

**BETHEL TOWNSHIP SUBDIVISION ORDINANCE**

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## TABLE OF CONTENTS

### ARTICLE I PURPOSES AND INTERPRETATION

- Section 100 Purposes
- Section 101 Interpretation
- Section 102 Severability
- Section 103 Jurisdiction

### ARTICLE II SHORT TITLE

- Section 200 Short Title

### ARTICLE III DEFINITIONS

- Section 300 Definitions

### ARTICLE IV CONTROL OF SUBDIVISIONS AND LAND DEVELOPMENTS

- Section 400 Control of Subdivisions and Land Development
- Section 401 The Effect of Land Development
- Section 402 Recording of Final Plans, and Dedications of Property and Improvements

### ARTICLE V GENERAL PROCEDURE AND JURSDICTION

- Section 500 Plan Approving Authority
- Section 501 Submittal of Plans
- Section 502 Review of Plans
- Section 503 Approval of Plans
- Section 504 Waiver or Modification of Requirements
- Section 505 Fees

### ARTICLE VI VOLUNTARY PREAPPLICATION CONSULTATION

- Section 600 Consultation with Board of Supervisors
- Section 601 Sketch Plan Submission

### ARTICLE VII PRELIMINARY PLANS

- Section 700 Plan Requirements
- Section 701 Review Procedure

### ARTICLE VIII FINAL RECORD PLANS

- Section 800 Plan Requirements
- Section 801 Review Procedure

### ARTICLE IX MOBILEHOME PARK REGULATIONS

- Section 900 Procedure

- Section 901 Plan Requirements
- Section 902 Renewable Mobilehome Park Permits and Registers
- Section 903 Lot Requirements
- Section 904 Yard and Setback Requirements
- Section 905 Park Street System
- Section 906 Required Off-street Parking
- Section 907 Utility Improvements
- Section 908 Usable Open Space
- Section 909 Buffer Strip
- Section 910 Walkways
- Section 911 Other Site Improvements
- Section 912 Park Areas for Non-Residential

#### ARTICLE X DESIGN STANDARDS

- Section 1000 Application
- Section 1001 General Standards
- Section 1002 Blocks and Streets
- Section 1003 Streets, Alleys and Sidewalks
- Section 1004 Public Facilities

#### ARTICLE XI IMPROVEMENT STANDARDS

- Section 1100 Construction of Improvements
- Section 1101 Guarantee of Improvement Completion
- Section 1102 Release From Improvement Bond
- Section 1103 Remedies to Effect Completion of Improvements
- Section 1104 Standards for Monuments and Markers
- Section 1105 Standards for Curbs and Gutters
- Section 1106 Standards for Streets
- Section 1107 Standards for Sidewalks
- Section 1108 Standards for Sewer and Water Systems
- Section 1109 Standards for Storm Drainage
- Section 1110 Erosion and Sedimentation Control Standards and Specifications

#### ARTICLE XII PENALTIES

- Section 1200 Penalties

#### ARTICLE XIII EFFECTIVE DATE: AMENDMENTS: REPEALER

- Section 1300 Effective Date
- Section 1301 Amendments
- Section 1302 Repealer
- Section 1303 Enactment

AN ORDINANCE REGULATING THE SUBDIVISION AND DEVELOPMENT OF LAND WITHIN BETHEL TOWNSHIP, FULTON COUNTY, PENNSYLVANIA: REQUIRING THE SUBMITTAL OF SUBDIVISION AND LAND DEVELOPMENT PLANS FOR TOWNSHIP REVIEW: PRESCRIBING STANDARDS OF DESIGN, PLAN PROCESSING, IMPROVEMENT AND CONSTRUCTION REQUIREMENTS AND CONDITIONS OF ACCEPTANCE OF PUBLIC IMPROVEMENTS.

The Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, does herein and hereby ordain that an ordinance regulating the subdivision and development of land within Bethel Township, Fulton County, Pennsylvania; requiring the submittal of Subdivision and Land Development plans for Township review; prescribing standards of design, plan requirements, plan processing procedures, improvements and construction requirements, and conditions of acceptance of public improvements, is hereby ordained pursuant to the Pennsylvania Municipalities Planning Code, Act 247 effective January 1, 1969, (P.L. 805 July 31, 1968) as amended.

ARTICLE I

PURPOSES AND INTERPRETATION

Section 100. Purposes. This Ordinance is enacted for the purpose to assure sites suitable for building purposes and human habitation and to provide for the harmonious development of Bethel Township, Fulton County, Pennsylvania; for the coordination of existing streets with proposed streets; for adequate open space for traffic, recreation, light and air, sedimentation control; and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens of Bethel Township, Fulton County, Pennsylvania.

Section 101. Interpretation. The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes. Where the provisions of this Ordinance impose greater restrictions than those of any statute, or ordinance, or regulation, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance, or regulation shall prevail.

Section 102. Severability. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

Section 103. Jurisdiction. The power of the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, to enact, amend and repeal Subdivision, Mobilehome Park and Land Development Regulations shall be limited to land wholly or partly in Bethel Township, Fulton County, Pennsylvania.

## ARTICLE II

### SHORT TITLE

Section 200. Short Title. This Ordinance may be cited as "The Bethel Township, Fulton County, Pennsylvania, Subdivision and Land Development Ordinance of 1982."

## ARTICLE III

### DEFINITIONS

Section 300. Definitions. As used in this Ordinance words in the singular include the plural, and those in the plural include the singular. The word "person" includes corporation, unincorporated association and partnership, as well as an individual. The word "Building" includes the meaning of "Structure" and shall be construed as if followed by the phrase "or part thereof." The following words as used in this Ordinance shall have the meanings indicated below:

1. Accelerated erosion: The removal of surface materials by the action of natural elements caused by man's manipulation of the landscape.
2. Block: An area bounded by streets or proposed streets.
3. Board: The Board of Supervisors of Bethel Township, Fulton County, Pennsylvania.
4. Cartway: The portion of a street right-of-way for vehicular use.
5. Clear-sight distance: line of unobstructed vision from a point four and one-half feet (4-1/2' O") above the centerline of a street to the nearest point on the top of an object four inches (4") high on the same centerline.
6. Clear sight triangle: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street centerlines.
7. County: Fulton County, Pennsylvania
8. County Planning Commission: The Planning Commission of Fulton County, Pennsylvania.

9. Cul-de-sac: A street with access closed at one end and with a vehicular turn-around at the closed end.

10. 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 land development.

11. Drainage: The flow of water or liquid waste and the methods of directing such flow.

12. Dwelling:

a. Dwelling unit: One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy for one (1) family or a single person.

b. Dwelling, single family, detached: A building used by one (1) family, having one (1) dwelling unit and having two (2) side yards.

c. Dwelling single family, semi-detached: A building used by one (1) family, having one (1) side yard, and one (1) party wall in common with another building.

d. Dwelling, single family, attached (rowhouse or townhouse): A building used by one (1) family, and having two (2) party walls in common with other buildings.

e. Dwelling, two family detached: A building used by two (2) families, with one (1) dwelling unit arranged over the other, having two (2) side yards.

f. Dwelling, two family, semi-detached: A building used by two (2) families, with one (1) dwelling unit arranged over the other, having one (1) side yard, and having one (1) party wall in common with another building.

13. Earthmoving activity: any construction or other activity which disturbs the surface of the land including, but not limited to, excavation, embankments, land development, subdivision develop mineral extraction and the moving, depositing, or storing soil, rock, or earth.

14. Easement: A right granted for the use of private land for certain public or quasi-public purposes; also the land to which such right pertains.

15. Engineer, registered: A person duly registered as a professional engineer by the State of Pennsylvania or similarly qualified in other states.

16. Engineer: Township: The Township Engineer or any consultant designated by the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, to review a plan and perform the duties of engineer on behalf of Bethel Township, Fulton County, Pennsylvania.

17. Excavation: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

18. 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 having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this act.

19. Land Development: See "Subdivision."

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

21. Mobilehome Lot: A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome, which is leased by the park owner to the occupants of the mobilehome erected on the lot.

22. Mobilehome Park: a parcel of land under single ownership which has been planned and improved for the placement of mobilehomes for non-transient use, consisting of two (2) or more mobilehome lots.

23. Municipality: Any Township, borough, county or other political subdivision within the Commonwealth of Pennsylvania.

24. Percolation test: It procedure to determine the absorption rate of the soil in an area proposed as the installation site for an on-lot septic system. Such a test will be carried out according to the requirements of the Pennsylvania Department of Environmental Resources and shall be conducted by a Sanitarian approved by the Township.

25. Soils Analysis Test: 1. A procedure to permit visual inspection of geological formations and water table level in an area proposed as the installation site for an on-lot septic system. Such tests will consist of a trench which shall be two feet (2' 0") wide and six feet (6' 0") deep or four feet (4' 0") below the proposed installation level of the septic field, whichever is deeper. Such tests may be referred to as a "Deep probe" or inspection trench and shall be open for inspection by the Sanitarian and the Department of Environmental Resources.

26. Project: A subdivision of land or a land development.

27. Reserve Strip: A parcel of ground in separate ownership separating, a street or road from adjacent properties or from another street.

28. Reserve Frontage Lot: 1t lot extending between and having frontage on two (2) generally parallel streets (excluding service streets), with vehicular access solely from one (1) street.

29. Runoff: The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

30. Runoff from a fully developed area upstream: The surface water runoff that can be reasonably anticipated upon maximum development of that area of the watershed located upstream from the subject tract, as permitted by prevailing zoning or the municipality's comprehensive plan, if such exists.

31. Sanitarian: An individual trained in procedures for inspection and proper installation of on-lot sewage disposal systems.

32. Secretary: The Secretary of the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania.

33. Sedimentation: The process by which mineral or organic material is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

34. Slope: Slopes are to be expressed in a percentage based upon vertical difference in feet per one-hundred feet (100') of horizontal distance.

35. Soil Stabilization: Chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise improve its engineering properties.

36. Street, Public: A strip of land, including the entire right-of-way, intended to be dedicated for use as a means of vehicular and pedestrian circulation by the public at large. Streets are further defined in Section 1003.b.

37. Subdivider: The owner, developer or the authorized agent of the owner of a subdivision or land development.

38. Subdivision: The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lots line for the purpose whether immediate or future, of lease, transfer of ownership or building or lot development including land development such as (i) 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 buildings or mobilehomes, (b) the division or allocation of land or space between or among two (2) or more existing or prospective occupants by



means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features. Provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

39. Surveyor Registered: A person duly registered as a professional surveyor by the State of Pennsylvania.

40. Swale: A low lying stretch of land which gathers or carries surface water runoff.

41. Topsoil: Fertile surface and subsurface soils rich in organic matter or humus debris.

42. Township: Bethel Township, Fulton County, Pennsylvania.

43. Watercourse: A permanent stream, intermittent stream, river, brook, creek, channel or ditch for water, whether natural or manmade.

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

#### ARTICLE IV

#### CONTROL OF SUBDIVISIONS AND LAND DEVELOPMENTS, RECORDING OF PLANS, DEDICATIONS OF PROPERTY AND IMPROVEMENTS

Section 400. Control of Subdivisions and Land Developments. From and after the effective date of this Ordinance no subdivision or development of any lot, tract, or parcel of land within Bethel Township, Fulton County, Pennsylvania, shall be made, and no street, sanitary sewer, storm sewer, water main or other facility 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 strict accordance with the provisions of this Ordinance. No lot in a subdivision or land development may be sold, no building may be erected, and no changes may be made in the contour of the land; no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land may be commenced in a subdivision or land development unless and until a plan for the subdivision or land development has been approved by the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, and recorded, and until the improvements required by the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, in connection therewith have either been constructed in strict accordance with the standards and specifications, of the appropriate municipality or guaranteed as provided in Section 800, g.2., of this Ordinance. Said standards and specifications, particularly as presented in

Article X of this Ordinance are declared to be a minimum guarantee that all streets shown on any proposed plan are of sufficient width and proper grade and so located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide access for fire fighting equipment to buildings and provide a coordinate system of streets conforming to the municipality's Official Plan of streets; and further, that the land whereon buildings are to be constructed is of such character that it can be used for building purposes without danger to health or peril from fire, flood or hazard, that all necessary or required erosion and sedimentation facilities be installed prior to or during the initial phase of construction of the subdivision or land development. Where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship, the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania may, on the basis of an approved preliminary plan, make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot, issuance of a permit, or erection of a building, subject to conditions necessary to assure adequate streets and other public improvements.

Section 401. The Effect of Land Development. If a tract or parcel of land is planned and designed for separate developments or uses, although said tract or parcel remains under single ownership, each such development or use shall contain at least the minimum lot area, setbacks, and yard requirements as stipulated in this Ordinance. In the event the ownership of a particular development or use is to be subdivided for transfer or sale, each subdivision shall contain at least the minimum area, setback and yard requirements.

Section 402 Recording of Final Plans, and Dedication of Property and Improvements. Upon approval of a final plan, the developer shall within ninety (90) days of such final approval record such plan in the office of the Recorder of Deeds of the County, and the streets, parks, erosion and sediment facilities and other public improvements shown thereon shall then be considered to be a part of the Official Plan of the Township in which they are located. Offers of dedication of such public improvements to the Township shall be submitted on a written, recordable document setting forth by metes and bounds the offer; or the owner may note on the plans that such improvements have not been offered for dedication to the Township. Every street, park, erosion and sediment facility or other public improvement shown on a recorded subdivision or land development plan shall be deemed to be a private street, park, or improvement until such time as the same has been accepted by ordinance or resolution by the Township.

## ARTICLE V

### GENERAL PROCEDURE AND JURISDICTION

Section 500. Plan Approving Authority. All subdivision and land development plans shall be subject to approval, modification, or rejection by the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania. In the event such a plan is disapproved the reasons therefore shall be set forth in writing.

Section 501. Submittal of Plans. The subdivider or land developer shall submit preliminary copies

of subdivision plans to the Township Secretary and the Township Secretary shall distribute the required number of copies to the agencies concerned, as provided in Article VII. All plans when first submitted shall be considered preliminary plans. If the subdivider or land developer makes substantial revisions in his plans after they have been approved in preliminary form, such revised plans shall be treated as preliminary plans when resubmitted. Upon approval of the preliminary plans, the subdivider shall submit final plans to the Township Secretary and the Township Secretary shall distribute the required number of copies to the agencies concerned as provided for in Article VIII. Mobilehome park plans shall be reviewed in the same manner as subdivision and land development plans.

**Section 502. Review of Plans.** Subdivision and land development plans shall be reviewed by the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, and either approved or disapproved within ninety (90) days from the date each application is submitted to the Township Secretary.

**Section 503. Approval of Plans; Hearing.** Approval of preliminary plan by the Board of Supervisors shall be considered approval of the arrangement and dimensions of streets, lots and other features shown on the plans and may be made conditionally on specified changes to be incorporated in the plans. The Board of Supervisors' approval of the final plans shall be given only after the requirements and conditions indicated on or in connection with the preliminary plans have been met; and said approval shall constitute final approval for the purpose of recording the plans in the Office of the County Recorder of Deeds. Before acting on any plan, the Board of Supervisors may arrange for a public hearing thereon after giving such notice as it may deem necessary and desirable in each case.

**Section 504. Waiver or Modification of Requirements.** When an entire tract of land is divided into not more than two (2) lots with frontage on a public street of sufficient width, the Board of Supervisors may waive requirements for submittal of preliminary plans upon application of the subdivider and that approval be granted on the basis of the final plan as submitted, provided that all other requirements have been met.

**Section 505. Fees.** At the time of filing a Preliminary or Final Plan the following fees shall be paid by the applicant to the Township.

a. Filing a Preliminary Plan - \$20.00.

b. Filing a Final Plan - \$20.00 plus \$1.00 for each lot or dwelling unit. In addition, the Final Plan shall be accompanied by a check payable to the Township in an amount determined by the Township Supervisors on the recommendation of the Township Engineer and the Township Solicitor to cover the cost of:

1. Reviewing the subdivision plan and engineering details.
2. Inspecting the site for conformance to survey.
3. Preparing cost estimates of required improvements.

4. Inspection of required improvements during installation.
5. Final inspection for completion of installation of required improvements.
6. Administrative and legal services necessary for the processing of the proposed subdivision plan.

## ARTICLE VI

### VOLUNTARY PREAPPLICATION CONSULTATION

Section 600. Consultation with Board of Supervisors. Conferences and any other communications with the Board of Supervisors shall be kept as confidential as possible. Before going ahead with the Preliminary Plan procedure or with steps to acquire land or subdivide, the subdivide or developer should be familiar with these regulations and should consult with the Board of Supervisors about the following factors:

- a. The suitability of the site for development.
- b. The demand for a development of the type proposed in the particular location proposed.
- c. The accessibility of the site.
- d. The availability of public facilities (schools, parks, water, sanitary and storm sewerage, etc.) and public services (police, fire, refuse disposal, etc.).
- e. The effect on the project of any contemplated improvements or the proposals of any comprehensive plan and these regulations.
- f. Sewage facilities requirements of the Department of Environmental Resources and the Township.
- g. Erosion and Sedimentation Plans and permits as required by the Department of Environmental Resources and administered by the Conservation District of Fulton County.
- h. Precautionary measures to preserve or protect historical and natural features.
- i. Approval by the Pennsylvania Department of Transportation, if required by State Law.
- j. Approval by the Pennsylvania Department of Labor and Industry.
- k. Approval by the United States Department of Housing and Urban Development, Interstate Land Sales Division, if required by Federal law.

Section 601. Sketch Plan Submission. It is suggested that prior to the consultation with the Board of Supervisors, the subdivider prepare a Sketch Plan of his proposed development. It is suggested that the subdivider or developer submit sufficient data to the Board of Supervisors for purposes of generally illustrating and discussing the proposed project.

## ARTICLE VII

### PRELIMINARY PLANS

Section 700. Plan Requirements. The following materials shall be submitted with an application for review and approval of preliminary plans:

a. Seven (7) copies of the subdivision or land development plan in the form of a map or series of maps drawn to a scale not smaller than one hundred feet (100' 0") to the inch and showing the following:

- (1) The limits and dimensions of the tract to be subdivided or developed and the proposed name or identifying title of the project. The date, scale and north point.
- (2) Existing and proposed streets, including the name, widths of the right-of-way and caraway.
- (3) The location and dimensions, where applicable, of existing buildings, railroads, easement, right-of-way, public lands, tree masses, streams and other features, and monuments.
- (4) The location and dimensions of proposed easements, existing property lines, rights-of-way, and land reserved for public purposes; and the location, course, and dimensions of existing and proposed sanitary and storm and water facilities.
- (5) Existing topographic contours at not more than ten foot (10' 0") intervals or at such intervals that the contours shall have a maximum spacing of one hundred feet (100' 0"). The Board of Supervisors may also require supplementary plans showing proposed final contour.
- (6) The name and address of the subdivider or developer. The name, seal, and signature of the registered engineer or registered surveyor who shall have prepared the plan. The name and address of the owner of the tract and the names of the owners of adjoining tracts.
- (7) A location map drawn to a scale not smaller than two thousand feet to the inch (1" = 2000'), showing the proposed project in relation to adjacent properties and existing streets in that vicinity.

- b. Five (5) copies of cross-section drawings for all proposed streets showing rights-of-way, cartway widths, location of sidewalks, and planting strips. Three (3) copies of profile drawings of all proposed streets showing existing and proposed grade.
- c. Five (5) copies of plans and profiles of existing and/or proposed sanitary and storm sewer systems, water distribution systems, and any other pertinent utilities. Such plans shall include grades, pipe sizes and the location of valves and fire hydrants.
- d. Results of soils analysis tests which shall be conducted in accordance with the Rules and Regulations of the Department of Environmental Resources and inspected by a sanitarian approved by the Township.
- e. Whenever a single tract or other parcel of land, or part thereof is subdivided or developed such that the subdivision or development is subject to the Rules and Regulations of the Department of Environmental Resources pursuant to the disposal of liquid wastes, the subdivider or land developer shall prepare, for the use of the Township, five (5) copies of a formal revision to the Township's Official Liquid Wastes Disposal Plan and five (5) copies of any required supporting data. A Plan Revision Module established by the Department of Environmental Resources and available at the Township office shall be used as the format for the formal revision.
- f. Whenever a single tract or other parcel of land, or part thereof is subdivided or developed such that the subdivision or development is subject to the Rules and Regulations of the Department of Environmental resources pursuant to the control of erosion and sedimentation, the subdivider or developer shall prepare, for the use and review of the Township, four (4) copies of an Erosion and Sedimentation Control Plan pursuant to the Pennsylvania Clean Streams Law, Act 537. The design standards and specifications for said Plan are contained in the Erosion and Sedimentation Control Handbook which has been prepared by the County Conservation District and is on file in that office and with the Township. [act 202?]

Section 701. Review Procedure.

- a. It least nine (9) days prior to the meeting of the Board of Supervisors at which initial consideration is desired, the subdivider or developer shall submit seven (7) copies of the Preliminary Plan and accompanying documentation to the Secretary,
- b. Copies of the Preliminary Plan shall immediately be distributed by the Secretary as follows:
  - (1) Two (2) copies of the Plan and supporting data to the County Planning Commission for review and comment.
  - (2) One (1) copy of the Plan and supporting data to the Township Engineer for his review and comment.

(3) One (1) copy of the Plan and supporting data to the Pennsylvania Department of Transportation where a proposed project abuts or will be traversed by an existing or proposed state highway.

(4) One (1) copy of the Plan and supporting data to the County Conservation District Office along with any additional Erosion and Sedimentation Control Plans.

(5) The remaining copies of the Plan and supporting data to the Board of Supervisors.

c. The County Planning Commission shall within thirty (30) days following receipt recommend approval or disapproval of the Preliminary plan.

d. The Board of Supervisors shall take official action on a preliminary plan after it has received the report of the County Planning Commission, but within ninety (90) days of Township receipt of the plans and data. The Board of Supervisors shall note its action on four (4) copies of the plan. One (1) shall be returned to the subdivider or developer, one (1) copy to the County Planning Commission, and two (2) copies shall be retained for Township use.

e. When approval is recommended either as for the Plan as submitted or tentatively with a recommendation for additional Plan information, the Township shall adopt by resolution the revision to the Township's Official plan of Liquid Wastes disposal and shall send four (4) copies of the revision and resolution to the Department of Environmental Resources for approval. A copy of the resolution shall be forwarded to the County Planning Commission.

## ARTICLE VIII

### FINAL RECORD PLANS

Section 800. Plan Requirements. The Board of Supervisors shall require that the following materials be submitted with an application for approval of a final plan. Initial plans shall conform in all important details with preliminary plans as previously approved, and any conditions specified in the approval of preliminary plans shall be incorporated in the final plans.

a. Seven (7) copies of the plan in the form of a map or series of maps, drawn to a scale of not smaller than one hundred feet (100' 0") to the inch on sheet sizes eight and one-half inches by fourteen inches (8-1/2" x 14") or multiples thereof to a maximum size of twenty-five and one-half inches by forty-two inches (25-1/2" x 42"). Where more than one (1) sheet is required, an index map of the entire project at a smaller scale shall be shown on a sheet of the same size. The Board of Supervisors may require final plans at a scale of fifty feet (50' 0") to the inch as a condition of preliminary plan approval to assure legibility in cases warranted by the complexity of the proposal. At least one (1) copy of such map shall be made on stable reproducible plastic or linen materials, and the error of closure shall not be more than one part in 5,000. Such final plans shall show:

- (1) The items required to be shown in preliminary plans, as specified in Section 700,
  - a.
  - (2) Final topographic contours at not more than ten foot (10' 0") intervals so that the contours shall have a maximum spacing of one hundred feet (100' 0").
  - (3) The location of all proposed monuments, street lights, and street signs.
  - (4) The location of minimum building setback lines.
- b. Five (5) copies of a utility map or maps showing tract boundaries, existing and proposed streets, lot lines, sanitary and storm water sewer facilities, water pipes, curbs, sidewalks, fire hydrants and manholes.
- c. Five (5) copies of profile and crosssection maps or diagrams of streets showing proposed grades of curbs, sanitary and storm water sewers, water pipes and other underground utilities.
- d. A statement of the types of structures to be erected, and a summary table of the number of structures and dwelling units proposed.
- e. Whenever on-lot sewage disposal systems are proposed for a land development or subdivision, each lot shall pass a percolation test before final approval is granted.
- f. Evidence that the plans are in conformity with building, sanitation and other applicable local and County ordinances and regulations and with the regulations governing the extension of utility services into the Township. In any instance where such plans do not conform, evidence shall be presented that an exception has been officially authorized.
- g. Evidence that a subdivider or developer has installed the necessary street and other improvements as required in Section 1100 in accordance with the Township's standards and specification, or that the subdivider has furnished the Township with the following assurances that the said improvements will be installed:
  - (1) A written agreement to the Township concerning improvements not yet completed stating that the subdivider or developer will lay out and improve roads and streets, erosion and sediment control facilities, and construct all of the improvements required in Section 1100 as a condition of the approval of the Plan by the Board of Supervisors within the time or times specified therein.
  - (2) A bond in such amount, under such conditions and form and with surety as shall be approved by the Township to guarantee the performance of the subdivider's or developer's undertaking in (1) above and to secure the completion of all required improvements within the time therein specified and a written agreement that, upon



acceptance of the said streets or improvements, the subdivider or developer shall provide a maintenance bond not exceeding twenty-five percent (25%) of the full cost of all improvements under such conditions, in form and with surety as shall be approved by the Township to guarantee the maintenance of all required improvements for a period of not less than two (2) years from the date of acceptance of said improvements by the Township. In lieu of a bond, the subdivider or developer may deposit cash or securities with the Township or with a bank or trust company to guarantee performance of said contract and to secure completion of the improvements under an escrow agreement approved by the Township's Solicitor and the Board of Supervisors, the amount of bond or other guarantee shall be sufficient to cover the cost of the required improvements as estimated by the Engineer. The escrow agent for the deposits of such cash or securities shall be designated and selected by the Township.

#### Section 801. Review Procedure.

a. At least nine (9) days prior to the meeting of the Board of Supervisors at which initial consideration is desired, the subdivider or developer shall submit the original drawing and seven (7) copies of the Final Plan and accompanying documentation to the Secretary. The Final Plan submission shall occur not more than one (1) year following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this time period shall make the approval of the Preliminary Plan null and void unless an extension of time is requested by the subdivider or developer and granted by the Board of Supervisors.

b. A Final Plan may be prepared for only a portion of the approved Preliminary Plan where a subdivider or developer wishes to undertake the development of a project in sections or stages.

c. Copies of the Final Plan and supporting data shall be immediately distributed by the Secretary as follows:

(1) Two (2) copies of the Plan and supporting data to the County Planning Commission for review and comment.

(2) One (1) copy of the Plan and supporting data to the Township Engineer for review and preparation of cost estimates on improvement construction.

(3) One (1) copy to the Township Solicitor for preparation of performance and maintenance bond agreements.

(4) The remaining copies of the Plan and supporting data to the Board of Supervisors.

d. The Township Engineer or authorized Township representative shall prepare cost estimates for the construction of the required public improvements including roads and

streets, erosion and sediment control facilities and any other facility which is intended for dedication to the Township.

e. The Solicitor shall prepare performance and maintenance bond agreements or their equivalent as provided for in Section 800, g.2. Said agreement shall then be executed between the Township and the subdivider or developer.

f. Upon receipt of the accepted Revision Notice from the Department of Environmental Resources and the agreements from the developer, the Board of Supervisors shall take action on the Final Plan and shall note or stamp its action on the original and three (3) copies of the Plan. Distribution of the approved Plan shall be as follows:

- (1) Two (2) copies to be retained in the Secretary's files.
- (2) One (1) copy to the County Planning Commission.
- (3) The original and one (1) copy to the subdivider or developer.
- (4) One (1) copy to the Township Engineer.

If the Plan is disapproved, the subdivider or developer shall be notified, in writing, of the requirements which have not been met with reference to the applicable provisions of this Ordinance.

g. Within ninety (90) days following approval by the Board of Supervisor's, the Final Plan shall be recorded by the subdivider or developer at the County Recorder of Deeds Office. The Recorder of Deeds shall not accept any plan for recording unless the plan has been officially approved and signed by the Board of Supervisors.

h. Failure to initiate any construction or development of the proposed subdivision or land development within three (3) years following the approval of a Final Plan by Bethel Township, Fulton County, Pennsylvania, shall make the approval of the Plan null and void unless an extension of time has been requested in writing by the subdivider or developer and a written approval granted by the Board of Supervisors.

i. No change, erasures, modifications or revisions shall be made on the Final Plan after approval, unless the Plan is first submitted to the Board of Supervisors for their review and approval.

## ARTICLE IX

### MOBILEHOME PARK REGULATIONS

Section 900. Procedure. No person, firm or corporation shall construct, maintain or operate a

Mobilehome Park within Bethel Township, Fulton County, Pennsylvania, without obtaining a Mobilehome Park Permit from both Board of Supervisors and the Department of Environmental Resources. The procedures for reviewing mobilehome park plans shall be the same as for subdivision and land development plans in accordance with the provisions of this Ordinance. Unless specified in this Article, the design standards and improvement requirements for mobilehome parks shall be the same as for subdivision and land development projects in accordance with the provisions of this Ordinance.

Section 901. Plan Requirements. Prior to the issuance of a Mobilehome Park Permit, plans shall be submitted to and approved by the Board of Supervisors in accordance with the requirements and procedures of this Ordinance regarding Preapplication Consultation, Preliminary Plans and Final Record Plans. In addition to the site plan information required elsewhere in this Ordinance, the following information shall be provided on the plans:

- a. The location and use of proposed buildings or structural improvements.
- b. The location and design of all uses not requiring structures such as recreation areas and landscaping.

Section 902. Renewable Mobilehome Park Permits and Registers.

- a. The Board of Supervisors may grant a Mobilehome Park Permit in a period not to exceed one (1) year from the date of approval of such permit which shall be renewable on an annual basis. The Board of Supervisors or its duly authorized representative shall inspect each Mobilehome Park prior to granting or renewing an annual permit for conformance with the provisions of this ordinance and any other applicable regulations.
- b. It shall be incumbent upon the proprietor of a Mobilehome Park to keep a register and to report therein the name of person or head of family occupying each mobilehome, showing date of entry on said land, make and size of the mobilehome, and the names of all persons living in said mobilehome. Said register shall be subject to inspection periodically by the Board of Supervisors or its duly authorized representative.

Section 903. Lot Requirements.

- a. Individual mobilehome lots located in a Mobilehome Park shall contain at least; five thousand square feet (5,000 sq. ft.) of lot area and shall not be less than fifty feet (50' 0") wide at the building setback line exclusive of easements or rights-of-way.
- b. All mobilehome lots shall be given street numbers and all park streets shall be given names.

Section 904. Yard and Setback Requirements.

- a. All mobilehomes shall be located at least thirty-five feet (35' 0") from any street right-of-way which abuts a mobilehome park boundary and at least twenty-five feet (25' 0") from any other boundary of the park.
- b. There shall be a minimum distance of twenty-five feet (25'0") between an individual mobilehome and adjoining pavement of a park street or common parking area or other common areas.
- c. All mobilehomes and patios on a mobilehome lot shall not be located closer than ten feet (10' 0") to a lot line.

#### Section 905. Park Street System.

- a. Streets: All streets within any Mobilehome Park shall be designed as local streets in accordance with Township Specifications.
- b. Intersections: Not more than two (2) streets shall intersect at any point and a distance of at least one hundred and fifty feet (150' 0") shall be maintained between centerlines of offset intersecting streets.

#### Section 906. Required Off-street Parking.

- a. Off-street parking areas shall be provided in all Mobilehome Parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least two (2) vehicular parking spaces for each mobilehome lot.
- b. Each off-street parking space shall contain at least two hundred square feet (200 sq. ft) and shall not exceed a distance of three hundred feet (300' 0") from the mobilehome lot that it is intended to serve.

#### Section 907. Utility Improvements.

- a. Sewer and Water. All mobilehomes shall be connected to sewer and water systems approved by the Department of Environmental Resources.
- b. Electrical Distribution. All Mobilehome Parks shall have underground electrical distribution systems which shall be installed and maintained in accordance with the local electric power company's specifications regulating such systems.
- c. Natural Gas Systems. Any natural gas system shall be installed and maintained in accordance with the regulations and specification of the company supplying said natural gas.

d. **Liquified Petroleum Gas System.** Liquified petroleum gas systems provided for mobilehomes, service buildings or other structures shall include the following:

(1) Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

(2) Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside the mobilehome and shall be maintained in effective operating condition.

(3) All LPG piping outside of the mobilehomes shall be well supported and protected against mechanical injury.

Undiluted liquified petroleum gas liquid form shall not be conveyed through piping equipment and systems in mobilehomes.

(4) Any vessel containing liquified petroleum gas shall be securely but not permanently fastened to prevent accidental overturning.

(5) No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobilehome or any other structure unless such installations are specifically approved by the Board of Supervisors.

e. **Fuel Oil Supply Systems.** All fuel oil supply systems provided for mobilehomes, service buildings and other structures, shall be installed and maintained in conformity with the following regulations:

(1) All piping from outside fuel storage tanks or cylinders to mobilehomes shall be securely, but not permanently, fastened in place.

(2) All fuel oil supply systems provided for mobilehomes, service buildings and other structures shall have shut-off valves located within five inches (5") of storage tanks.

(3) All fuel storage tanks or cylinders shall be securely placed and shall not be less than ten feet (10' 0") from any mobilehome exit.

(4) Storage tanks located in areas subject to traffic shall be protected against physical damage.

#### Section 908. Usable Open Space.

a. All Mobilehome Parks shall provide not less than ten percent (10%) of the total land area for usable open space purposes. Usable open space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily

accessible to all park residents. Mobilehome parks containing more than fifty (50) lots or dwelling units shall provide playgrounds containing a minimum of 1.5 acres.

b. Exposed ground surfaces in all parts of every park shall be paved, or covered with stone screenings, and other solid material, or protected with a vegetation growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

c. Park grounds shall be maintained free of vegetation growth which is poisonous or which may harbor rodents, insects, or other pests harmful to man.

Section 909. Buffer Strips. A suitably screened or landscaped buffer strip shall be provided by the developer along all of the property and street boundary lines separating the park from adjacent uses.

Section 910. Walkways. All parks shall be provided with safe, convenient, all season pedestrian walks of adequate width for intended use, durable and convenient to maintain, between individual mobilehome lots, the park streets and all community facilities provided for park residents.

Section 911. Other Site Improvements.

a. One (1) fire alarm box or public telephone shall be provided for each Mobilehome Park. Dry chemical fire extinguishers, not less than five (5) pounds in capacity, shall also be provided and shall be located that no mobilehome is more than one hundred and fifty feet (150' 0") from said fire extinguisher.

b. Provision shall be made by the Park Operator to have garbage and waste collected at least once every week.

c. Each mobilehome lot may be provided with a concrete slab for use as a patio or for a foundation for any expansion of the mobilehome. If provided, the concrete slab shall be constructed on a stable surface and be located so as adjoin and be parallel to the mobilehome.

d. Individual tenants at the Mobilehome Park may construct attached enclosures or covered patios to individual mobilehomes, provided that such enclosure does not exceed the slab area noted in 911, c. and is confined to same.

e. An enclosure of compatible design and material shall be erected around the entire base of each mobilehome. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

Section 912. Park Areas for Non-Residential Uses.

a. No part of any mobilehome park shall be used for a nonresidential purpose, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

b. Nothing contained in this Section shall be deemed as prohibiting the sale of a mobilehome located on an individual lot and connected to the pertinent utilities.

## ARTICLE X

### DESIGN STANDARDS

Section 1000. Application. The standards of design in this Article shall be used to judge the adequacy of development proposals. Where, in the opinion of the Board of Supervisors, the literal application of these standards in certain cases would work undue hardship or would be plainly unreasonable, the Board of Supervisors may recommend such reasonable exceptions as will not be contrary to the public interest.

Section 1001. General Standards.

a. Land. No land shall be subdivided or developed for any purposes unless all hazards to life, health, or property from flood, fire and disease shall have been eliminated, or unless the plans for the project shall provide adequate safeguard against such hazards.

b. Development. Proposed projects shall be coordinated with existing nearby neighborhoods so that the community as a whole may develop harmoniously.

Section 1002. Blocks and Lots.

a. Block Length. Residential and commercial blocks shall be not less than five hundred feet (500' 0") long nor more than sixteen hundred feet (1600' 0") long.

b. Block width. Blocks shall be wide enough for two (2) tiers of lots.

c. Through Lots. Double frontage lots are to be avoided and generally will not be permitted unless the lots are a minimum of two hundred feet (200' 0") deep.

d. Grading. Block and Lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of storm water in pools. Drainage shall be provided for according to recommendations of the Township Engineer or such other official as may be designated by the Board of Supervisors. Topsoil shall be preserved and redistributed as ground cover, consistent with the Erosion and Sedimentation Control requirements of the County Conservation District.

e. Lot size. The minimum lot size, lot width, and building setback line shall be as follows unless otherwise specified.

(1) In any portion of Bethel Township, Fulton County, Pennsylvania, where neither public water nor sanitary sewer facilities are provided, each lot shall have a minimum lot area per single-family dwelling of forty thousand square feet (40,000 sq. ft.), excluding the right-of-way width required herein, and a minimum lot width of one hundred and fifty feet (150' 0") at the building line. Building setback lines shall be at least thirty-five feet (35' 0") from the street right-of-way.

(2) Where either water supply or sanitary sewage disposal will be provided by an approved central or public system, the lot area for each single-family dwelling must be at least twenty thousand square feet (20,000 sq. ft.) exclusive of the right-of-way with a minimum lot width of one hundred feet (100' 0") measured at the building setback line. Building setback lines shall be at least thirty-five feet (35' 0") from the street right-of-way.

(3) Where both water supply and sanitary sewers are to be provided by an approved central or public system, the lot area for each single-family dwelling must be at least ten thousand square feet (10,000 sq. ft.) exclusive of the right -of-way with a minimum lot width of seventy-five feet (75' 0") measured at the building setback line. Building setback lines shall be at least thirty-five feet (35' 0") from the street right-of-way.

(4) For single-family semi-detached dwellings and two family detached dwellings, the minimum lot size shall be one hundred and fifty percent (150%) of the minimum lot size for single dwelling units as set forth in the appropriate subparagraphs above.

(5) No apartments, townhouses or rowhouses shall be permitted except where there is or will be both public water and public sewer systems or approved private central water and sewer systems. The minimum lot area for each such dwelling unit shall be two-thousand five-hundred square feet (2,500 sq. ft.) exclusive of the right-of-way. For interior units of townhouse groups or rowhouses, the minimum lot width measured at the building setback line shall be eighteen feet (18' 0"). For the end units of townhouse groups and rowhouses, the minimum lot width shall be fifty feet (50' 0") measured at the building setback line. Building setback lines shall be at least thirty-five feet (35' 0") from the street right-of-way. Provided the apartment, townhouse and/or rowhouse development remains under single ownership and control, the total required lot size area may be arranged in a manner to permit flexibility in the site design and layout, of recreation areas, usable open space and parking. Such flexibility shall be granted only upon specific approval of the Board of Supervisors.

(6) Lot sizes for commercial and industrial purposes shall be determined on the basis of absorption area, parking requirements, and yard setback standards. In no event shall a commercial or industrial lot be less than ten thousand square feet (10,000 sq. ft.) excluding the right-of-way as defined in Item (3) of this Section.

f. Off-street Parking.



(1) For each proposed residential lot or dwelling unit in a project there shall be at least two (2) off-street parking spaces provided.

(2) Where commercial uses are proposed, provisions shall be made for a minimum of one (1) parking space for every three (3) occupants (employees and customers), according to the maximum number of occupants permitted by regulations of the Pennsylvania Department of Labor and Industry.

(3) Where industrial uses are proposed, provisions shall be made for a minimum of two (2) parking spaces for every three (3) workers to be employed on any one shift.

g. Exceptions. The general principles of design and the minimum requirements for the laying out of subdivisions and land developments, stipulated in this Ordinance may be varied upon recommendation of the subdivider or developer to the Board of Supervisors in the case of a project large enough to constitute a more or less self-contained neighborhood, industrial park or commercial center. Such a project shall be developed in accordance with a comprehensive plan safeguarded by appropriate restrictions, which in the judgment of the Board of Supervisors has made adequate provisions for all essential requirements; provided, however, that no modification shall be granted by the Board of Supervisors which would conflict with features of any adopted long-range plan of Bethel Township, Fulton County, Pennsylvania, or with the intent and purpose of the general principles of design and minimum requirements of this Ordinance.

h. Percolation tests. Upon determination of the Board of Supervisors, percolation tests shall be Pennsylvania Department of Environmental Resources. From the results of these tests, the lot size shall be established large enough to provide for the specified minimum area required for the absorption field as prescribed in accordance with the requirements of the Pennsylvania Department of Environmental Resources, but in no case shall the lot size be less than as set forth in Section 1002, e.

i. Lot Lines. Lot lines shall be approximately at right angles or radial to street lines so long as reasonably shaped lots result.

j. House Numbers. House numbers may be assigned to each lot by the Board of Supervisors.

k. Side and Rear Yard Setback Requirements. Building lines shall not be less than ten feet (10' 0") from the side or less than twenty-five feet (25' 0") from the rear lot lines, except for garages and other secondary buildings adjacent to an alley which shall be set back no less than five feet (5' 0"). Side yard requirements shall not apply to interior dwelling units.

#### Section 1003. Streets, Alleys and Sidewalks.

a. Street Pattern. The proposed street pattern shall be integrated with existing and/or officially planned streets; and, it shall be so related to topography as to produce usable lots and reasonable street grades.

b. Design and Purpose. Streets shall be designed according to their function and laid out to preserve the integrity of their design in accordance with the following functional classification:

(1) Local Street or Road: A street providing access to farms and residences. Standards assume light traffic flow with the possibility of upgrading the classification sometime in the future. Unless otherwise determined by the Board of Supervisors, Township roads shall be deemed local roads.

(2) Collector Street or Road: A street which connects local streets or roads to arterial roads or to population centers. Standards assume medium traffic flow with the possibility of upgrading the classification sometime in the future. Unless otherwise determined by the Board of Supervisors, Legislative routes shall be deemed Collector Roads.

(3) Major Road: A road which connects collector streets or roads to towns and cities. Standards assume heavy traffic flow at high speeds. Unless otherwise determined by the Board of Supervisors, State Travel Routes and Federal Routes shall be deemed Major Roads.

(4) Alley and Service Drive: A minor vehicle way which provides a secondary means of access to the back or side of properties otherwise abutting a street. Standard assumes infrequent use by heavy vehicles at low speed.

c. Street Widths. Streets shall be laid out according to the following minimum schedule.

<u>Class of Street</u>	<u>Right-of-Way Width</u>	<u>Minimum Base Width</u>
Local Street	50 feet	20 feet
Collector Street	60 feet	28 feet
Major Road	Penn DOT Standards (50 feet minimum)	Penn DOT Standards
Alley and Service Drive	20 feet	16 feet

d. Street Specifications. The following standards for streets shall apply:

(1) All grading must be completed and drainage facilities installed in accordance with the plan presented for approval.

(2) The developer or subdivider shall install a base to consist of six inches (6") of approved rolled stone (graded #4 stone, graded crusher run) or, in the alternate, an

eight inch (8") base of rolled shale approved by the Township or as duly authorized by an inspector as being suitable for road base, a minimum of four inches (4") approved compacted shale or stone shall be installed on the shoulder of the road which shall extend four feet (4' 0") on both sides of the minimum base width.

(3) Where the slope of the road is five percent (5%) or more, curbs or gutters shall be installed to control erosion. The base shall extend from curb to curb and shall not be less than twenty-eight feet (28' 0") wide.

e. Continuations. Where reasonable and practicable, new streets shall be laid out to continue existing streets at no reduction in width. Greater widths may be required.

f. Street Names. Continuations of existing streets shall be known by the same name; but names for other streets shall not duplicate or closely resemble names for existing streets in Bethel Township, Fulton County, Pennsylvania.

g. Access. Streets shall be laid out to make provision for access to all lots and to adjacent undeveloped areas, and the subdivider or developer shall improve these access streets to the limits of the subdivision or land development.

h. Dead-end Streets. Dead-end streets are prohibited unless constructed as cul-de-sacs not exceeding eight hundred feet (800' 0") in length, with a turn around having a minimum of one hundred feet (100' 0") diameter right-of-way and a minimum radius of thirty-five feet (35' 0") of base.

i. Half and Partial Streets. Half or partial streets will not be permitted, except where satisfactory assurance for dedication of the remaining part of the street can be obtained, in writing by the subdivider or land developer; or where needed to complete existing half streets.

j. Clear Sight Distance. Clear sight distance along the center lines of local streets shall be maintained at not less than one hundred and fifty feet (150' 0"); along collector streets at not less than two hundred and fifty feet (250' 0"); and along major and arterial streets at not less than four hundred and fifty feet (450' 0").

k. Directional Changes. Changes in street direction shall be made by horizontal curves with a minimum radius of five hundred feet (500' 0") for major and arterial streets, three hundred feet (300' 0") for collector streets, and two hundred feet (200' 0") for local streets. These radii are to be measured at the centerline. Shorter radii may be permitted on recommendation of the Engineer.

l. Grades. There shall be a minimum centerline grade of five tenths of one percent (5/10 of 1%) on all streets. Grades shall not exceed eight percent (8%) on all major and arterial streets and ten percent (10%) on local and collector streets. Steeper grades may be permitted on local streets or short distances if no gentler slope is possible.

m. Vertical Curves. Changes in grade shall be joined by vertical curves; and the maximum rate of change of grade shall be five percent (5%) per hundred feet of road, provided that the clear sight distances specified above are maintained at all points.

n. Crown. The slope of the crown on all streets shall be more than one-eighth inch (1/8") per foot and less than one-third inch (1/3") per foot as directed by the Township Engineer.

o. Side Slopes. Street cuts and fills shall be provided with side slopes no steeper than one vertical to three horizontal. Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent gulleying and erosion.

p. Intersections. Street intersections shall be designed according to the following standards:

(1) No more than two (2) streets shall cross at the same point. Street intersections shall be at right angles wherever possible, and intersections of less than sixty degrees (60°) (measured at the centerlines of the streets) will not be permitted.

(2) Intersecting streets shall not enter into the same side of collector, arterial or major streets at intervals of less than eight hundred feet (800' 0"). Local streets entering another street from opposite sides should be directly opposite each other; or, if necessary, they may be separated by at least one hundred fifty feet (150' 0") between centerlines measured along the centerline of the cross street. Greater off-set may be required by the Board of Supervisors depending on the importance of the cross street.

(3) Maximum grade within any intersection shall not exceed five percent (5%) in any direction, and approaches to any intersection shall follow a straight course within one hundred feet (100' 0") of the intersection. Grades within one hundred feet (100' 0") of an intersection shall not exceed ten percent (10%).

(4) Curb radii at intersections shall be according to the following schedule of minimum lengths: Fifteen feet (15' 0") for intersections or alleys and all streets; twenty feet (20' 0") for local streets; and thirty feet (30' 0") for major and collector streets. Where streets of different categories intersect, requirements for the one with the larger radius shall control. The minimum radius of intersecting rights-of-way lines shall be forty feet (40' 0").

(5) A seventy-five foot (75' 0") clear sight triangle shall be provided, in which no building or structure, wall, fence, hedge, tree, shrub or other growth shall be placed except, for utility poles, light standards, street signs and fire hydrants.

q. The following standards shall apply to the design and location of alleys and service drives:

(1) No part of any dwelling, garage, or other structure may be located within sixteen feet (16' 0") of the centerline of an alley.

(2) Alleys or secondary service drives serving commercial and industrial establishments are required unless other provisions for service are provided.

r. Private Streets. Private streets are prohibited unless they have a fifty foot (50') right-of-way and are so noted on the recorded subdivision plan. Whenever a subdivider or developer proposes to establish and construct a system of streets which shall be privately owned and maintained, he shall submit to Bethel Township, Fulton County, Pennsylvania, two (2) copies of all proposed agreements or contracts between himself and the lot owners or tenants which shall establish responsibility for such items as street maintenance and repair, snow and ice removal, and upkeep of the roadbed and drainage facilities. Said agreement or contract shall be subject to the approval of the Solicitor and he may include any changes that he deems necessary. Said agreement or contract shall be recorded with the final subdivision or land development plan and shall be a covenant riding with the land. Said agreement or contract shall establish the conditions under which the street or streets may later be offered for dedication to the Township and shall stipulate among other things:

(1) That the street shall be in a good state of repair as certified by the Township Engineer or that the owners of the lots along it agree to include with the offer of dedication sufficient money, as estimated by the Township Engineer, to restore the street to a good state of repair.

(2) That an offer to dedicate the street shall be made only for the street as a whole.

(3) The method of assessing repair costs.

(4) That agreement to offer the street for dedication by the owners of sixty percent (60%) of the lots shall be binding on owners of the remaining lots.

#### Section 1004 Public Facilities.

a. Fire Hydrants. Fire hydrants when provided shall be located so that the distance from the nearest corner of any building to a fire hydrant is not more than six hundred feet (600'0") measured along the most direct path accessible by fire fighting equipment.

b. Easements. Where common utility lines are installed in or over undedicated land, a public easement granted in favor of the Township six feet (6' 0") on each side of the utility line shall be required. Suitable easements may also be required along the course of streams for the future installation of sewers. Where feasible, telephone and electric lines shall be installed below ground.

### ARTICLE XI

#### IMPROVEMENT STANDARDS

Section 1100. Construction of Improvements. The subdivider or developer shall grade and pave the

streets and install all other necessary improvements at no expense to Bethel Township, Fulton County, Pennsylvania, including where required, curbs, sidewalks, water mains, sanitary and storm sewers, street lights, fire hydrants, street name signs, and other facilities and utilities required by the Board of Supervisors, in strict accordance with the requirements of this Article and the standards and specifications of Bethel Township, Fulton County, Pennsylvania. Construction and inspection of all such facilities and utilities shall be subject to inspection by the Township and its authorized representative during the progress of the work. The subdivider or developer shall not begin work on structures in any part of the subdivision or land development until the streets in that part have been graded to within four inches (4") of the finished grade.

**Section 1101. Guarantee of Improvement Completion.** In lieu of the completion of any improvements required as a condition for the final approval of a plan, the Township may accept for deposit a corporate bond or other acceptable security from the subdivider or developer in an amount sufficient to cover the costs of any improvements which may be required. Such bond, or other security shall provide for and secure to the Board of Supervisors, the completion of any improvements which may be required within the period fixed in this Ordinance for such completion. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

**Section 1102. Release from Improvement Bond.** When the subdivider or developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors in writing, by registered or certified mail, of the completion of the aforesaid improvements. The Township or its duly authorized representative shall inspect the improvements and approve or reject the improvements according to the following procedure.

a. Within ten (10) days after receipt of such notice, the Township shall direct and authorize the municipal representative to inspect all of the aforesaid improvements. The municipal representative shall, thereupon, file a report in writing with the Board of Supervisors and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the municipal representative of the aforesaid authorization from the Township; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part thereof. Should said improvements or part thereof not be approved or be rejected by the municipal representative, said report shall contain a statement of reasons for such nonapproval or rejection.

b. The Township shall notify the developer, in writing by certified or registered mail of agency action with relation to the report of the applicable municipal representative.

c. If the Township or applicable municipal representative fails to comply with the time limitation provisions contained herein, all necessary and appropriate improvements will be

deemed to have been completed and the developer shall be released from all liability, pursuant to his performance guarantee bond or other security agreement.

d. If any portion of the said improvements shall not be approved or shall be rejected by the Township, the developer shall proceed to complete the same; and, upon completion, the same procedure of notification as outlined herein, shall be followed. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors, or applicable municipal representative.

**Section 1103. Remedies to Effect Completion of Improvements.** In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accordance with the approved final plan, the Township shall have the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security the Township may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

**Section 1104. Standards for Monuments and Markers.** Generally all work shall conform to standards put forth by the American Congress of Surveying and Mapping and the following minimum standards.

a. **Monuments.** Monuments shall be six inches (6") square or four inches (4") cast iron or steel pipe filled with concrete. Monuments shall be set:

- (1) At the intersections of all right-of-way lines;
- (2) At the intersection of lines forming angles in the boundaries of the subdivision, mobilehome park, or land development;
- (3) At such intermediate points as may be required by the Engineer.

b. **Markers.** Markers shall be three-quarters of an inch (3/4") square or three-quarters of an inch (3") in diameter, fifteen inches (15") long. Markers shall be made of iron pipes or iron or steel bars. Markers shall be set:

- (1) At all lot corners except those monumented.
- (2) Prior to the time the lot is offered for sale.

**Section 1105. Standards for Curbs and Gutters.** Construction of curbs and gutters within Bethel

Township, Fulton County, Pennsylvania, shall conform to the following requirements:

a. Installation. Whenever a proposed subdivision or land development shall have an average of three (3) or more lots or dwelling units per gross acre included in the project, or where any project is immediately adjacent to or within one thousand feet (1000' 0") of any existing or recorded subdivision or land development located along the same side of a connecting street and having curbs, curbs shall be installed on lot frontages of the street. In areas where curbing is not required, suitable gutters shall be installed to control erosion.

b. Construction. Curbs and gutters shall be constructed according to the following or the standards set forth in the most recent edition or revision to Penn DOT Specifications, Form 408. The type of curbs or gutters shall be determined by the Engineer.

Section 1106. Standards for Streets. All street construction within Bethel Township, Fulton County, Pennsylvania, shall meet all of the following requirements:

a. Adequate surface and subsurface drainage shall be provided.

b. All topsoil shall be removed from the area to be paved.

c. Where the slope of the road is five percent (5%) or more and curbs are required, the minimum base width shall extend from curb to curb and shall not be less than twenty-eight feet (28' 0") wide.

Section 1107. Standards for Sidewalks. All construction of sidewalks within Bethel Township, Fulton County, Pennsylvania, shall conform to all of the following minimum requirements:

a. Installation. Wherever a proposed subdivision or land development shall have an average of six (6) or more lots or dwelling units per gross acre or is immediately adjacent to or within one thousand feet (1000' 0") of any existing or recorded subdivision or land development located along the same side of a connecting street having sidewalks, sidewalks shall be installed on all lot frontages.

(1) Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.

(2) Sidewalks must be at least four feet (4' 0") wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks must be at least five feet (5' 0") wide and located within the street right-of-way,

b. Construction. Sidewalks may be constructed of either cement concrete or bituminous concrete.

(1) Cement concrete sidewalks shall be built according to the standards set forth in Penn DOT Specifications, Form 408.



(2) Bituminous (asphalt) concrete sidewalks shall be placed in a single layer which is at least four inches (4") thick. The materials shall be mixed to American Society for Testing and Materials (ASTM) Standards ASTM D 1663. Asphalt Concrete Mix Designation 5A or 6A may be used. Asphalt concrete may be laid directly on the subgrade after all topsoil or other soils which are susceptible to frost heaving or frost boils are removed. To prevent the growth of weeds, the subgrade shall be treated with an approved herbicide.

Section 1108. Standards for Sewer and Water Systems. All construction within Bethel Township, Fulton County shall meet all of the following minimum requirements:

a. If a public sanitary sewer system is available (within one thousand feet (1000' 0") of the proposed subdivision, mobilehome park, or land development) the subdivider or developer shall design and install a system which shall be connected to the public system and which shall serve every property. All plans and installations shall be inspected and approved by the authority or company providing the service and/or the Engineer. This requirement shall be waived if the public sewer/water system does not have sufficient capacity to serve the proposed project.

b. If connection to a public sanitary sewer system is not possible the feasibility of constructing a separate private system and treatment works shall be investigated.

c. Where neither of the above alternatives are possible or feasible, an individual sewage disposal system shall be required consisting of septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the Pennsylvania Department of Environmental Resources regulations.

d. Where a public sanitary sewer system is not accessible but is planned for extension to the subdivision or land development or to within one thousand feet (1000' 0") of the subdivision or land development the subdivider or developer shall install sewer lines, including lateral connections, to provide adequate service to each lot when connection with the public system is made. The sewer lines shall be capped at the limits of the subdivision, mobilehome park or land development and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall be provided. A sewer shall be considered to be planned for extension to a given area any time after engineering and related studies have been initiated preparatory to the construction of facilities within one thousand feet (1000' 0") of the subdivision or land development. This requirement shall be waived if the public sewer/water system does not have sufficient capacity to serve the proposed project.

e. If a public water supply system is available within one thousand feet (1000' 0") of the proposed subdivision or land development the subdivider or developer shall design and install a system which shall be connected to the public system and which shall serve every property in the subdivision. All plans and installations shall be inspected and approved by the authority or company providing the service and/or the Engineer. This requirement shall

be waived if the public sewer/water system does not have sufficient capacity to serve the proposed project.

f. If connection to a public water supply system is not possible, the feasibility of constructing a separate water supply system shall be investigated.

g. Where neither of the above alternatives are possible or feasible, an individual water supply system shall be required. All such individual systems shall meet all applicable Pennsylvania Department of Environmental Resources regulations.

Section 1109. Standards for Storm Drainage. All storm drainage construction within Bethel Township, Fulton County, Pennsylvania, shall conform to the minimum requirements as set forth below:

Whenever the evidence available indicates that natural surface drainage is inadequate, the subdivider or developer shall install storm sewers, culverts, and related facilities, as necessary to:

- a. Permit the unimpeded flow of natural water courses;
- b. Insure the drainage of all low points along the line of streets;
- c. Intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained;
- d. Provide positive drainage away from on-site disposal facilities.

(1) Design.

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

(b) Storm drainage facilities shall be separate from all sanitary sewage facilities,

(c) The minimum inside diameter of drainage pipe shall be fifteen inches (15").

(2) Existing Facilities. Where adequate existing storm sewers are readily accessible, the subdivider must connect his storm water facilities to these existing storm sewers.

(3) Abutting Properties. In the design of storm drainage facilities, special consideration must be given to preventing excess run-off onto adjacent developed or

undeveloped properties. In no case may a change be made in the existing topography which would:

(a) Result in increasing any portion of the slope steeper than one foot (1' 0") of vertical measurement for three feet (3' 0") of horizontal measurement for fills, or one foot (1' 0") of vertical measurement for two feet (2' 0") of horizontal measurement for cuts within a distance of twenty feet (20' 0") from the property line unless an adequate retaining wall or other structure is provided;

(b) Result in a slope which exceeds the normal angle of slippage of the material involved.

All slopes must be protected against erosion.

**(4) Drainage To and On Streets.**

(a) To Streets. In order to give proper surface water drainage to streets, a structure on a lot must be at a grade in satisfactory relationship:

(1) With established street grade, or;

(2) With the proposed street grade where none is established.

(b) On Streets. A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street shall not be less than one-eighth of an inch (1/8") per foot and not more than one-third of an inch (1/3") per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept run-off.

(5) Construction. Drainage facilities shall be constructed according to the standards set forth in the most recent edition or revision to Penn DOT Specifications, Form 408. The type of drainage facilities shall be approved by the Township Engineer.

(6) Stream channel construction on watersheds with drainage areas in excess of three hundred and twenty (320) acres, or in those cases where downstream hazards exist will conform to criteria enforced by the Division of Dams and Encroachments, Pennsylvania Department of Environmental Resources.

**Section 1110. Erosion and Sedimentation Control Standards and Specifications.** The measures used to control erosion and reduce sedimentation shall as a minimum requirement meet the erosion sediment control standards and specifications as set forth in the Fulton County Erosion and Sediment Control Handbook as adopted by the Board of Supervisors of Bethel Township, Fulton County, Pennsylvania, by this Ordinance as the Bethel Township, Fulton County, Pennsylvania standards and specifications. The Township Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications and

provisions, copies of which are available at the Court House of Fulton County or in the Fulton County Conservation District Office.

ARTICLE XII

PENALTIES

Section 1200.1 Penalties. Any person, partnership or corporation who violates any of the provisions of this Ordinance or who breaches any agreement with the Board of Supervisors or who fails to comply with any of the provisions or conditions of approval of any subdivision plan shall be guilty of a misdemeanor, and upon conviction thereof, such person or the members of such partnership or the officers of such corporation, the corporation or the agent of any of them responsible for such violation shall pay a fine not exceeding one thousand (\$1,000.00) dollars. All fines collected for such violations shall be paid over to the Township. In default of such payment, such person may be imprisoned in the Fulton County Jail or to such other institution as he may be sentenced to for a period not in excess of thirty (30) days. Each day a violation of this Ordinance or other violation shall constitute a separate offense. The imposition of any penalty hereunder shall be in addition to any other penalty that might be imposed and shall not satisfy the violation nor shall it preclude any civil remedy.

ARTICLE XIII

EFFECTIVE DATE: AMENDMENTS: REPEALER

Section 1300. Effective Date. This Ordinance shall take effect on the 13th day of February, 1982.

Section 1301. Amendments. Amendments to this Ordinance shall take effect after their enactment as provided by law.

Section 1302. Repealer. All other Bethel Township, Fulton County, Pennsylvania, ordinances or parts of other Bethel Township, Fulton County, Pennsylvania, ordinances in conflict herewith are hereby repealed.

Section 1303. Enactment. Enacted and ordained this 8th day of February, 1982.

BOARD OF SUPERVISORS  
OF BETHEL TOWNSHIP, FULTON COUNTY

Maurice Williams  
Leon Ritz  
Herbert Lucas

ATTEST:  
Donna J. Lynch, Sec.  
Secretary