for the administration and enforcement of this Ordinance, as well as the procedures for challenges and appeals of decisions rendered under this Ordinance.

SECTION 902. RECORDS. The Township shall keep an accurate, public record of its findings, decisions, and recommendations relevant to all subdivision and land development applications filed with it for review and/or approval.

SECTION 903. SCHEDULE OF FEES.

903.01. The Board of Supervisors shall establish by resolution a schedule of fees to be paid by the applicant/developer at the time of plan submission or upon application for issuance of any permit.

903.02. No subdivision or land development plan shall be finally approved, and no petition or requests acted upon, unless or until all applicable fees have been paid in full.

SECTION 904. MODIFICATIONS.

904.01. The provisions of this Ordinance are intended as a minimum standard for the protection of the public health, safety and welfare, If the literal compliance with any mandatory provision of this Ordinance is shown by the applicant to the satisfaction of the Board of Supervisors to be unreasonable and to cause undue hardship as it applies to a particular property, the Board may grant a modification from such provision.

904.02. Modifications from the provisions of this Ordinance may be granted where the applicant has met the burden of showing that:

A. There are unique physical circumstances or conditions present on the property including peculiar shape or exceptional topographical or other physical conditions and the reasons for which a modification is sought are due to these conditions;

B. Because of the physical circumstances there is no possibility that the property can be developed in strict conformity with these regulations if reasonable use is to be made of it;

C. The characteristics which necessitate a reason for request for a modification have not been created by the applicant;

D. The modification, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare; and

E. The applicant's proposal will allow for equal or greater results and represents the minimum modification necessary.

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

904.04. The request for modification shall be reviewed by the Township Planning Commission as part of the application for development. The Commission shall forward its recommendations on the modification request to the Board of Supervisors.

904.05. The Board of Supervisors shall have the authority to approve or disapprove modification requests. In granting any modification, the Board may impose such conditions as will, in its judgment, secure the objectives and purposes of this Ordinance.

904.06. Within one hundred and twenty (120) days after the first meeting at which the modification request was first reviewed by the Planning Commission and not subsequently changed, the Board of Supervisors shall inform the applicant, in writing, of its decision. If the decision is unfavorable, the reasons for rejection shall be specifically indicated.

904.07. The specific wording of a modification which has been granted shall be lettered in permanent ink upon the Mylar for recording and signed and dated by the Chairman of the Board of Supervisors.

904.08. The Board of Supervisors shall keep a written record of all actions on all requests for modifications.

SECTION 905. AMENDMENT OF THIS ORDINANCE.

905.01 Amendments to this ordinance shall become effective only after a public hearing held by the Board of Supervisors pursuant to public notice.

905.02 In case of an amendment other than that prepared by the Township Planning Commission, the Board of Supervisors shall submit each such amendment to the Township and County Planning Commissions for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendments.

905.03. Within thirty (30) days after adoption, the Board of Supervisors shall forward a certified copy of any amendment to the County and Township Planning Commissions and Butler County law library for filing.

SECTION 906. ENFORCEMENT.

906.01. General. The provisions of these regulations shall be enforced by the duly authorized Township representative appointed by and responsible to the Board of Supervisors.

906.02. Preventive Remedies.

A. 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.

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

- (1) The owner of record at the time of such violation.
- (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.
- (3) The current owner of record who acquired the property subsequent to the time of violation.
- (4) The vendee or lessee of the 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.

C. 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.

906.03. Jurisdiction. Magisterial District Judges shall have initial jurisdiction in proceedings brought under Section 906.04 of this Ordinance.

906.04. Enforcement Remedies.

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

been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the Magisterial District Judge and thereafter each day that a violation continues shall constitute a separate violation.

B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

SECTION 907. FAILURE TO MAINTAIN PUBLIC AND PRIVATE IMPROVEMENTS.

907.01. The developer, or Homeowner's Association or other sub-organization formed to maintain commonly owned land, facilities and other improvements in a development shall provide perpetual maintenance of such land and improvements in accordance with all applicable regulations and current standings.

907.02. In default thereof, the Township may, after reasonable notice, enter upon the premises and undertake the required maintenance and assess the cost thereof, against the developer, Home Owner's Association and/or property owners. In addition, a ten percent (10%) penalty may be assessed for administration of the corrective maintenance.

907.03. The manner of collection shall be consistent with the provisions for the filing of municipal claims in the Commonwealth, or at the Township's option, by the institution of any suit at law or equity.

SECTION 908. APPEALS.

908.01 All appeals from decisions rendered by the Board of Supervisors pursuant to this Ordinance shall be taken to the Court of Common Pleas of Butler County, Pennsylvania, within thirty (30) days after entry of such decision, or, in the case of a deemed decision, within thirty (30) days after the date upon which notice of the deemed decision is given.

908.02. The filing of an appeal under this section shall not stay the action appealed from, but the appellant(s) may petition the court having jurisdiction for a stay.

ARTICLE X

ENACTMENT

SECTION 1001. CONFLICTS. Whenever there is a difference between the standards specified herein and those indicated in other applicable regulations, the more stringent requirement shall apply.

SECTION 1002. SEVERABILITY. The provisions of this Ordinance are severable. Should any section, sentence, clause, part or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid, or unconstitutional sections, sentence, clause, part or provision had not been included herein.

SECTION 1003. REPEALER.

1003.01. The Muddy Creek Township Subdivision and Land Development Ordinance, Ordinance Number 13, is hereby amended; provided however, that the amendment shall in no manner be construed as a waiver, release or relinquishment of the right to initiate, pursue, or prosecute, as the case may be, any proceeding at law or in equity, including criminal proceedings, pertaining to any act done which would have been constituted a violation of Ordinance Number 13, and all provisions of Ordinance Number 13 shall remain in full force and effect, and are not repealed hereby, as they pertain to such acts.

1003.02. All other ordinances or regulations, or parts of such ordinances or regulations, in conflict with this Ordinance or inconsistent with its provisions, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

1003.03. The provisions of this Ordinance, so far as they are common to those regulations in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such prior regulations and not as new enactments.

1003.04. The adoption of this Ordinance does not make legitimate development activity in the Township under provisions of the prior regulations illegal, nor does it annul any litigation currently being pursued or that may be pursued in the future against such illegal activity.

SECTION 1004. EFFECTIVE DATE. This Ordinance shall take effect and be in force five (5) days after adoption.

[SIGNATURE PAGE FOLLOWS]

DULY ORDAINED AND ENACTED by the Board of Supervisors of the Muddy Creek Township, Butler County, Pennsylvania, on this the 20th day of February, 2007, in lawful session duly assembled.

TOWNSHIP OF MUDDY CREEK

ATTEST:

Dixie L. Christy
Dixie L. Christy, Secretary

By: Dale R. Kerr
Dale R. Kerr, Chairman

By: Annette Sudano
Annette Sudano

By: _____
Jay A. Grinnell

CERTIFICATE

I, the undersigned Secretary of the Muddy Creek Township, Butler County, Pennsylvania, do hereby certify that the foregoing and attached is a true and correct copy of the Muddy Creek Township Subdivision and Land Development Ordinance which was duly enacted by the affirmative vote of a majority of the members of the Board of Supervisors following a public hearing held on the 20th day of February, 2007, after due notice to the members and to the public and which was at all times open to the public, that the Ordinance was examined and approved by a majority of the members of the Board of Supervisors and was duly recorded in the Ordinance Book of the Township of Muddy Creek and was published as required by law in The Butler Eagle, a newspaper of general circulation in the Township.

I further certify that the total number of members of the Board of Supervisors is three (3); that the vote upon the Ordinance was called and duly recorded in the minutes of said hearing and that the members voted in the manner following:

Dale R. Kerr	Aye/Nay/Did Not Vote/Absent	(circle one)
Annette Sudano	Aye/Nay/Did Not Vote/Absent	(circle one)
Jay A. Grinnell	Aye/Nay/Did Not Vote/Absent	(circle one)

WITNESS my hand and the seal of the Township of Muddy Creek, Butler County, Pennsylvania, this ____ day of _____, 20__.

Secretary, Muddy Creek Township

SEAL

APPENDIX A

MUDDY CREEK TOWNSHIP

STANDARD CONSTRUCTION DETAILS



US HIGHWAY



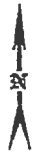
INTERSTATE HIGHWAY



STATE ROUTES



TOWNSHIP ROADS



SITE DIRECTION



TOWNSHIP BUILDING



AIRPORT



HOSPITAL



STATE PARK



FORESTS



MOUNTAINS



RECYCLING CENTER



WATER WELL



SEPTIC DRAINFIELD/
SYSTEM



PERC TEST HOLE/
PIT



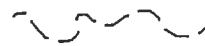
SCALE



OPEN GAS, OIL,
WATER WELL



CULVERT



STREAM

PROPERTY LINE
MONUMENT/PIN



SETBACK LINE



UTILITY LINES
ABOVE GROUND

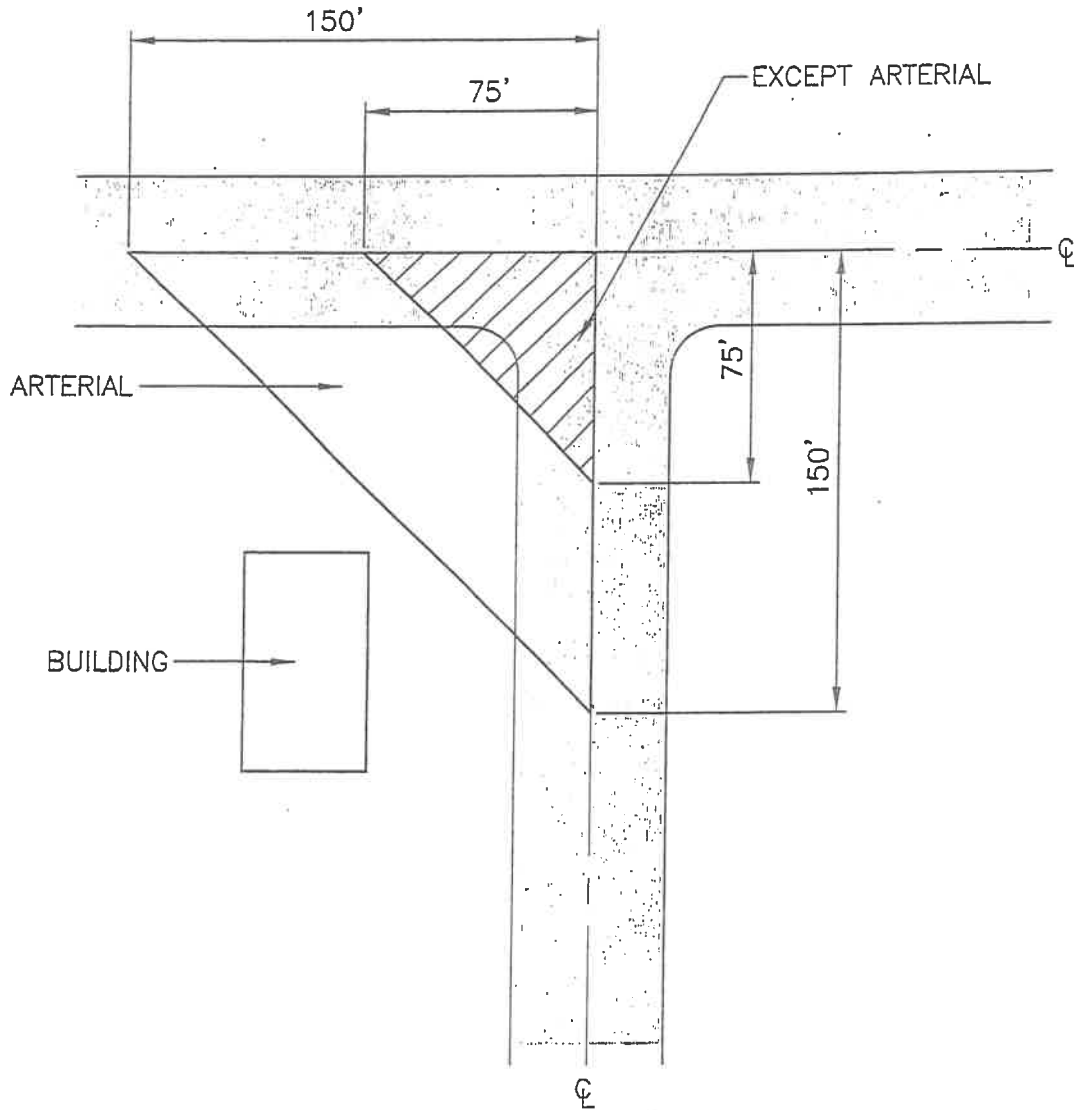


UTILITY LINES
BURIED

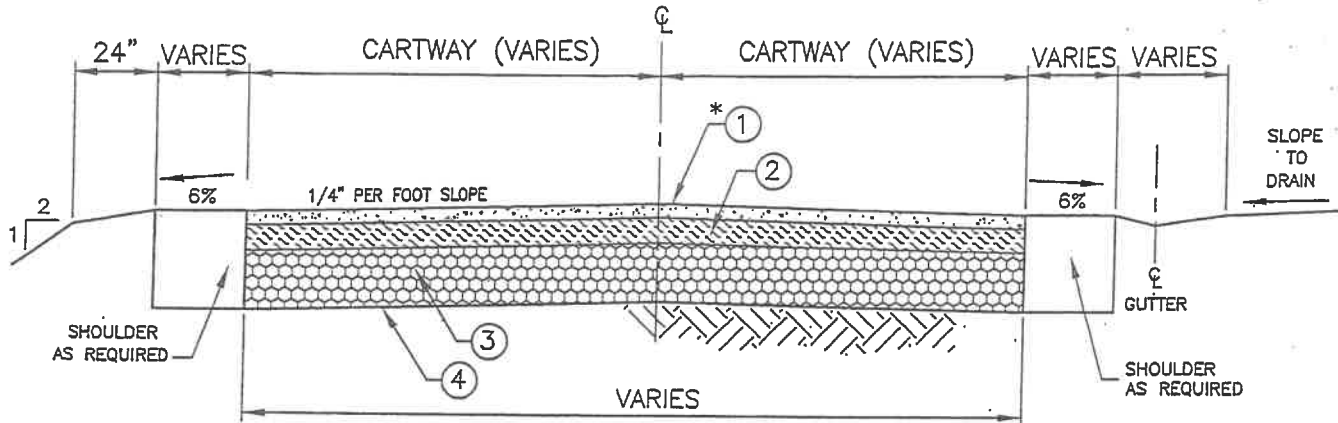


PROPERTY LINE

MUDDYCREEK TOWNSHIP SITE SYMBOLS STANDARD DETAIL 1



MUDDYCREEK TOWNSHIP
 CLEAR SITE TRIANGLE
 STANDARD DETAIL 2



NO.	TYPE	COURSE	AADT (ANNUAL AVG. DAILY TRAFFIC)			
			1-600	601-1300	1301-2400	2401-4500
* ①	SURFACE	SUPERPAVE ASPHALT MIXTURE DESIGN, HMA WEARING COURSE, PG 64-22, 0.0 TO 0.3 MILLION ESAL'S, 9.5 MM MIX, SRL L, 1.5" DEPTH	1.5"	1.5"	1.5"	1.5"
②	SURFACE	SUPERPAVE ASPHALT MIXTURE DESIGN, HMA BINDER MIX COURSE, PG 64-22, 0.0 TO 0.3 MILLION ESAL'S, 19.0 MM MIX, 2.0" DEPTH	2"	2"	2"	2"
③	BASE	SUPERPAVE ASPHALT MIXTURE DESIGN, HMA BASE COURSE, PG 64-22, 0.0 TO 0.3 MILLION ESAL'S, 25.0 MM MIX, DEPTH TO MATCH AADT CHART	3"	5"	6"	6"
④	SUBBASE	SUBBASE REMAINS AS IS ON CHART	8"	6"	6"	6"

* APPLIED WITHIN 2 YEARS AFTER INITIAL PAVING, AND WITH TACKLOAD APPLIED.

NOTES:

MATERIALS AND CONSTRUCTION IN ACCORDANCE WITH PA. D.O.T. FORM 408 (LATEST REVISION)

IF NECESSARY ALL UNEVEN AREAS, SETTLED AREAS, AREAS DAMAGED BY UTILITY COMPANIES AND OTHER BROKEN OR UNEVEN AREAS SHALL BE REPAIRED THEN LEVELED WITH ID-2 BITUMINOUS PRIOR TO PAVING.

PAVEMENT WIDTH IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

DETAIL AND TABLE DOES NOT APPLY TO PRIVATE STREETS.

SHOULDERS TO BE PA. D.O.T. RC-25-TYPE 3. WITH DEPTH OF SHOULDER THE COMBINED DEPTH OF SURFACE AND BASE COURSES.

THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT THE PROPER MATERIAL IS PROVIDED BY SUPPLYING A COPY OF AN APPROVED PADOT BITUMINOUS ASPHALT MIX DESIGN A MINIMUM OF 5 WORKING DAYS PRIOR TO THE START OF THE WORK OR AT THE PRE-CONSTRUCTION MEETING. THE CONTRACTOR WILL ALSO SUPPLY THE MUNICIPALITY WITH A DAILY BITUMINOUS MATERIAL CERTIFICATION ON A TR-465 OR CS-4171 WITHIN 24 HOURS OF PLACING THE BITUMINOUS MATERIAL FOR EACH DAY'S PLACEMENT.

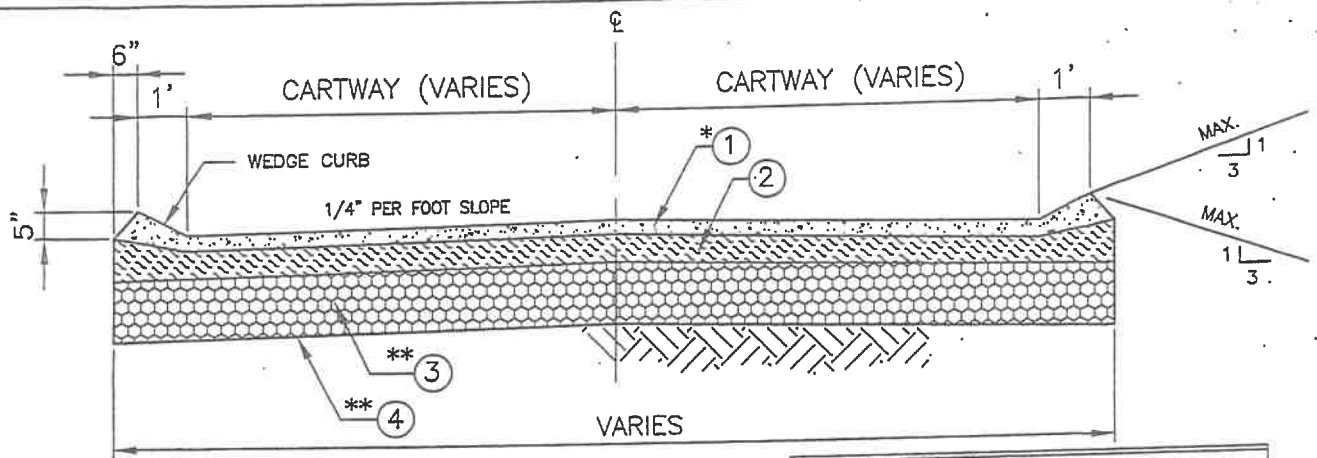
**MUDDYCREEK TOWNSHIP
ROAD SECTION WITHOUT CURBING
STANDARD DETAIL 3**



OLSEN & ASSOCIATES, LLC

PROJECT NO. 200665A

M:\Projects\2006\200665A\Drawings\Road Section Without Curbing Standard Detail 3.dwg, 08/21/06, 08:57:21 AM, D:\PLOT\08/21/06, 08:57:21 AM, OLSEN & ASSOCIATES, LLC



NO.	TYPE	COURSE	AADT (ANNUAL AVG. DAILY TRAFFIC)			
			1-600	601-1300	1301-2400	2401-4500
* ①	SURFACE	SUPERPAVE ASPHALT MIXTURE DESIGN, HMA WEARING COURSE, PG 64-22, 0.0 TO 0.3 MILLION ESAL'S, 9.5 MM MIX, SRL L, 1.5" DEPTH	1.5"	1.5"	1.5"	1.5"
②	SURFACE	SUPERPAVE ASPHALT MIXTURE DESIGN, HMA BINDER MIX COURSE, PG 64-22, 0.0 TO 0.3 MILLION ESAL'S, 19.0 MM MIX, 2.0" DEPTH	2"	2"	2"	2"
** ③	BASE	SUPERPAVE ASPHALT MIXTURE DESIGN, HMA BASE COURSE, PG 64-22, 0.0 TO 0.3 MILLION ESAL'S, 25.0 MM MIX, DEPTH TO MATCH ADDT CHART	3"	5"	6"	6"
** ④	SUBBASE	SUBBASE REMAINS AS IS ON CHART	8"	6"	6"	6"

* APPLIED WITHIN 2 YEARS AFTER INITIAL PAVING, AND WITH TACKLOAD APPLIED.
 ** THE SUBBASE AND THE BASE SHALL BE AT LEAST 12" WIDER THAN THE WEARING COURSES.

NOTES:

MATERIALS AND CONSTRUCTION IN ACCORDANCE WITH PA. D.O.T. FORM 408 (LATEST REVISION)

IF NECESSARY ALL UNEVEN AREAS, SETTLED AREAS, AREAS DAMAGED BY UTILITY COMPANIES AND OTHER BROKEN OR UNEVEN AREAS SHALL BE REPAIRED THEN LEVELED WITH ID-2 BITUMINOUS PRIOR TO PAVING.

PAVEMENT WIDTH IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

DETAIL AND TABLE DOES NOT APPLY TO PRIVATE STREETS.

SHOULDERS TO BE PA. D.O.T. RC-25-TYPE 3. WITH DEPTH OF SHOULDER THE COMBINED DEPTH OF SURFACE AND BASE COURSES.

THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT THE PROPER MATERIAL IS PROVIDED BY SUPPLYING A COPY OF AN APPROVED PADOT BITUMINOUS ASPHALT MIX DESIGN A MINIMUM OF 5 WORKING DAYS PRIOR TO THE START OF THE WORK OR AT THE PRE-CONSTRUCTION MEETING. THE CONTRACTOR WILL ALSO SUPPLY THE MUNICIPALITY WITH A DAILY BITUMINOUS MATERIAL CERTIFICATION ON A TR-465 OR CS-4171 WITHIN 24 HOURS OF PLACING THE BITUMINOUS MATERIAL FOR EACH DAY'S PLACEMENT.

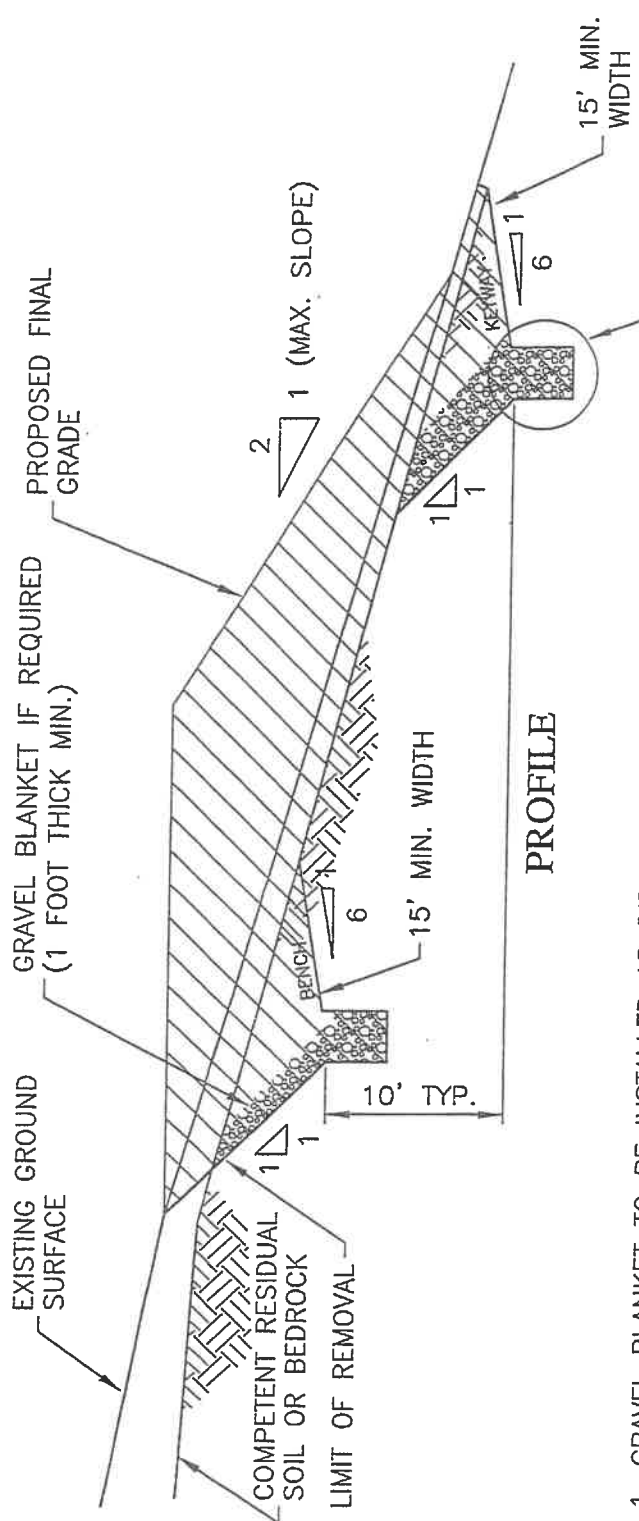
SHOULDERS TO BE EARTHEN, UNLESS OTHERWISE DIRECTED BY TOWNSHIP ENGINEER.

**MUDDYCREEK TOWNSHIP
 ROAD SECTION WITH CURBING
 STANDARD DETAIL 4**



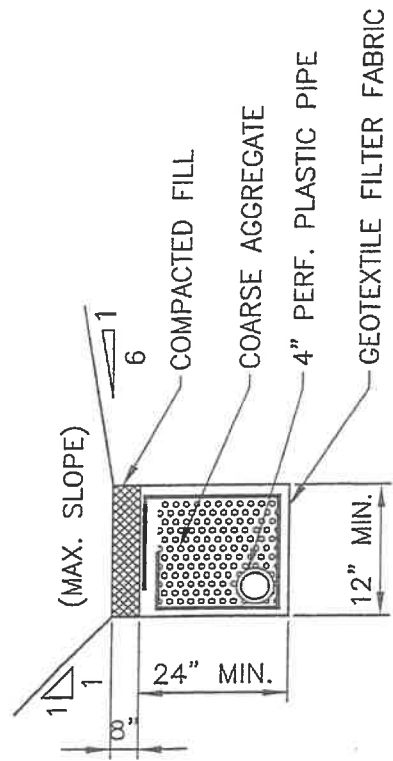
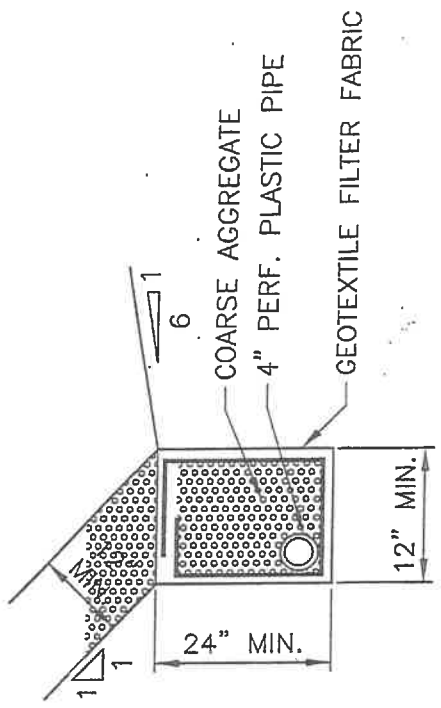
OLSEN & ASSOCIATES, LLC
 PROJECT NO. 200665A

M:\Projects\200665A\Drawings\Road Section with Curbing - Standard Detail 4.dwg, 9/15/2006, 10:05 PM, Olsen & Associates, LLC



PROFILE

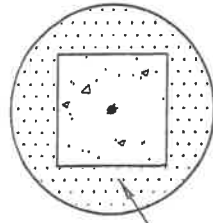
1. GRAVEL BLANKET TO BE INSTALLED AS DIRECTED BY DEVELOPER'S GEOTECHNICAL CONSULTANT.
2. 4" PERF. PLASTIC PIPE TO DRAIN TO OUTSLOPE AND THE WATER DIVERTED OR COLLECTED IF NECESSARY TO PREVENT DOWNSTREAM DAMAGE.



(IF GRAVEL BLANKET IS REQUIRED)

(IF GRAVEL BLANKET IS NOT REQUIRED)

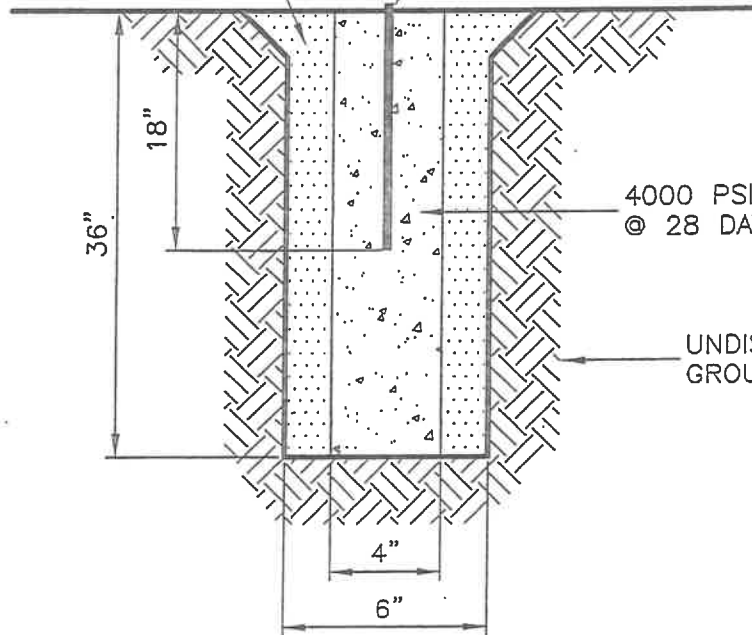
**MUDDYCREEK TOWNSHIP
FILL BENCH DETAIL
STANDARD DETAIL 5**



6" DIA. AUGERED DRILLED HOLE,
BACKFILLED WITH DRY MORTAR
OR CAST-IN-PLACE CONCRETE

BACKFILL WITH DRY
MORTAR IF PRECAST
MONUMENT IS USED

#4 - 18" LONG IRON PINS,
1/4" PROJECTION



4000 PSI CONCRETE
© 28 DAYS

UNDISTURBED ORIGINAL
GROUND

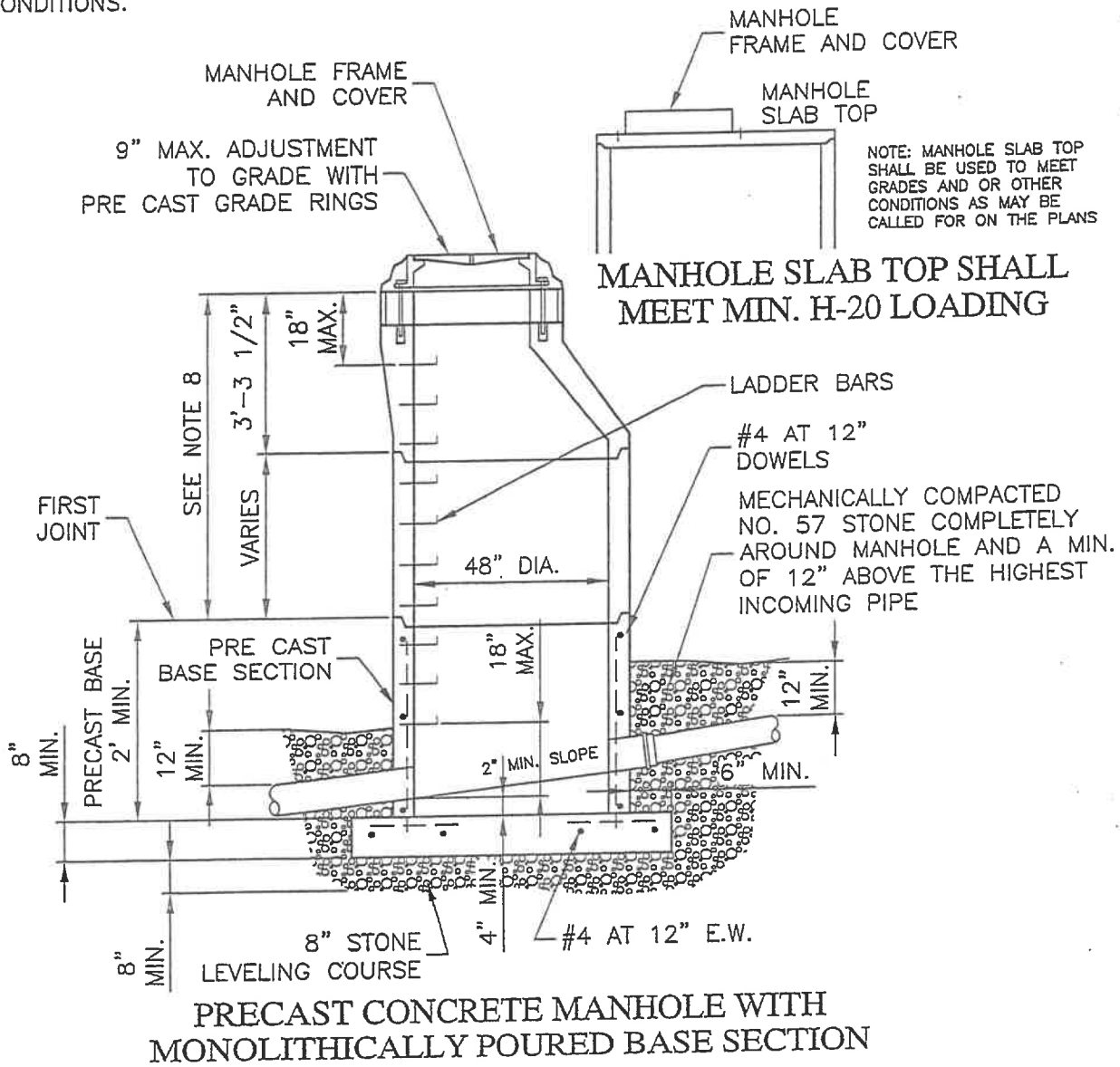
NOTE:

LOCATE MONUMENT PER RECORDED PLAN (AS APPROVED BY TWP. ENGINEER). 5'-6" OFF P/L WITHIN PUBLIC DEDICATED R.O.W., INSTALL AFTER GRADING AND ROADWAY IS COMPLETE.

**MUDDYCREEK TOWNSHIP
CONCRETE MONUMENT
STANDARD DETAIL 6**

NOTES:

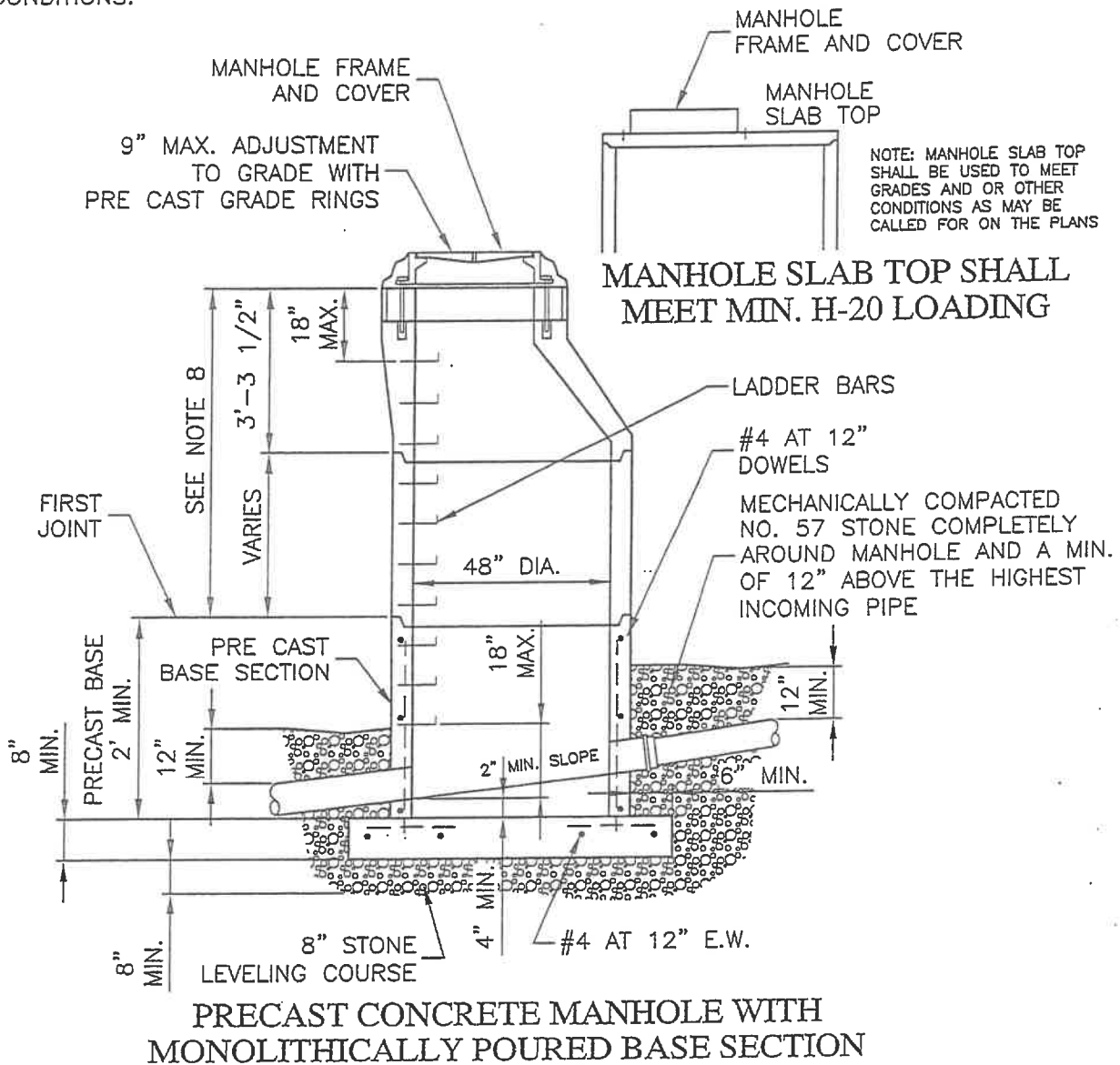
1. ALL CONCRETE SHALL BE CLASS A CONCRETE, 4000 PSI. 5% AIR ENTRAINED.
2. MANHOLE BARREL JOINTS TO BE SEALED WITH 1" DIA. FLEXIBLE BUTYL RUBBER JOINT SEALANT, USE 1/2" DIA. FOR FRAME AND COVER.
3. FRAME AND COVER TO BE ANCHORED WITH 2 3/4" DIA. S.S. ANCHOR BOLTS SET 6 INCHES INTO CONCRETE.
4. LIFTING HOLES TO BE POINTED WITH NON-SHRINK GROUT, AND LEFT WATERTIGHT, NEAT AND SMOOTH.
5. MAXIMUM ADJUSTMENT TO FINISHED GRADE USING PRE CAST GRADE RINGS SHALL NOT EXCEED NINE INCHES (9")
6. PRE CAST SECTIONS SHALL CONFORM TO ASTM C-478 AS REVISED.
7. MANHOLE INVERT SHALL BE CONCRETE TO THE SPRING LINE OF PIPE WITH SIDES SLOPING 1/2" TO 1'-0" TO INSIDE FACE OF PRE CAST BASE SECTION.
8. IF THIS DIMENSION IS 3'-3" USE PRE CAST SLAB TOP DESIGNED TO MEET LOAD CONDITIONS.



MUDDYCREEK TOWNSHIP
 PRECAST CONCRETE MANOLE (8" TO 18")
 STANDARD DETAIL 7

NOTES:

1. ALL CONCRETE SHALL BE CLASS A CONCRETE, 4000 PSI. 5% AIR ENTRAINED.
2. MANHOLE BARREL JOINTS TO BE SEALED WITH 1" DIA. FLEXIBLE BUTYL RUBBER JOINT SEALANT, USE 1/2" DIA. FOR FRAME AND COVER.
3. FRAME AND COVER TO BE ANCHORED WITH 2 3/4" DIA. S.S. ANCHOR BOLTS SET 6 INCHES INTO CONCRETE.
4. LIFTING HOLES TO BE POINTED WITH NON-SHRINK GROUT, AND LEFT WATERTIGHT, NEAT AND SMOOTH.
5. MAXIMUM ADJUSTMENT TO FINISHED GRADE USING PRE CAST GRADE RINGS SHALL NOT EXCEED NINE INCHES (9")
6. PRE CAST SECTIONS SHALL CONFORM TO ASTM C-478 AS REVISED.
7. MANHOLE INVERT SHALL BE CONCRETE TO THE SPRING LINE OF PIPE WITH SIDES SLOPING 1/2" TO 1'-0" TO INSIDE FACE OF PRE CAST BASE SECTION.
8. IF THIS DIMENSION IS 3'-3" USE PRE CAST SLAB TOP DESIGNED TO MEET LOAD CONDITIONS.



MUDDYCREEK TOWNSHIP

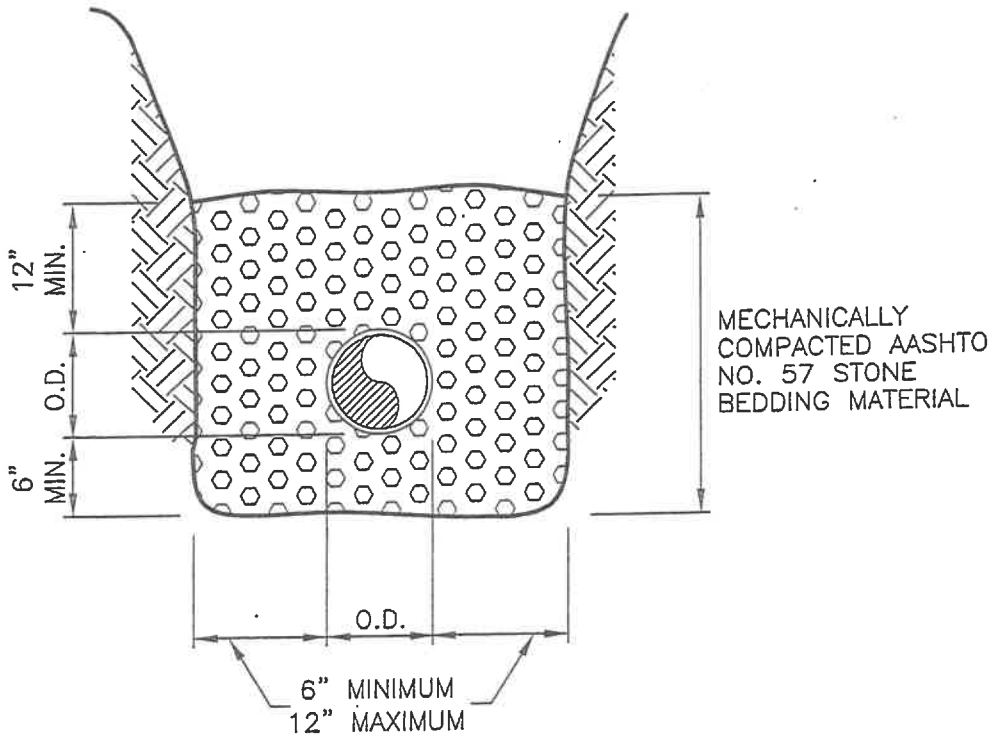
PRECAST CONCRETE MANHOLE (20" TO 33") STANDARD DETAIL 8

11/1/2020 9:57 AM 11/1/2020 9:57 AM Olsen & Associates, LLC



OLSEN & ASSOCIATES, LLC

PROJECT NO. 200665A



**TYPICAL BEDDING AND PIPE ZONE
POLYETHYLENE PIPE**

POLYETHYLENE PIPE SPECIFICATIONS

PIPE AND FITTINGS SHALL BE MADE OF POLYETHYLENE COMPOUNDS WHICH MEET OR EXCEED THE REQUIREMENTS OF TYPE III, CATEGORY 4 OR 5, GRADE P33 OR P34, CLASS C PER ASTM D-1248 WITH THE APPLICABLE REQUIREMENTS DEFINED IN ASTM D-1248.

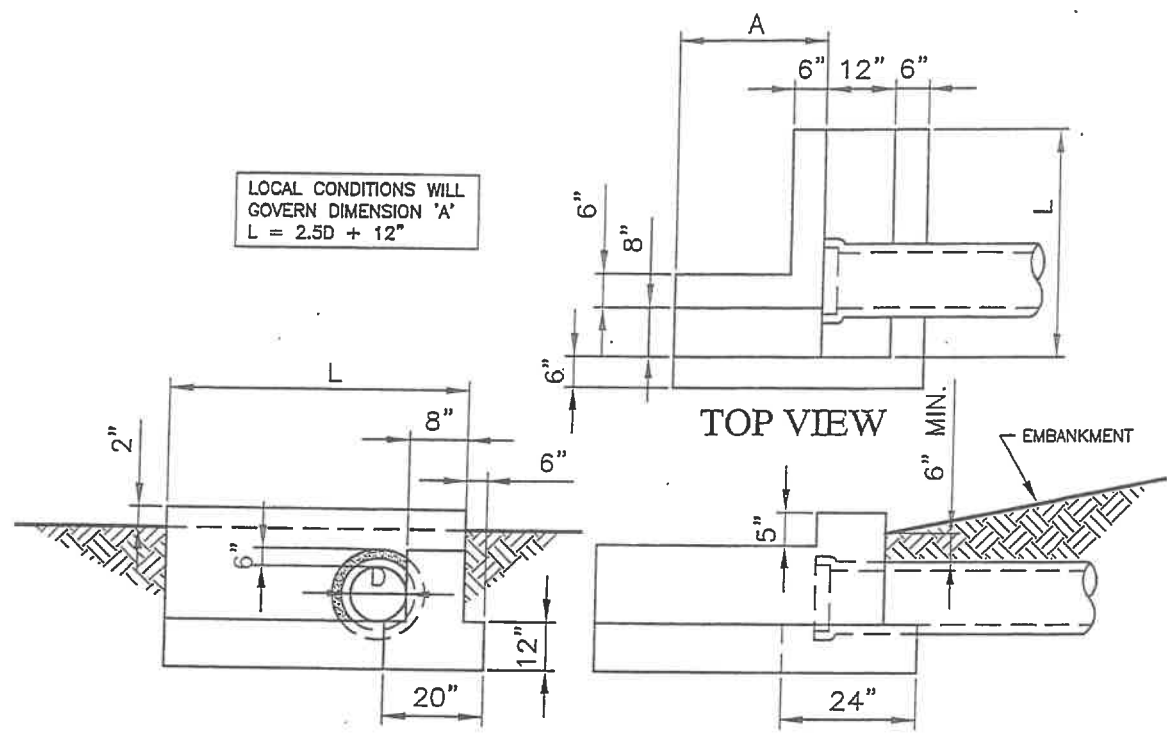
MIN. COVER IS TO BE 2 FT. WITH AASHTO NO. 57 STONE A MIN. OF 12" ABOVE THE TOP OF PIPE. IF THE PIPE IS TO BE LAID UNDER DRIVEWAYS OR PARKING AREAS WITH MINIMUM COVER, THE 2 FEET SHALL BE NO. 57 STONE. MAXIMUM COVER OVER THE PIPE IS NOT TO EXCEED 30 FEET.

MANNING'S 'N' FOR DESIGN SHALL BE 0.012 FOR SMOOTH INTERIOR, AND SHALL BE 0.018 FOR SIZES UP TO AND INCLUDING 15", AND 0.020 FOR SIZES FROM 18" UP TO AND INCLUDING 36" FOR CORRUGATED INTERIOR.

POLYETHYLENE PIPE SHALL BE IN ACCORDANCE WITH PADOT FORM 408, SECTION 601.

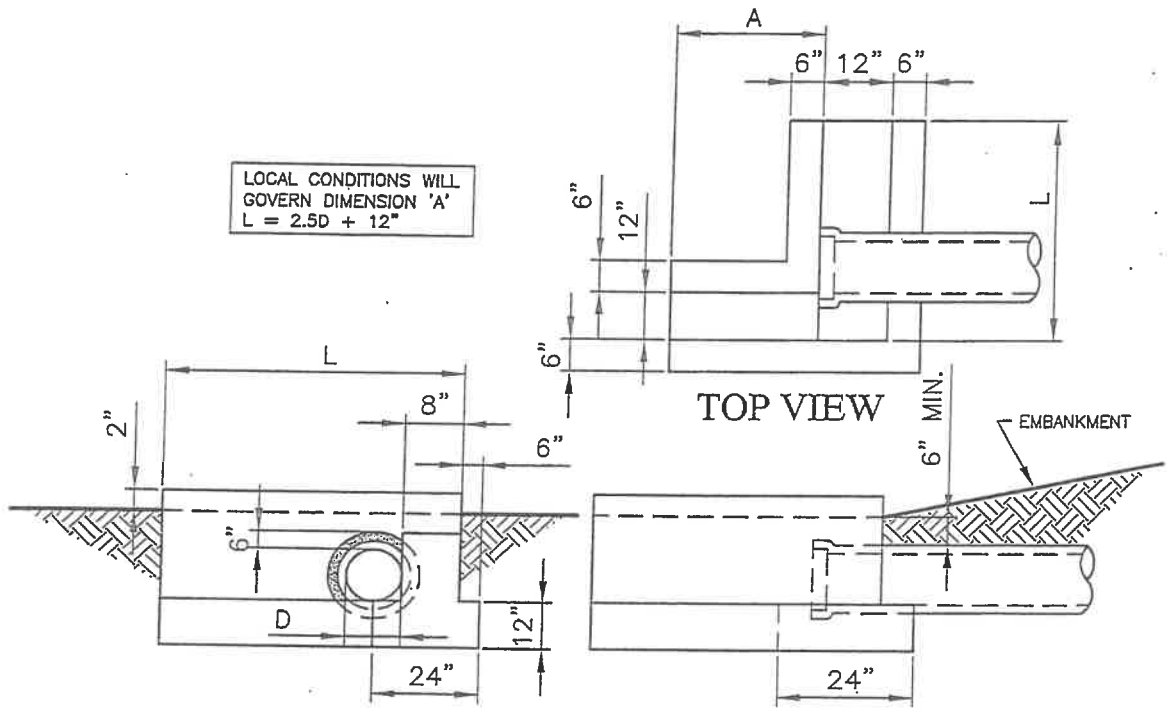
**MUDDYCREEK TOWNSHIP
POLYETHYLENE PIPE SPECIFICATIONS
STANDARD DETAIL 9**

LOCAL CONDITIONS WILL GOVERN DIMENSION 'A'
 $L = 2.5D + 12"$



END VIEW
 SIDE VIEW
 TYPE D-E ENDWALL

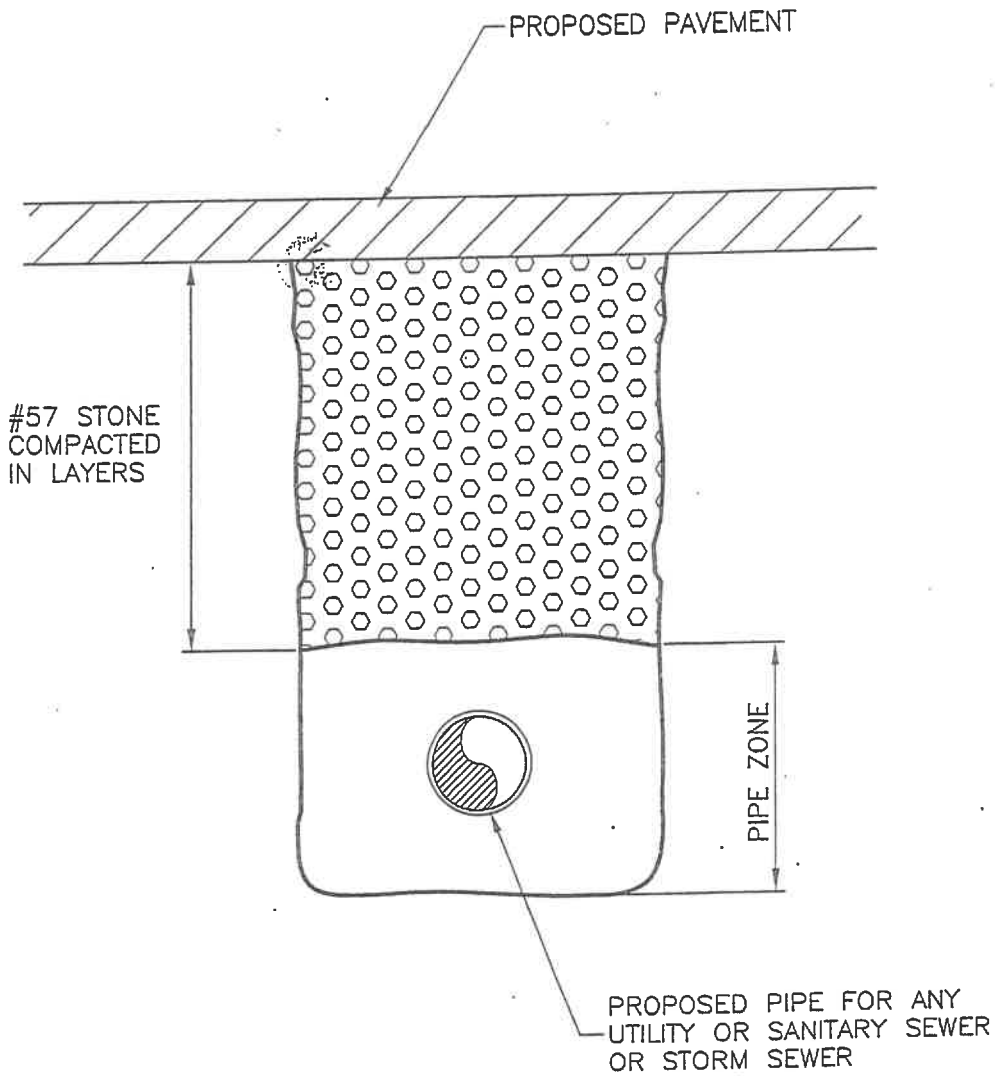
LOCAL CONDITIONS WILL GOVERN DIMENSION 'A'
 $L = 2.5D + 12"$



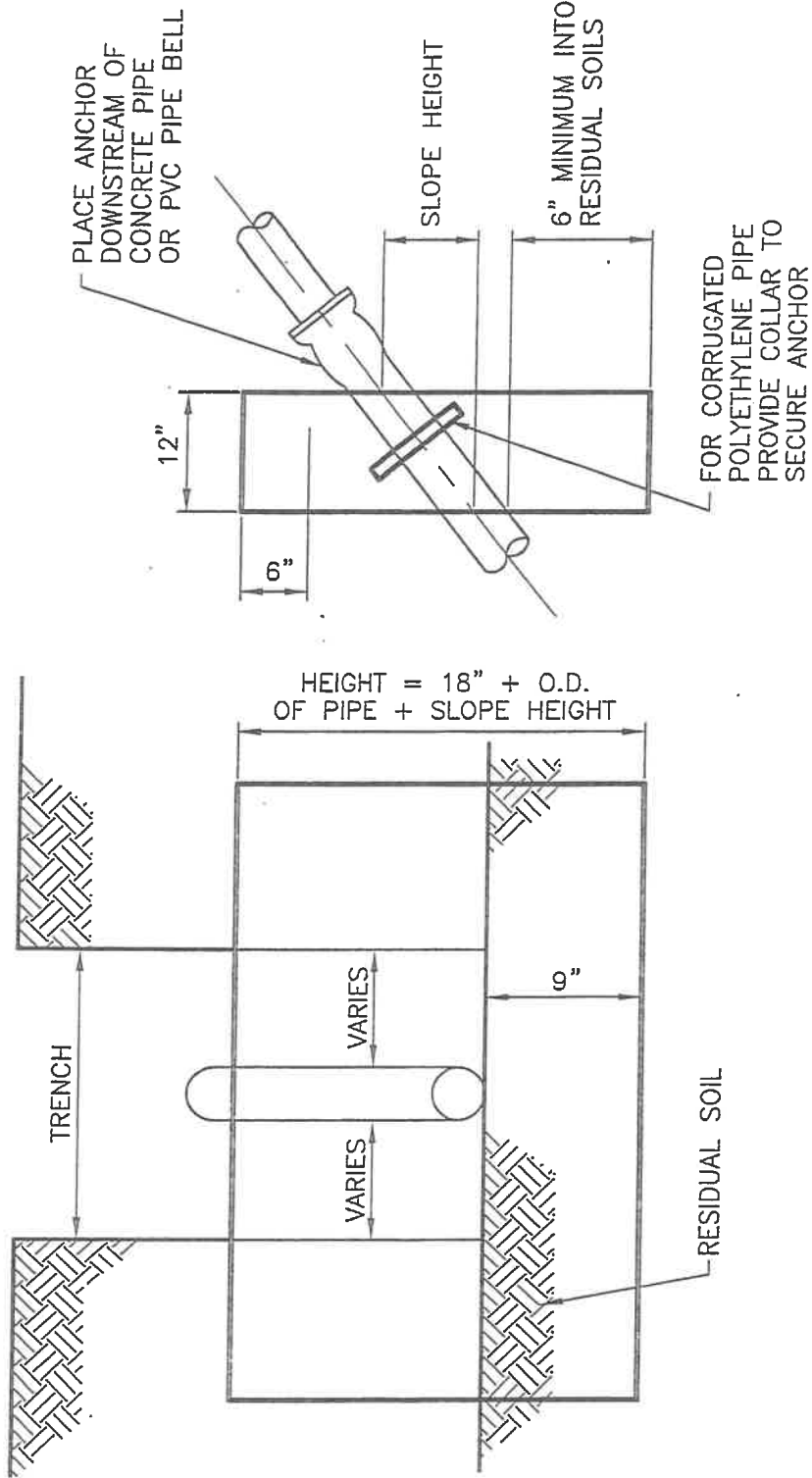
END VIEW
 SIDE VIEW
 TYPE E-S ENDWALL

MUDDYCREEK TOWNSHIP
 HEADWALLS AND ENDWALLS
 STANDARD DETAIL 10

M:\2006\200665A\DWG\200665A-10.dwg, 9/5/2008 10:16 PM, OLSEN & ASSOCIATES, LLC



MUDDYCREEK TOWNSHIP
TRENCH BACKFILL
STANDARD DETAIL 11

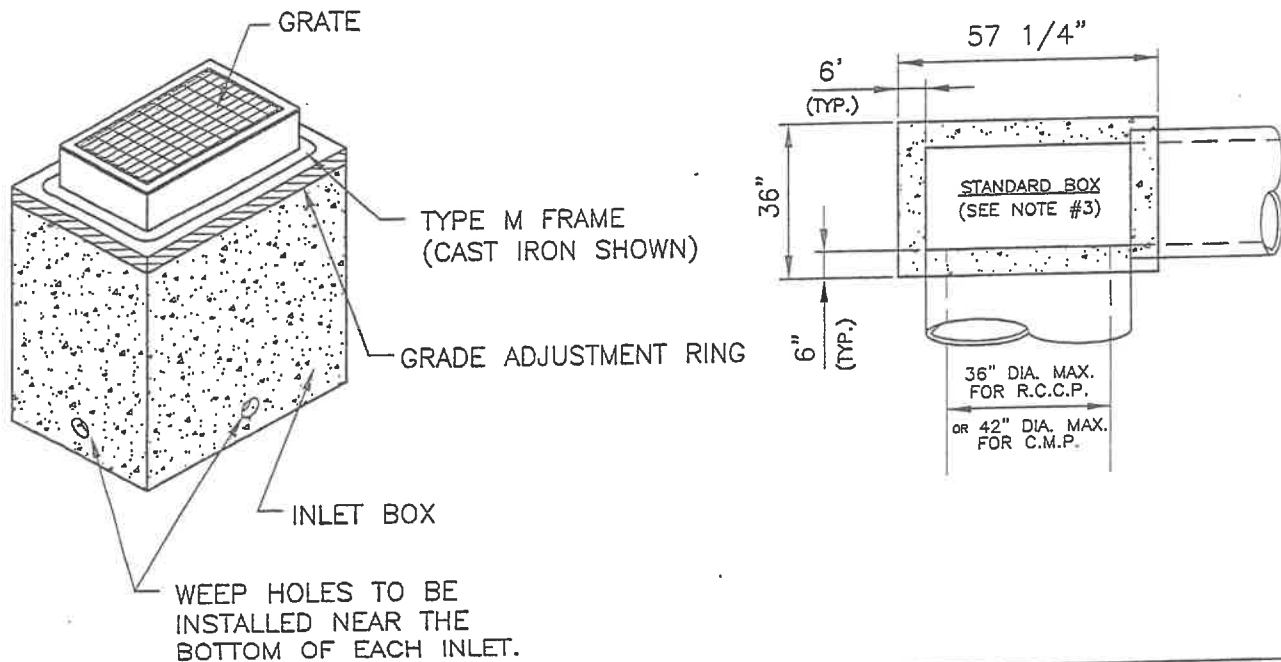


SPACING REQUIRED	
% GRADE	DISTANCE CENTER TO CENTER
20% TO 30%	36' C.C.
30% TO 50%	24' C.C.
50% +	18' C.C.

MUDDYCREEK TOWNSHIP
PIPE ANCHOR
STANDARD DETAIL 12

NOTES:

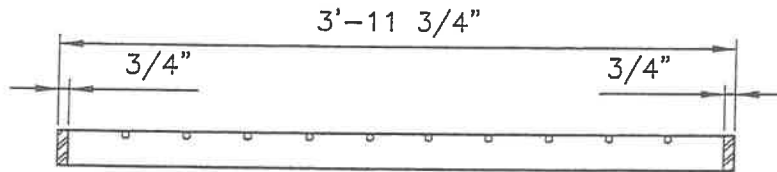
- 1) CONSTRUCT INLET BOXES IN ACCORDANCE WITH THE REQUIREMENTS OF PUBLICATION 408, SECTION 713.2(d), FOR PRECAST CEMENT CONCRETE UNITS
- 2) ONLY PRECAST INLET BOXES SUPPLIED BY A MANUFACTURER LISTED IN BULLETIN 15 SHALL BE PERMITTED.
- 3) PROVIDE STANDARD INLET BOXES AND COVER ADJUSTMENT SLABS WITH A 24" X 45 1/4" OPENING TO ACCOMMODATE STANDARD TOP COMPONENTS.
- 4) INLETS THAT EXCEED THE MAXIMUM HEIGHT SHOWN SHALL REQUIRE A SPECIAL DETAIL AND DESIGN FOR THE INLET WALLS AND BASE. CONSTRUCT INLETS THAT EXCEED 5 FEET IN HEIGHT WITH STEPS SIMILAR TO MANHOLES.
- 5) LOCATE PIPE OR PIPES, AS INDICATED, WITH THE INLET BOTTOM SHAPED TO CHANNEL THE FLOW TOWARD THE OUTLET PIPE.
- 6) PLACE SUBBASE MATERIAL MEETING THE REQUIREMENTS OF PUBLICATION 408, SECTION 350.2, IN 4 INCH LAYERS, COMPACTED TO A DENSITY SATISFACTORY TO THE ENGINEER AND INCIDENTAL TO THE INLET PAY ITEM.
- 7) FOR PIPE DIAMETERS LARGER THAN 36" IN THIS WALL FOR A TYPE 1, USE A MODIFIED TYPE I INLET BOX.
- 8) FOR PIPE DIAMETERS LARGER THAN 48" R.C.C.P. OR 54" C.M.P. IN THIS WALL FOR A TYPE 2, USE A MODIFIED TYPE II INLET BOX.
- 9) FOR PIPE DIAMETERS LARGER THAN 48" R.C.C.P. OR 54" C.M.P. IN THE LONG DIRECTION OR LARGER THAN 36" IN THE SHORT DIRECTION, A SPECIAL DETAIL AND DESIGN IS REQUIRED.



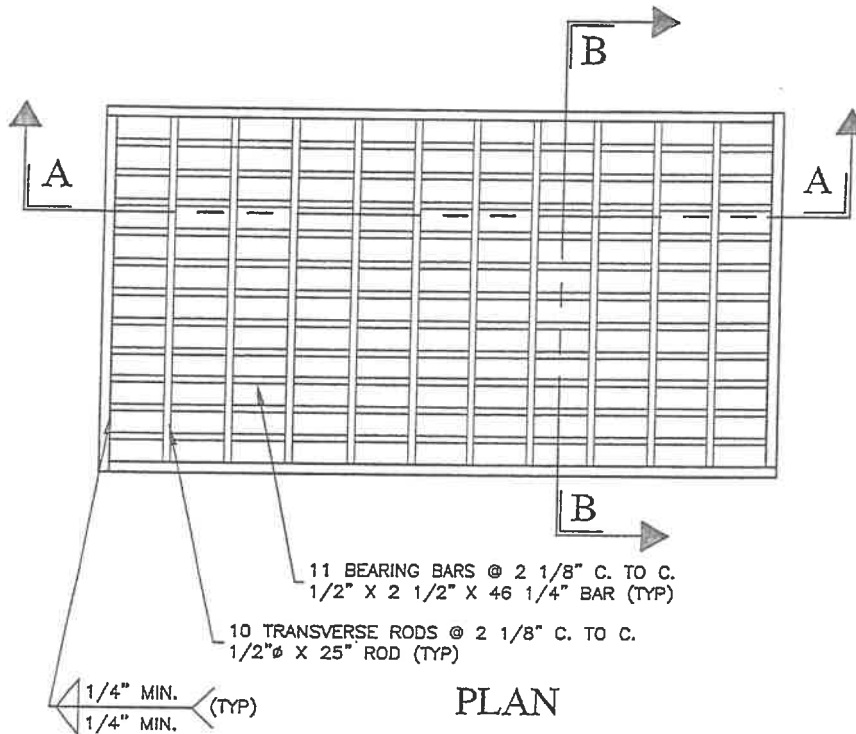
MUDDYCREEK TOWNSHIP
 TYPE M INLET
 STANDARD DETAIL 13

NOTES:

1. THIS SHEET DEPICTS THE DIMENSIONS REQUIRED FOR UNIFORMITY AND INTERCHANGEABILITY. IT DOES NOT INCLUDE DETAILS REQUIRED FOR FABRICATION OR MANUFACTURING. ONLY GRATES SUPPLIED BY A MANUFACTURER LISTED IN BULLETIN 15 SHALL BE PERMITTED. FOR A BULLETIN 15 LISTING, SUBMIT A 22" x 36" REPRODUCIBLE SHOP DRAWING TO THE BUREAU OF CONSTRUCTION AND MATERIALS, MATERIALS AND TESTING DIVISION FOR REVIEW AND APPROVAL.
2. WELD STRUCTURAL STEEL GRATES IN ACCORDANCE WITH THE REQUIREMENTS OF PUBLICATION 408 SECTION 1105.03(R). WELDING SHOPS ARE NOT REQUIRED TO BE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC) CERTIFIED.
3. PROVIDE TRANSVERSE RODS, MEETING THE REQUIREMENTS OF AASHTO-M227 OR M255, GRADE 70, 75 OR 80, FLUSH WITH THE GRATE SURFACE.
4. PROVIDE BICYCLE-SAFE, STRUCTURAL STEEL OR CAST IRON VANE GRATES FOR INSTALLATION ONLY WHERE BICYCLE TRAFFIC IS ANTICIPATED SUCH AS CURBED ROADWAYS IN URBAN AREAS OR ROADWAYS SPECIFICALLY ESTABLISHED AND SIGNED AS BIKEWAYS OR HAVING BIKE LANES. ALTERNATE BICYCLE-SAFE GRATE DESIGNS SHALL REQUIRE A SHOP DRAWING SUBMISSION, AS SPECIFIED IN NOTE 1, AND SHALL CONFORM TO THE DIMENSIONAL REQUIREMENTS FOR PROPER INSTALLATION WITH THE CURRENT CONCRETE TOP UNITS.
5. FABRICATE SLOTS BY BURNING, DRILLING, SHEARING OR PUNCHING. HAVE THE BOTTOM OF ALL BURNED OR DRILLED SLOTS CONFORM TO THE SHAPE OF THE ROD.
6. INSTALL STRUCTURAL STEEL GRATES WITH THE GRATE SPACERS LOCATED FLUSH ALONG THE TOP SURFACE OF THE GRATE.



SECTION A-A

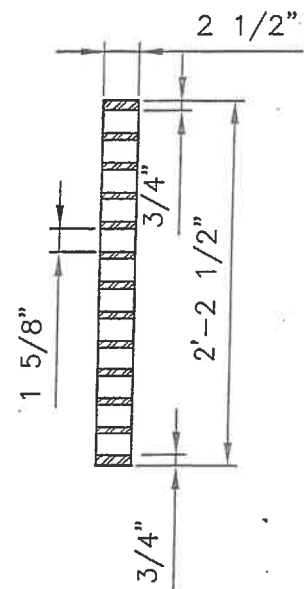


11 BEARING BARS @ 2 1/8" C. TO C.
1/2" X 2 1/2" X 46 1/4" BAR (TYP)

10 TRANSVERSE RODS @ 2 1/8" C. TO C.
1/2"Ø X 25" ROD (TYP)

1/4" MIN. (TYP)
1/4" MIN.

PLAN



SECTION B-B

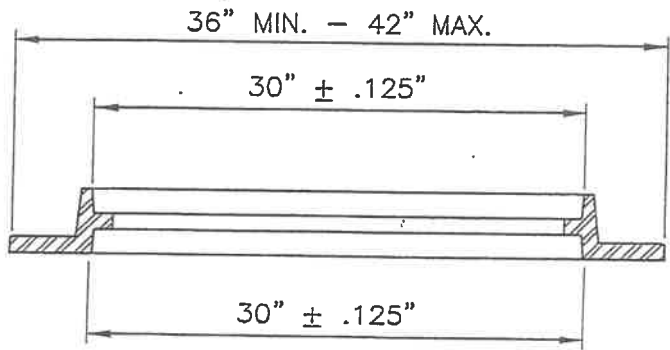
MUDDYCREEK TOWNSHIP
STRUCTURAL STEEL GRATE BICYCLE SAFE
STANDARD DETAIL 14



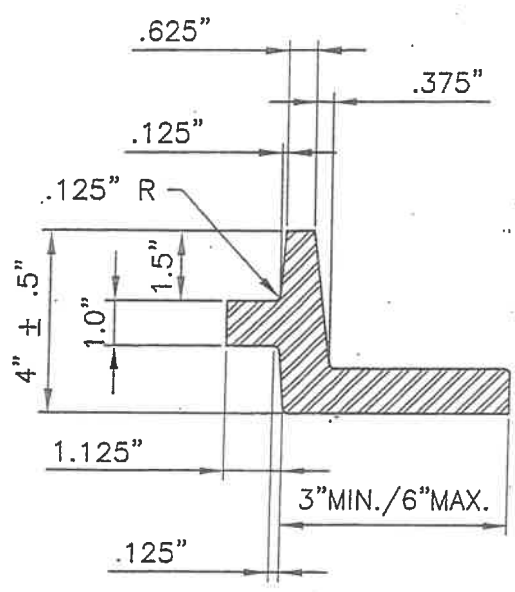
OLSEN & ASSOCIATES, LLC

PROJECT NO. 200665A

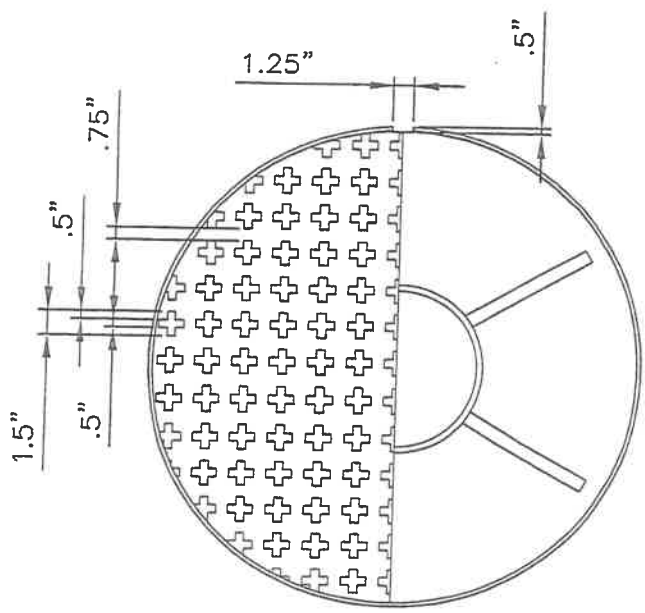
M:\2006\2006065A\PROJECT\2006065A.dwg, 4, 9/5/2006 2:24 PM, OLSEN & ASSOCIATES, LLC



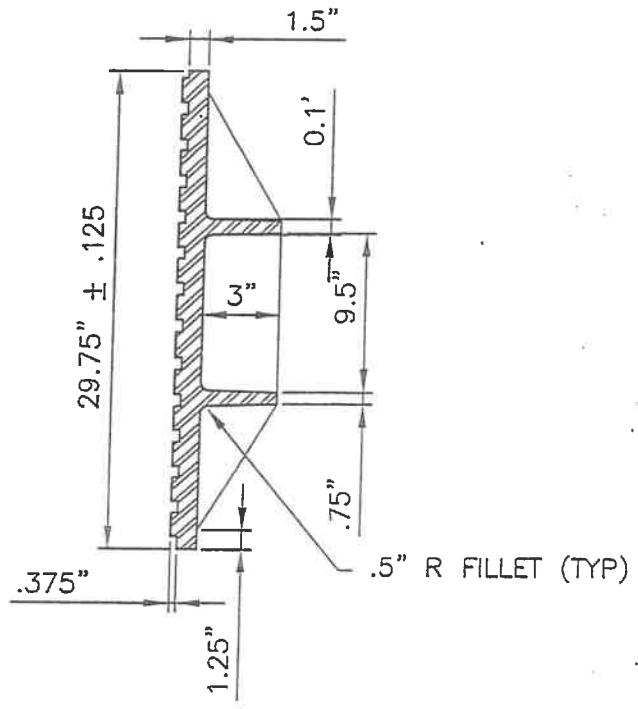
CAST IRON FRAME



NOTE:
 (ALL ROUNDS AND FILLETS TO BE .25" R.
 UNLESS OTHERWISE SPECIFIED)



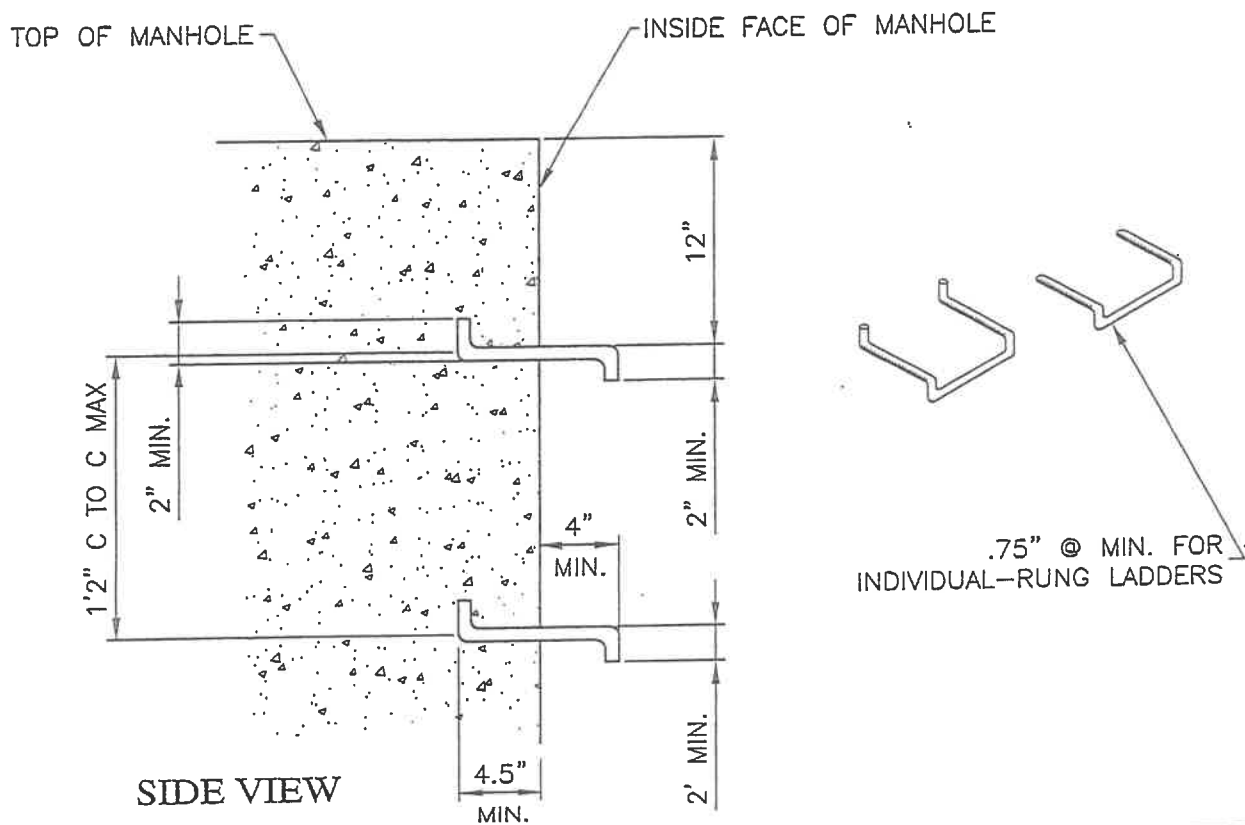
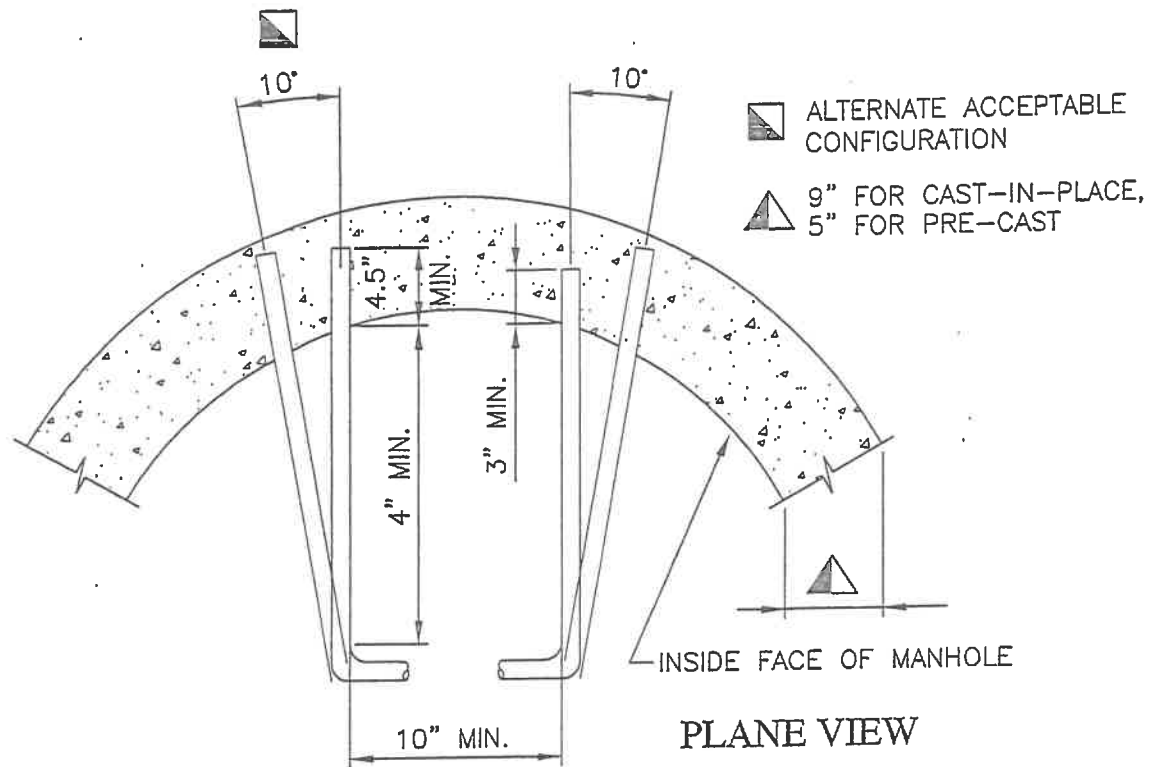
CAST IRON COVER



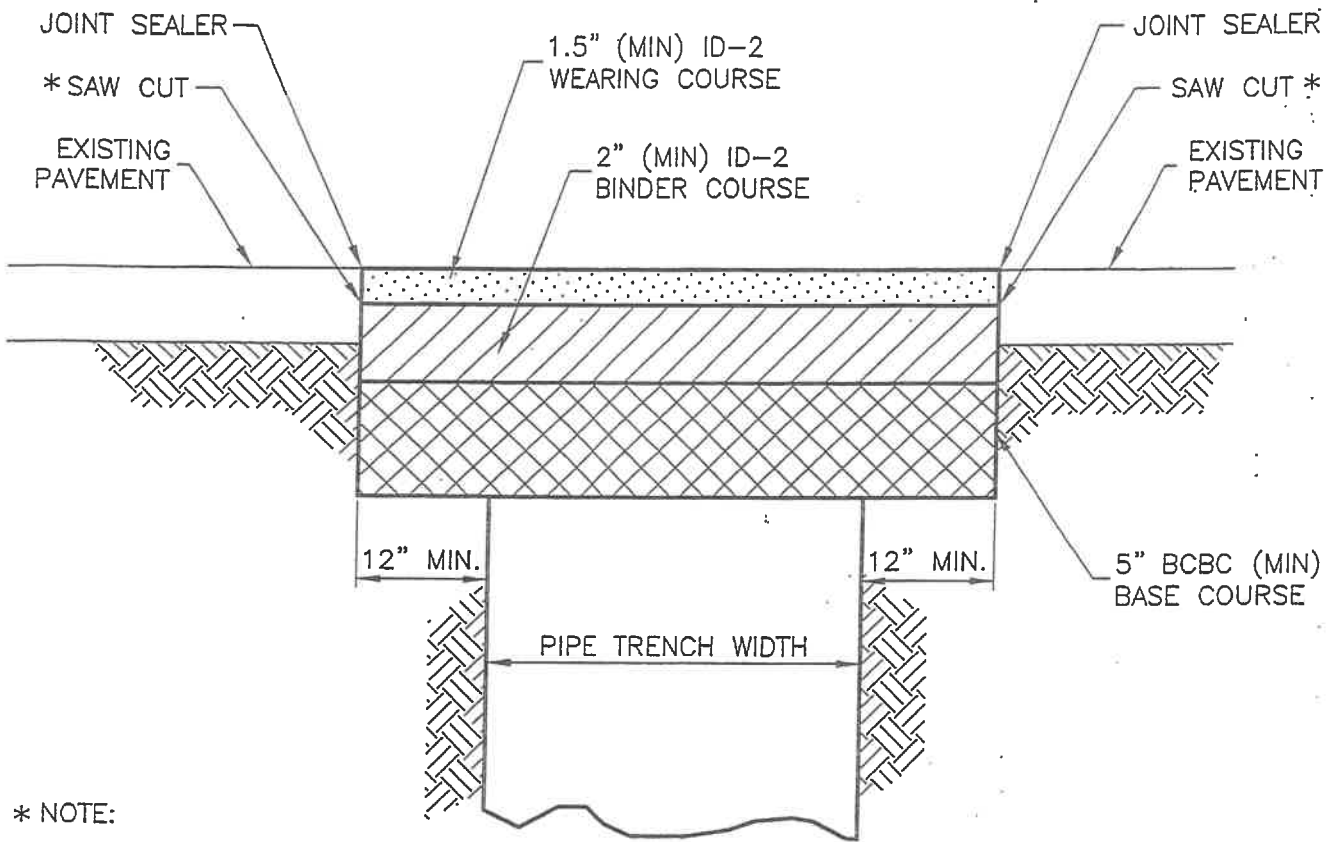
MANHOLE COVER

MUDDYCREEK TOWNSHIP
 MANHOLE COVER
 STANDARD DETAIL 15

MUDDY CREEK TOWNSHIP, SD 57757/2006 - 228 Pkt, OLSEN & ASSOCIATES, LLC.

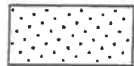


**MUDDYCREEK TOWNSHIP
 MANHOLE LADDER BARS
 STANDARD DETAIL 16**



* NOTE:

- 2 SEPARATE SAW CUTS:
- 1 CUT BEFORE CONSTRUCTION
- 1 CUT BEFORE FINAL PAVING



1.5" (MIN) ID-2 WEARING COURSE



2" (MIN) ID-2 BINDER COURSE



5" (MIN) BCBC BASE COURSE

NOTE:

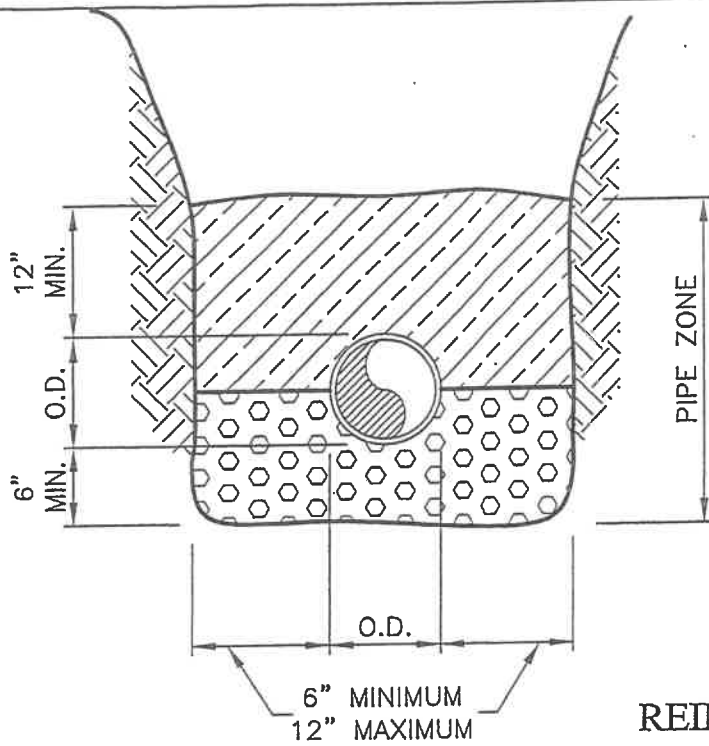
1. DURING COLD WEATHER MONTHS PROVIDE AND MAINTAIN A TEMPORARY BITUMINOUS COLD PATCH SURFACE UNTIL WEATHER PERMITS HOT ASPHALT PAVING
2. THE TOWNSHIP MUST BE NOTIFIED 24 HOURS IN ADVANCE OF ROAD OPENING AND SURFACING

BCBC BASE COURSE SHALL BE AS THICK AS EXISTING OR 5" MINIMUM, (AFTER COMPACTION) WHICH EVER IS GREATER

BINDER COURSE SHALL BE AS THICK AS EXISTING OR 2" MINIMUM, (AFTER COMPACTION) WHICH EVER IS GREATER

WEARING COURSE SHALL BE AS THICK AS EXISTING OR 1.5" MINIMUM, (AFTER COMPACTION) WHICH EVER IS GREATER

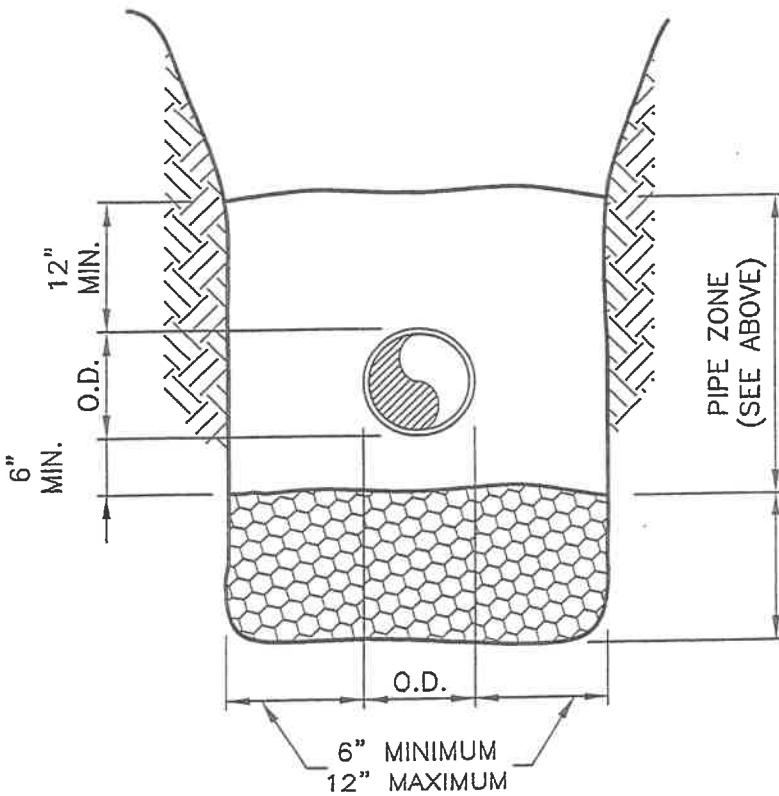
MUDDYCREEK TOWNSHIP ASPHALT PAVEMENT REPLACEMENT STANDARD DETAIL 17



MECHANICALLY COMPACTED
SELECT BACKFILL MATERIAL
OR SPECIAL STONE AS
APPROVED BY THE TWP.
ENGINEER

MECHANICALLY COMPACTED
NO. 57 STONE BEDDING
MATERIAL

**TYPICAL BEDDING
AND PIPE ZONE
REINFORCED CONCRETE PIPE**



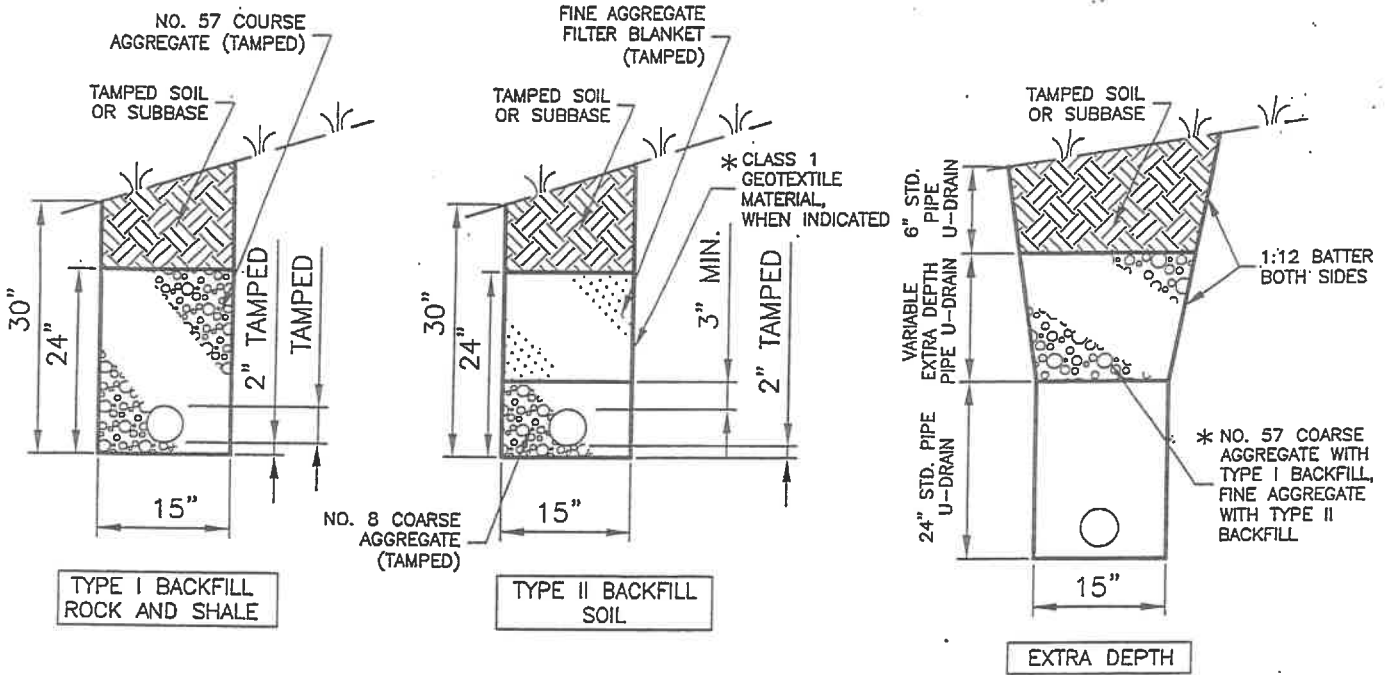
NOTE:

SPECIAL BEDDING MAY BE
REQUIRED BY THE TOWNSHIP
ENGINEER IF FIELD
CONDITIONS OR LOADS
WARRANT THE ADDITIONAL
BEDDING

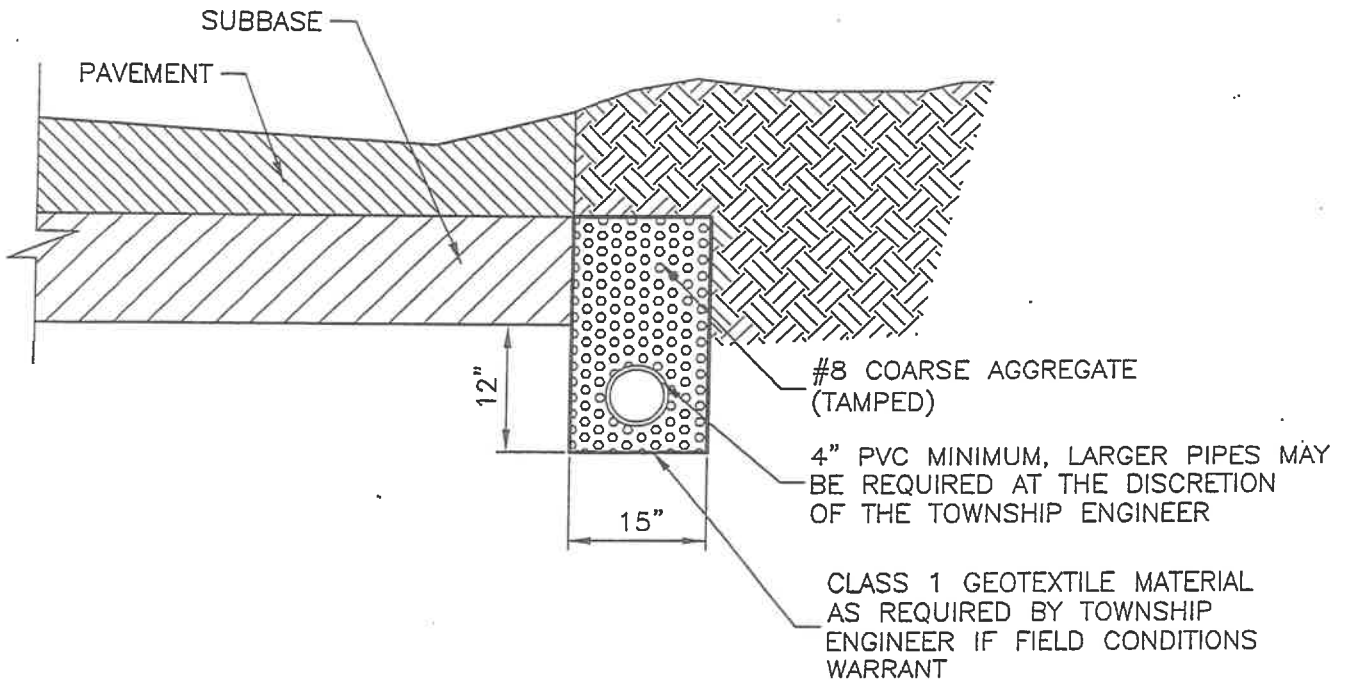
O.D. + 24" SPECIAL
BEDDING AS PER TWP.
ENGINEER

SPECIAL BEDDING

**MUDDYCREEK TOWNSHIP
TYPICAL PAVEMENT REPLACEMENT
STANDARD DETAIL 18**

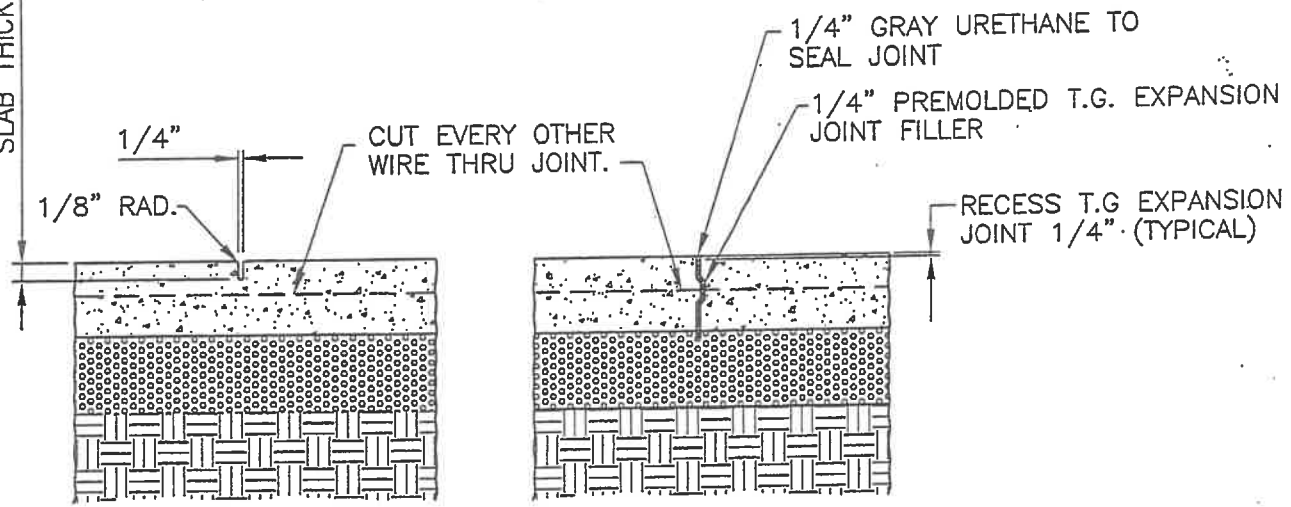


* WHEN GEOTEXTILE MATERIAL IS USED FOR TYPE II BACKFILL, REPLACE FINE AGGREGATE FILTER BLANKET WITH EQUIVALENT DEPTH OF NO. 8 COARSE AGGREGATE.



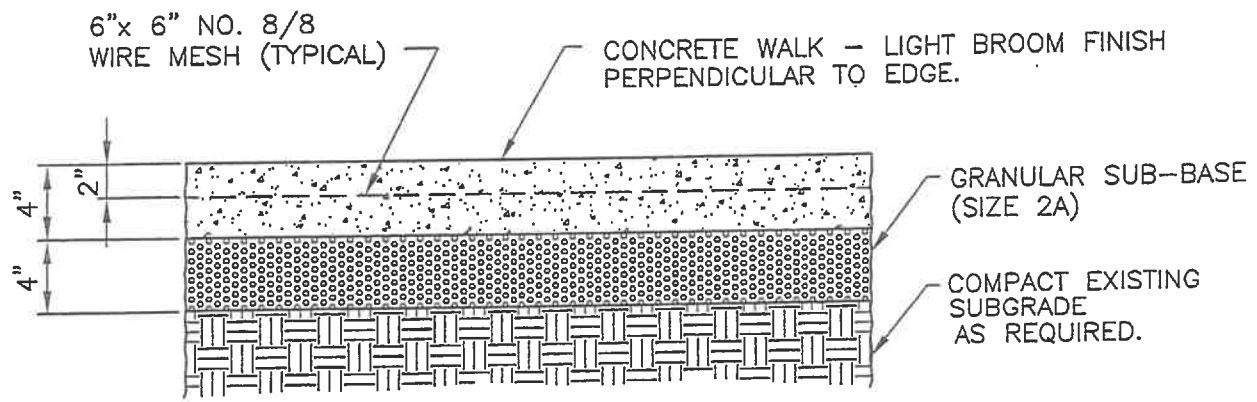
MUDDYCREEK TOWNSHIP
 PIPE UNDERDRAIN, PAVEMENT BASE DRAIN
 STANDARD DETAIL 19

1/4 OF TOTAL CONCRETE SLAB THICKNESS.

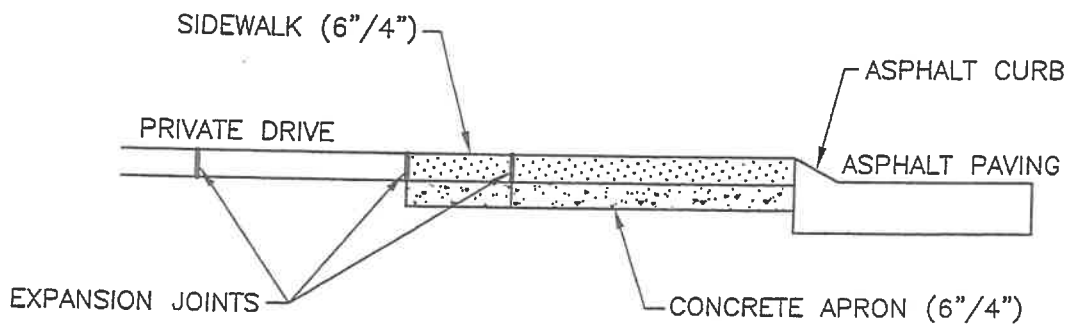
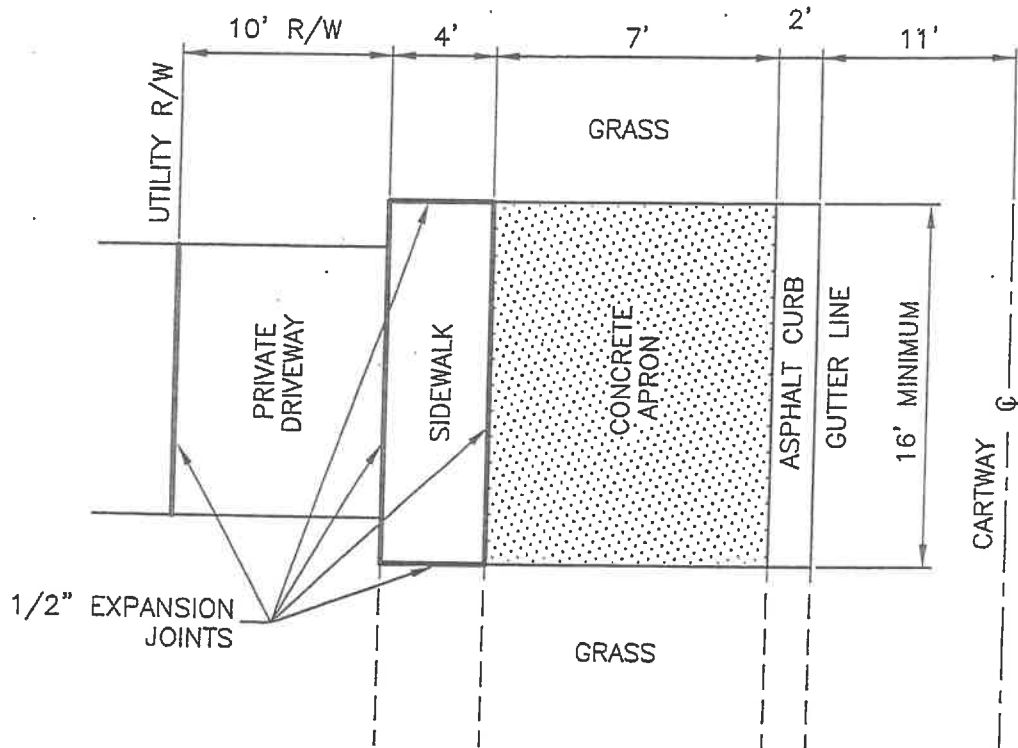


CONTROL JOINT
(SPACED EVERY 5' TO 7')

EXPANSION JOINT
(SPACED EVERY 20'-0")



**MUDDYCREEK TOWNSHIP
CONCRETE SIDEWALK
STANDARD DETAIL 20**



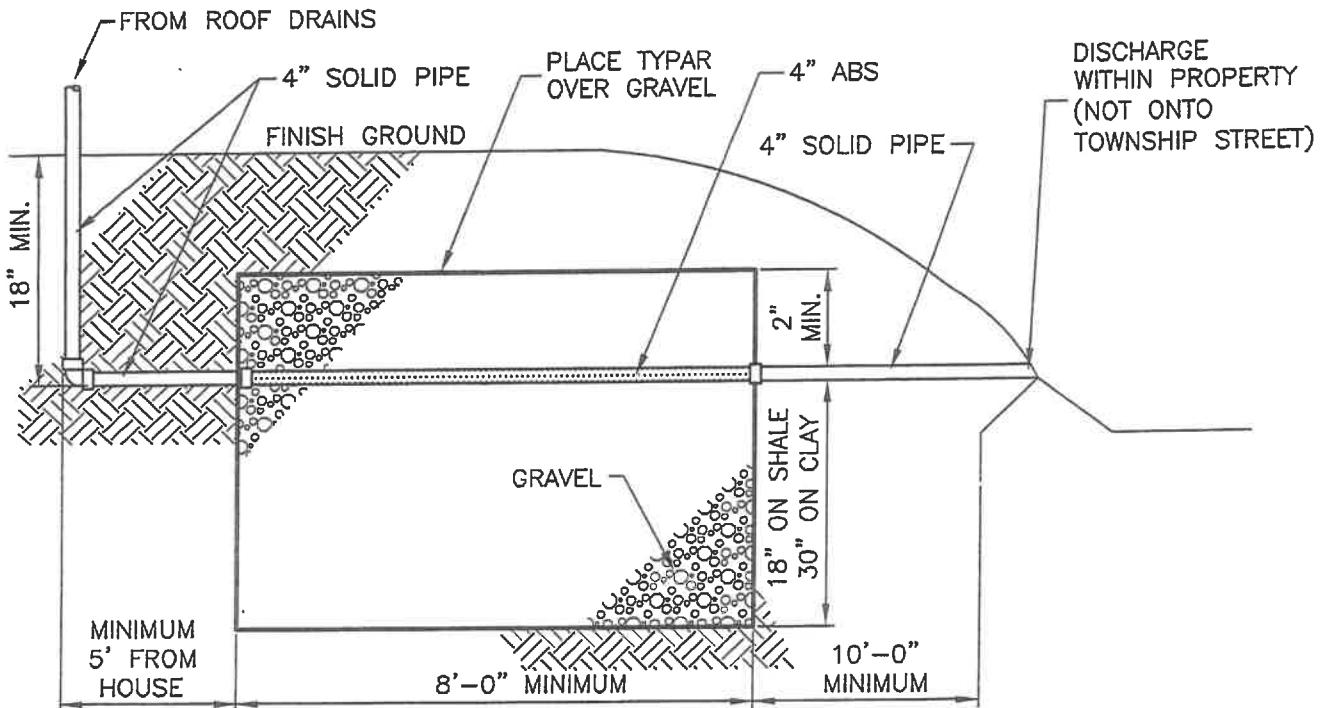
NOTE:

1. SIDEWALK TO HAVE STIFF BROOM FINISH WITH TROWELED EDGES.
2. PROVIDE 1/2" EXPANSION JOINT AT NEW SIDEWALK ABUTTING EXISTING SIDEWALK.
3. THE CONCRETE APRON SHALL BE 6" THICK CONCRETE ON A 4" COMPACTED STONE BASE, 4000 PSI CONCRETE WITH 10X10X10 MESH IN APRON AND SIDEWALK.
4. SIDEWALK MAY BE LOWERED IN VICINITY OF APRON SO THAT AN ORDERLY TRANSITION IS POSSIBLE.
5. THE DRIVEWAY SHALL NOT EXCEED 10%
6. THE DEPRESSED SIDEWALK IS NOT TO EXCEED 1/4" PER FOOT LONGITUDINALLY.

MUDDYCREEK TOWNSHIP
CONCRETE DRIVEWAY/SIDEWALK APRON
STANDARD DETAIL 21

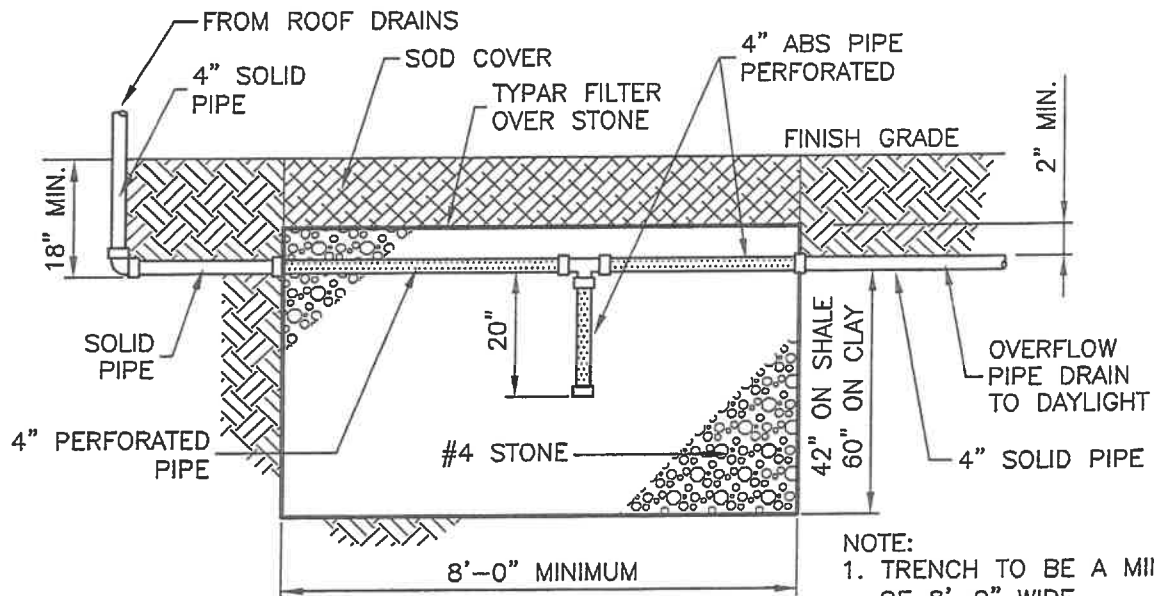
M:\Projects\2006\200665A\200665A.dwg, 9/15/2006, 2:43 PM, OLSEN & ASSOCIATES, LLC

H:\2006\200655A\DETAILS\SD-2-22.dwg, SD 22, 3/2007 3.06.08 PJA, Olsen & Associates, LLC



FRONT OF HOUSE

- NOTE:
1. TRENCH TO BE A MINIMUM OF 8'-0" WIDE
 2. ALL PIPE SHALL BE 4" ABS PIPE



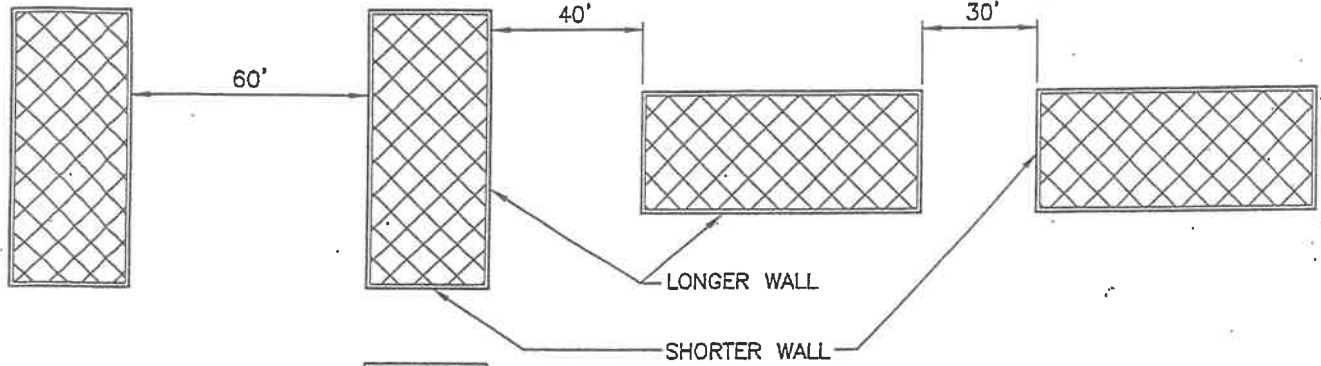
REAR OF HOUSE

- NOTE:
1. TRENCH TO BE A MINIMUM OF 8'-0" WIDE
 2. ALL PIPE SHALL BE 4" ABS PIPE

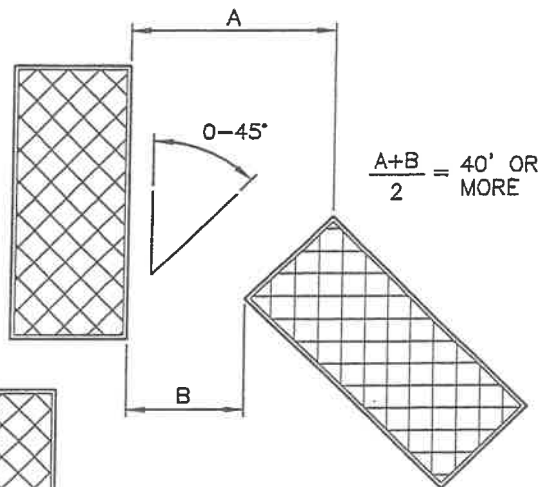
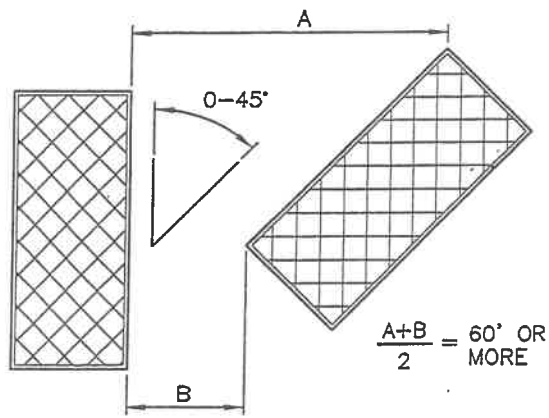
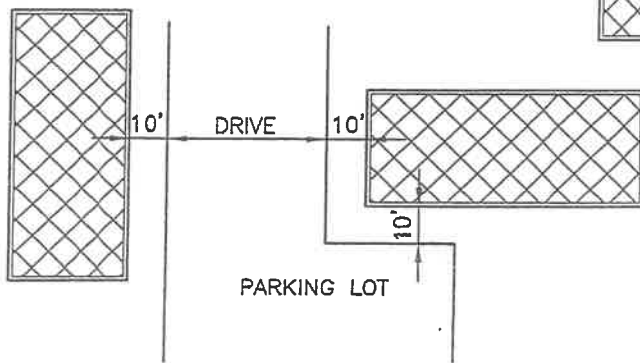
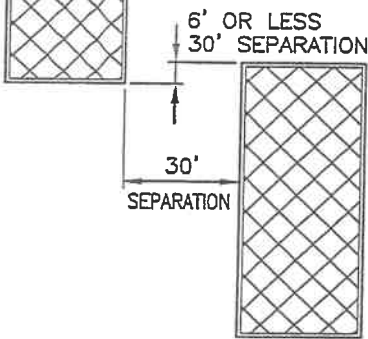
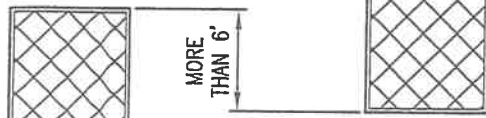
**MUDDY CREEK TOWNSHIP
ROOF DRAIN SUMPS/SINGLE FAMILY DWELLING
STANDARD DETAIL 22**



OLSEN & ASSOCIATES, LLC
PROJECT NO. 200665A



60' SEPARATION, OR
40' IF SHORTER WALL
ON ONE BUILDING



MUDDYCREEK TOWNSHIP

MINIMUM SEPERATION OF MULTI-FAMILY DWELLINGS STANDARD DETAIL 23

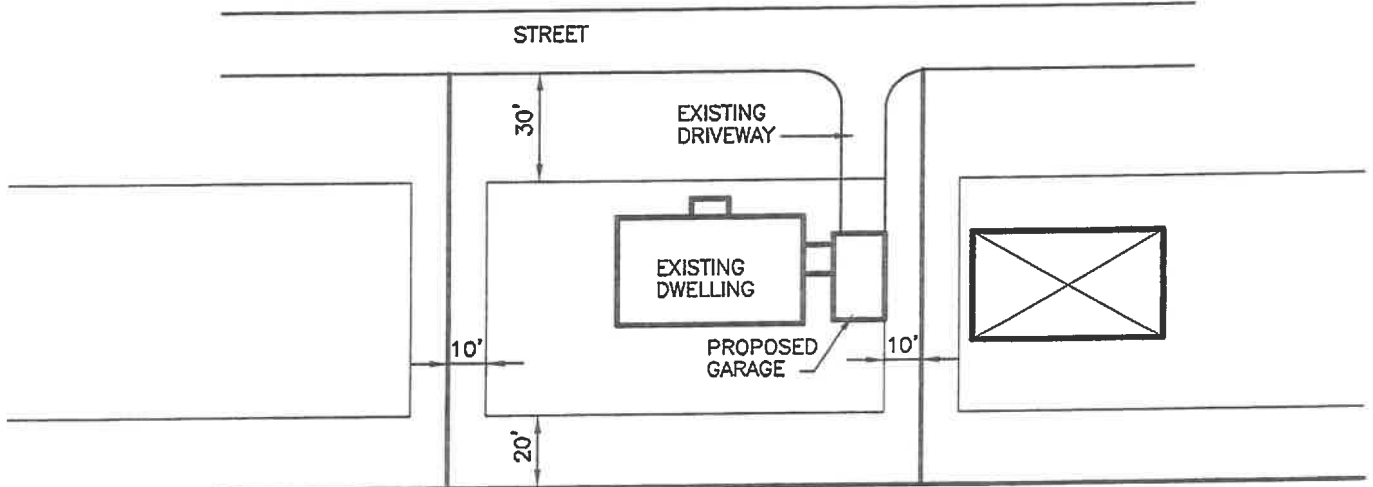
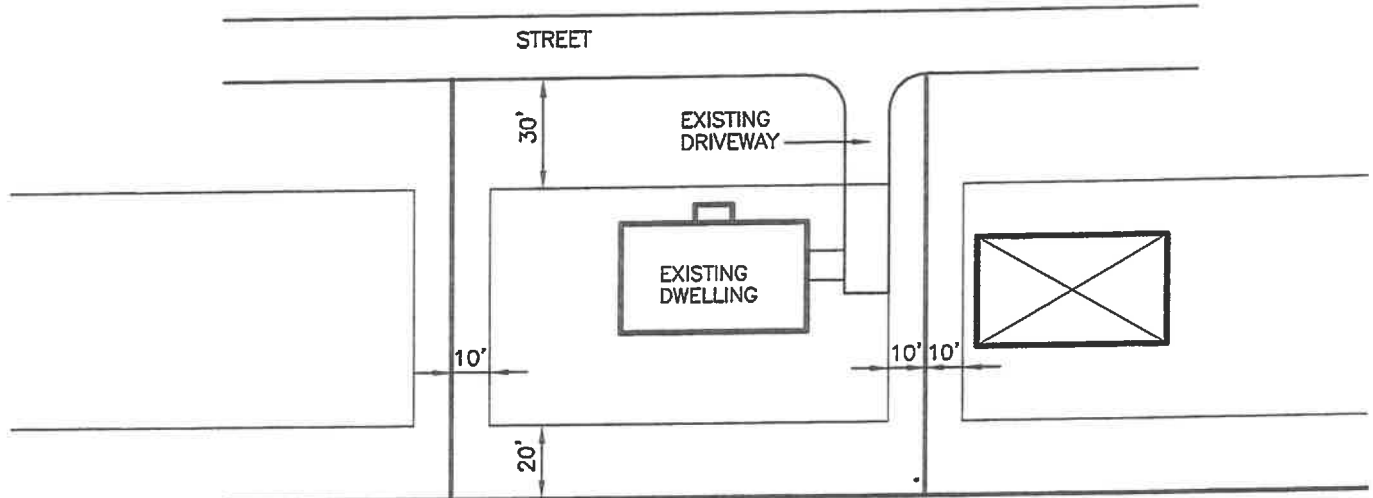


OLSEN & ASSOCIATES, LLC

PROJECT NO. 200665A

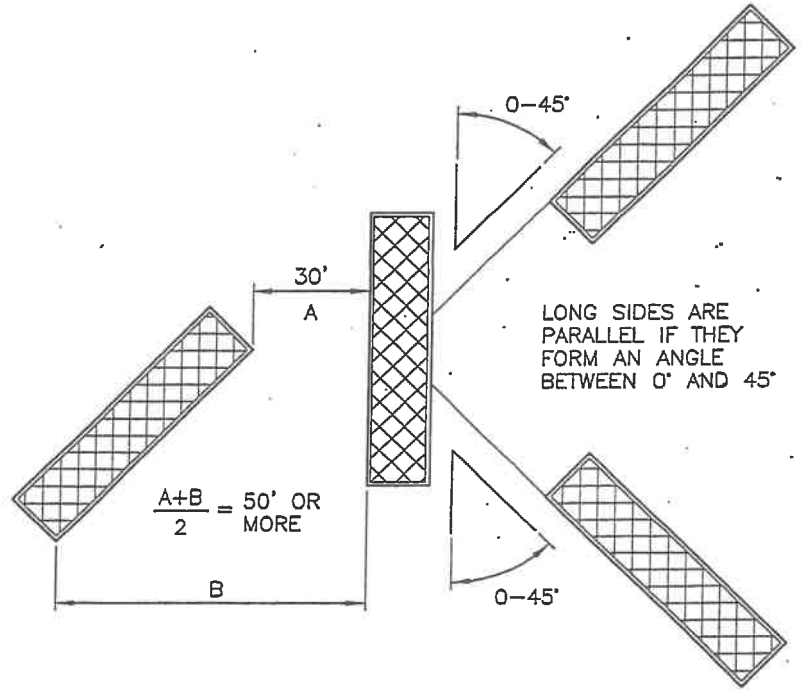
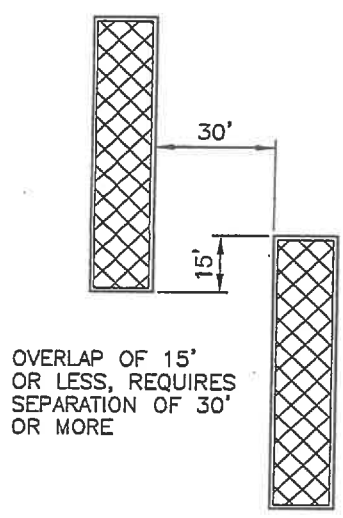
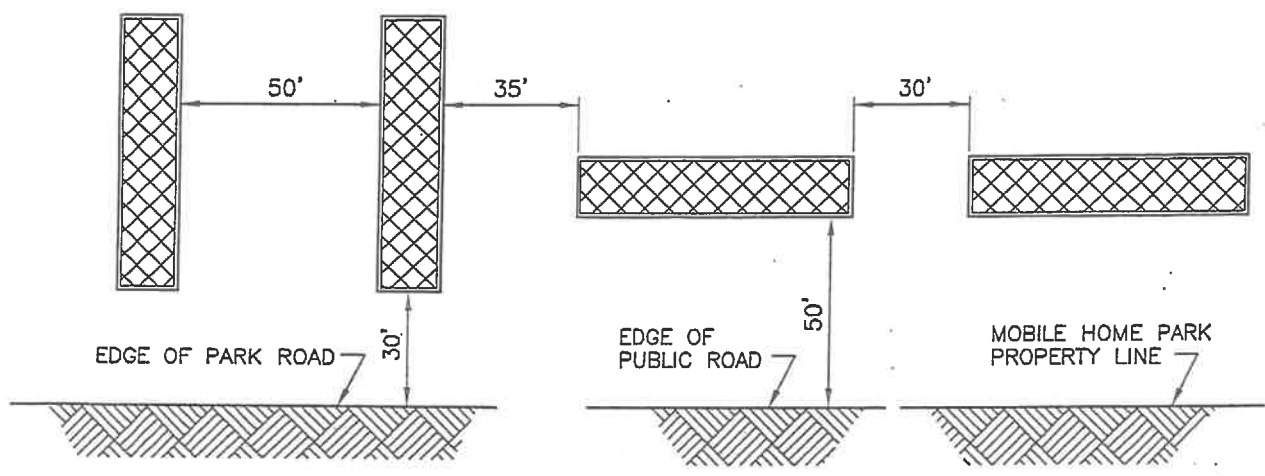
M:\2006\200665A\DETAIL 23_9/5/2006 8:30 PM, Olsen & Associates, LLC

I:\2006\200665A\DETAIL\SD23-25.dwg, DFT: 24, 3/2007 3:07:4 PM, Olsen & Associates, I.C.



MUDDY CREEK TOWNSHIP
SET BACKS
STANDARD DETAIL 24

M:\Projects\200665A\DETAIL 25, 9/7/2008 . . . 3: 8 PM, Olsen & Associates, LLC



MUDDYCREEK TOWNSHIP
MINIMUM SEPERATION OF MOBILE HOMES
STANDARD DETAIL 25

APPENDIX B

SUBDIVISION FORMS

APPENDIX B
CERTIFICATES

The certificates listed in this Appendix shall be inscribed substantially as stated, and shall be properly signed in ink and attested when the plan is submitted for review or approval.

B-01. INDIVIDUAL ADOPTION, DEDICATION, AND RELEASE.

KNOW ALL MEN BY THESE PRESENTS, that (I or We) (Name of Owner or Owners) of the (City, Borough, Township) of County of _____, Commonwealth of Pennsylvania, for (myself, ourselves), (my, our) heirs, executors, administrators and assigns, do hereby adopt this as (my, our) Plan of Lots of (my, our) property, situate in the Township of Muddy Creek, County of Butler, Commonwealth of Pennsylvania, and for divers advantages accruing to (me, us), do hereby irrevocably dedicate forever, for public use for highway, drainage, sewage and utility purposes, all streets and other public property identified for dedication on the plan to the public. Any future acceptance of said public streets or property by the Commonwealth of Pennsylvania, County of Butler or Township of Muddy Creek, (I or We) (Name of Owner or Owners) hereby covenant and agree to and by these presents do release and forever discharge said Commonwealth of Pennsylvania, County of Butler, and Township of Muddy Creek, their successors or assigns from any liability for damages arising and to arise from any appropriation of said ground for public highways and other public uses, and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon (Name of Owner or Owners) (my, our) heirs, executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I or We) hereunto set (my, our) hand(s) and seal(s) this _____ day of _____, 20____.

ATTEST:

Notary Public
My commission expires:

Owner or Owners

I/we, (Name of Individual Owner or Owners), fully understanding and agree that the approval of the Board of Supervisors of the Township of Muddy Creek, if hereto attached, will become null and void unless this plan is recorded in the Recorder of Deeds Office of Butler County, County Court House, Butler, Pennsylvania, within ninety (90) days of date of said approval.

Owner or Owners

B-02. INDIVIDUAL ACKNOWLEDGMENT.

COMMONWEALTH OF PENNSYLVANIA }
 } ss:
COUNTY OF BUTLER }

Before me, the subscriber, a Notary Public in and for said Commonwealth and County, personally appeared _____, who being duly sworn according to law, deposes and says that he/she is the _____ of the property shown on this plan, that the plan thereof was made at his/her direction, that he/she acknowledges the same to be his/her act and deed, and that he/she desires the same to be recorded as such.

WITNESS MY HAND AND NOTARIAL SEAL this day _____ of _____,
20__.

Notary Public

My Commission Expires:
SEAL

B-03. CORPORATION ADOPTION, DEDICATION, AND RELEASE.

KNOW ALL MEN BY THESE PRESENTS:

That (Name of Corporation), a corporation incorporated under the law of the Commonwealth of Pennsylvania, by virtue of a Resolution of its Board of Directors, does hereby adopt this plan as its Plan of Lots of its property situate in the Township of Muddy Creek, County of Butler, Commonwealth of Pennsylvania, and for divers advantages accruing to it, does hereby irrevocably dedicate, forever, for public use for highway, drainage, sewage and utility purposes, all streets and other public property identified for dedication on the plan to the public. Any future acceptance of said public streets or property by the Commonwealth of Pennsylvania, County of Butler or Township of Muddy Creek, (Name of Corporation) hereby covenants and agrees to and by these presents does release and forever discharge said Commonwealth of Pennsylvania, County of Butler, and Township of Muddy Creek, their successors or assigns from any liability for damages arising and to arise from any appropriation of said ground for public highways and other public uses, and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon, (Name of Corporation), its successors and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, said Corporation has caused its Corporate Seal to be affixed by the hand of its President and same to be attested by its Secretary, this _____ day of _____, 20__.

ATTEST:

Name of Corporation SEAL

Secretary

President

(Name of Corporation) fully understands and agrees that the approval of the Board of Supervisors of the Township of Muddy Creek, if hereto attached, will become null and void unless this plan is recorded in the Recorder of Deeds Office of Butler County, Court House, Butler, Pennsylvania, within ninety (90) days of date of said approval.

Name of Corporation SEAL

(President)

B-04. CORPORATION ACKNOWLEDGMENT.

COMMONWEALTH OF PENNSYLVANIA }
} ss:
COUNTY OF BUTLER }

Before me, the subscriber, a Notary Public in and for said Commonwealth and County, personally appeared (Name and Title of Officer) of the (Name of Corporation), who being duly sworn according to law, deposes and says that the corporation is the _____ of the property shown on this plan, that he/she is authorized to execute said plan on behalf of the corporation, that said plan is the act and deed of the corporation, and that the corporation desires said plan be recorded as such.

(Name of Officer)
(Title of Officer)

Sworn to and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL this _____ day of _____, 20____.

Notary Public

SEAL
My Commission Expires:

B-05. CERTIFICATE OF TITLE – NO MORTGAGE.

I/we (Name of Owners), do hereby certify that the title to the property shown hereon is in the name of _____ and is recorded in Deed Book Volume _____, Page _____, or Instrument No. _____.

I/we further certify that there is no mortgage, lien or other encumbrance against this property.

WITNESS:

OWNERS:

B-06. CERTIFICATE OF TITLE – MORTGAGE CLAUSE.

I/we, (Name of Owners) do hereby certify that the title to the property shown hereon is in the name of _____ and is recorded in Deed Book Volume _____, Page _____, or Instrument No. _____, and there is a mortgage on the property held by _____.

WITNESS:

OWNERS:

Name of Mortgagee, mortgagee of the property contained in the (name of the plan) consents to the recording of said plan and to the dedications and all other matters appearing on the plan.

WITNESS:

MORTGAGEE

Printed Name
Title

B-07. TOWNSHIP PLANNING COMMISSION RECOMMENDATION FOR APPROVAL.

This plan has been recommended for approval by the Planning Commission of the Township of Muddy Creek, Butler County, Commonwealth of Pennsylvania on this _____ day of _____, 20__.

ATTEST:

Secretary

Chairman

B-08. BOARD OF SUPERVISORS FINAL APPROVAL CERTIFICATE.

The Board of Supervisors of the Township of Muddy Creek hereby gives public notice that it is approving this plan for recording purposes only. The Board of Supervisors has not accepted dedication of any streets, lands or public facilities and has no obligation, legal or otherwise, to improve or maintain such streets, lands or public facilities.

This plan approved by action of the Board of Supervisors of the Township of Muddy Creek, Butler County, Pennsylvania on this _____ day of _____, 20__.

ATTEST:

 Secretary, Board of Supervisors

 Chairman,
 Board of Supervisors

SEAL

B-09 BUTLER COUNTY PLANNING COMMISSION CERTIFICATE.

Reviewed with or without comments by the Butler County Planning Commission this _____ day of _____, 20__.

SEAL

 Director

B-10. PROOF OF RECORDING.

COMMONWEALTH OF PENNSYLVANIA }
 } ss
 COUNTY OF BUTLER }

Recorded in the office for the recording of deeds, plats, etc., in said County, at Instrument Number _____.

Given under my hand and seal this _____ day of _____, A.D. 20__.

 Recorder

B-11. PROFESSIONAL LAND SURVEYOR CERTIFICATE.

I, _____, a Professional Land Surveyor of the Commonwealth of Pennsylvania, do hereby certify that this plan shown hereon is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown, that the monuments and markers as shown on the plat have been set, and to the best of my knowledge, that this plan correctly represents the lots, lands, streets, and highways as surveyed and plotted by me for the owners or agents.

SEAL

Surveyor's Name
Surveyor's Registration No.

Date: _____

B-12. DEVELOPER'S ACCEPTANCE OF RESPONSIBILITY FOR STORMWATER DRAINAGE FACILITIES AND CONTROL OF STORMWATER DRAINAGE.

Know All Men by These Presents, that that (I or We), (Name of Owner or Owners), of the (City, Borough, Township) of County of _____, Commonwealth of Pennsylvania, for ourselves, our heirs, executors, administrators and assigns, and for our grantees and their subsequent purchasers, do hereby accept full and complete responsibility, liability, expense and provision of facilities for the control of stormwater drainage over, across and through this plan of lots until such time as (I or We), our heirs, executors, administrators and assigns construct stormwater drainage facilities in accordance with Township's specifications and requirements and the same is officially accepted by action of the Board of Supervisors of Muddy Creek Township, and until such formal acceptance (I or We) for ourselves, our heirs, executors, administrators, and assigns do hereby release the Township of Muddy Creek from any responsibility in connection therewith. This acceptance of responsibility shall be binding upon our heirs, executors, administrators and assigns, and all purchasers of lots in this plan of subdivision.

IN WITNESS WHEREOF, (I or We) hereunto set (my, our) hand(s) and seal(s) this _____ day of _____, 20____.

ATTEST:

Notary Public
My commission expires:

Owner or Owners

B-13. PRIVATE ROAD/STREET NOTICE.

1. A private road/street, to be known as _____, is hereby established as shown on this plan. The private road/street is not intended as a public road/street, has not been dedicated for public use and has not been accepted as a public road/street by Muddy Creek Township.
2. The private road/street as shown on this plan shall be the exclusive means of vehicular and/or pedestrian entry, egress and regress to/from Lots _____ and _____, inclusive.
3. The costs and/or expenses associated with the construction and/or perpetual reconstruction, maintenance, repair and/or grading of the private road/street shall be the sole responsibility of the owner(s) of Lots _____, and _____, inclusive, on a shared and equal prorated basis.

OR

Once constructed and opened by the Developer, the costs and/or expenses associated with the perpetual reconstruction, maintenance, repair and/or grading of the private road/street shall be the sole responsibility of the owner(s) of Lots _____, and _____, inclusive, on a shared and equal prorated basis.

4. As a condition to approving this plan, Muddy Creek Township requires that Developer execute a Declaration of Covenants for private road/street, construction, use, and perpetual maintenance and repair, approved in advance by the Board of Supervisors. Developer shall record the Declaration in the Office of the Recorder of Deeds, Butler County, Pennsylvania, and make the Declaration a part of and attached it to all deeds of conveyance of title to Lots _____ and _____, inclusive.
5. As a condition to approving this plan, no further subdivision or development of Lots _____, and _____, inclusive, which will result in a new building lot accessing the private road/street, or extension of the private road/street as shown on this plan shall be permitted or approved unless the private road/street is paved for its full length and width, brought into compliance with all the requirements of the Muddy Creek Township Subdivision Ordinance, as amended, and dedicated for public use.
6. Final approval of this plan does NOT obligate or require Muddy Creek Township to construct, reconstruct, maintain, repair, and/or grade the private road/street hereby established.

APPENDIX B

SUBDIVISION FORMS

APPENDIX B

CERTIFICATES

The certificates listed in this Appendix shall be inscribed substantially as stated, and shall be properly signed in ink and attested when the plan is submitted for review or approval.

B-01. INDIVIDUAL ADOPTION, DEDICATION, AND RELEASE.

KNOW ALL MEN BY THESE PRESENTS, that (I or We) (Name of Owner or Owners) of the (City, Borough, Township) of County of _____, Commonwealth of Pennsylvania, for (myself, ourselves), (my, our) heirs, executors, administrators and assigns, do hereby adopt this as (my, our) Plan of Lots of (my, our) property, situate in the Township of Muddy Creek, County of Butler, Commonwealth of Pennsylvania, and for divers advantages accruing to (me, us), do hereby irrevocably dedicate forever, for public use for highway, drainage, sewage and utility purposes, all streets and other public property identified for dedication on the plan to the public. Any future acceptance of said public streets or property by the Commonwealth of Pennsylvania, County of Butler or Township of Muddy Creek, (I or We) (Name of Owner or Owners) hereby covenant and agree to and by these presents do release and forever discharge said Commonwealth of Pennsylvania, County of Butler, and Township of Muddy Creek, their successors or assigns from any liability for damages arising and to arise from any appropriation of said ground for public highways and other public uses, and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon (Name of Owner or Owners) (my, our) heirs, executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I or We) hereunto set (my, our) hand(s) and seal(s) this _____ day of _____, 20__.

ATTEST:

Notary Public
My commission expires:

Owner or Owners

I/we, (Name of Individual Owner or Owners), fully understanding and agree that the approval of the Board of Supervisors of the Township of Muddy Creek, if hereto attached, will become null and void unless this plan is recorded in the Recorder of Deeds Office of Butler County, County Court House, Butler, Pennsylvania, within ninety (90) days of date of said approval.

Owner or Owners

(Name of Corporation) fully understands and agrees that the approval of the Board of Supervisors of the Township of Muddy Creek, if hereto attached, will become null and void unless this plan is recorded in the Recorder of Deeds Office of Butler County, Court House, Butler, Pennsylvania, within ninety (90) days of date of said approval.

 Name of Corporation SEAL

 (President)

B-04.CORPORATION ACKNOWLEDGMENT.

COMMONWEALTH OF PENNSYLVANIA }
 } ss:
 COUNTY OF BUTLER }

Before me, the subscriber, a Notary Public in and for said Commonwealth and County, personally appeared (Name and Title of Officer) of the (Name of Corporation), who being duly sworn according to law, deposes and says that the corporation is the _____ of the property shown on this plan, that he/she is authorized to execute said plan on behalf of the corporation, that said plan is the act and deed of the corporation, and that the corporation desires said plan be recorded as such.

 (Name of Officer)
 (Title of Officer)

Sworn to and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL this _____ day of _____, 20_____.

 Notary Public

SEAL
 My Commission Expires:

B-05. CERTIFICATE OF TITLE – NO MORTGAGE.

I/we (Name of Owners), do hereby certify that the title to the property shown hereon is in the name of _____ and is recorded in Deed Book Volume _____, Page _____, or Instrument No. _____.

I/we further certify that there is no mortgage, lien or other encumbrance against this property.

WITNESS:

OWNERS:

B-06. CERTIFICATE OF TITLE – MORTGAGE CLAUSE.

I/we, (Name of Owners) do hereby certify that the title to the property shown hereon is in the name of _____ and is recorded in Deed Book Volume _____, Page _____, or Instrument No. _____, and there is a mortgage on the property held by _____.

WITNESS:

OWNERS:

Name of Mortgagee, mortgagee of the property contained in the (name of the plan) consents to the recording of said plan and to the dedications and all other matters appearing on the plan.

WITNESS:

MORTGAGEE

Printed Name
Title

B-07. TOWNSHIP PLANNING COMMISSION RECOMMENDATION FOR APPROVAL.

This plan has been recommended for approval by the Planning Commission of the Township of Muddy Creek, Butler County, Commonwealth of Pennsylvania on this _____ day of _____, 20__.

ATTEST:

Secretary

Chairman

B-08. BOARD OF SUPERVISORS FINAL APPROVAL CERTIFICATE.

The Board of Supervisors of the Township of Muddy Creek hereby gives public notice that it is approving this plan for recording purposes only. The Board of Supervisors has not accepted dedication of any streets, lands or public facilities and has no obligation, legal or otherwise, to improve or maintain such streets, lands or public facilities.

This plan approved by action of the Board of Supervisors of the Township of Muddy Creek, Butler County, Pennsylvania on this _____ day of _____, 20__.

ATTEST:

Secretary, Board of Supervisors

Chairman,
Board of Supervisors

SEAL

B-09 BUTLER COUNTY PLANNING COMMISSION CERTIFICATE.

Reviewed with or without comments by the Butler County Planning Commission this _____ day of _____, 20__.

SEAL

Director

B-10. PROOF OF RECORDING.

COMMONWEALTH OF PENNSYLVANIA }
 } ss
COUNTY OF BUTLER }

Recorded in the office for the recording of deeds, plats, etc., in said County, at Instrument Number _____.

Given under my hand and seal this _____ day of _____, A.D. 20__.

Recorder

B-11. PROFESSIONAL LAND SURVEYOR CERTIFICATE.

I, _____, a Professional Land Surveyor of the Commonwealth of Pennsylvania, do hereby certify that this plan shown hereon is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown, that the monuments and markers as shown on the plat have been set, and to the best of my knowledge, that this plan correctly represents the lots, lands, streets, and highways as surveyed and plotted by me for the owners or agents.

SEAL

Surveyor's Name
Surveyor's Registration No.

Date: _____

B-12. DEVELOPER'S ACCEPTANCE OF RESPONSIBILITY FOR STORMWATER DRAINAGE FACILITIES AND CONTROL OF STORMWATER DRAINAGE.

Know All Men by These Presents, that that (I or We), (Name of Owner or Owners), of the (City, Borough, Township) of County of _____, Commonwealth of Pennsylvania, for ourselves, our heirs, executors, administrators and assigns, and for our grantees and their subsequent purchasers, do hereby accept full and complete responsibility, liability, expense and provision of facilities for the control of stormwater drainage over, across and through this plan of lots until such time as (I or We), our heirs, executors, administrators and assigns construct stormwater drainage facilities in accordance with Township's specifications and requirements and the same is officially accepted by action of the Board of Supervisors of Muddy Creek Township, and until such formal acceptance (I or We) for ourselves, our heirs, executors, administrators, and assigns do hereby release the Township of Muddy Creek from any responsibility in connection therewith. This acceptance of responsibility shall be binding upon our heirs, executors, administrators and assigns, and all purchasers of lots in this plan of subdivision.

IN WITNESS WHEREOF, (I or We) hereunto set (my, our) hand(s) and seal(s) this _____ day of _____, 20____.

ATTEST:

Notary Public
My commission expires:

Owner or Owners

B-13. PRIVATE ROAD/STREET NOTICE.

1. A private road/street, to be known as _____, is hereby established as shown on this plan. The private road/street is not intended as a public road/street, has not been dedicated for public use and has not been accepted as a public road/street by Muddy Creek Township.
2. The private road/street as shown on this plan shall be the exclusive means of vehicular and/or pedestrian entry, egress and regress to/from Lots _____ and _____, inclusive.
3. The costs and/or expenses associated with the construction and/or perpetual reconstruction, maintenance, repair and/or grading of the private road/street shall be the sole responsibility of the owner(s) of Lots _____ and _____, inclusive, on a shared and equal prorated basis.

OR

Once constructed and opened by the Developer, the costs and/or expenses associated with the perpetual reconstruction, maintenance, repair and/or grading of the private road/street shall be the sole responsibility of the owner(s) of Lots _____ and _____, inclusive, on a shared and equal prorated basis.

4. As a condition to approving this plan, Muddy Creek Township requires that Developer execute a Declaration of Covenants for private road/street, construction, use, and perpetual maintenance and repair, approved in advance by the Board of Supervisors. Developer shall record the Declaration in the Office of the Recorder of Deeds, Butler County, Pennsylvania, and make the Declaration a part of and attached it to all deeds of conveyance of title to Lots _____ and _____, inclusive.
5. As a condition to approving this plan, no further subdivision or development of Lots _____ and _____, inclusive, which will result in a new building lot accessing the private road/street, or extension of the private road/street as shown on this plan shall be permitted or approved unless the private road/street is paved for its full length and width, brought into compliance with all the requirements of the Muddy Creek Township Subdivision Ordinance, as amended, and dedicated for public use.
6. Final approval of this plan does NOT obligate or require Muddy Creek Township to construct, reconstruct, maintain, repair, and/or grade the private road/street hereby established.