

AN ORDINANCE REGULATING THE SUBDIVISION AND DEVELOPMENT OF
LAND WITHIN WELLS TOWNSHIP, FULTON COUNTY, PENNSYLVANIA:
REQUIRING THE SUBMITTAL OF SUBDIVISION AND MOBILE HOME PARK
PLANS FOR TOWNSHIP REVIEW: PRESCRIBING STANDARDS OF DESIGN,
PLAN REQUIREMENTS, PLAN PROCESSING, IMPROVEMENT, AND CON-
STRUCTION REQUIREMENTS, AND CONDITIONS OF ACCEPTANCE OF
PUBLIC IMPROVEMENTS

The Board of Township Supervisors of Wells Township,
Fulton County, Pennsylvania, does herein and hereby or-
dain that an ordinance regulating the subdivision and
development of land within Wells Township, Fulton County,
Pennsylvania; requiring the submittal of subdivision and
Mobile Home Park Plans for Township review; prescribing
standards of design, plan requirements, plan processing
procedures, improvement and construction requirements,
and conditions of acceptance of public improvements, is
hereby imposed pursuant to Article V of the Pennsylvania
Municipalities Planning Code, Act 274 of January 1, 1969,
as amended.

ARTICLE I

PURPOSES, INTERPRETATION, AND SHORT TITLE

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

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, other ordinance, or regulation, the provision 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 not have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

Section 103. Short Title. This ordinance may be cited as "The Wells Township Subdivision Ordinance of 1979".

Section 104. Amendments. At any time it may be necessary to amend This Ordinance, The Board of Supervisors may do so by majority vote provided that notice of such amendments shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality prior to the public meeting where such amendment is to be considered. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. Amendments may be proposed by any Supervisor or by any taxpayer or citizen of Wells Township.

ARTICLE II

DEFINITIONS

Section 200. 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:

- a. Accelerated Erosion: The removal of surface materials by the action of natural elements caused by man's manipulation of the landscape.
- b. Block: An area bounded by streets.
- c. Cartway: The portion of a street intended for vehicular use.
- d. Clear-sight distance: A line of unobstructed vision from a point 4-1/2 feet above the center line of a street to the nearest point on the top of an object 4 inches high on the same center line.
- e. Clear-sight triangle: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.
- f. Crosswalk: A right-of-way for pedestrian travel across or within a block.
- g. Cul-de-sac: A residential street with access closed at one end and with a vehicular turn-around at the closed end.
- h. Drainage: The flow of water or liquid waste and the methods of directing such flow.
- i. 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.
- j. Earthmoving Activity: Any construction or other activity which disturbs the surface of the land including, but not limited to, excavation, embankments, land development, subdivision development, mineral extraction and the moving, depositing, or storing of soil, rock, or earth.
- k. Engineer: The Township Engineer or any consultant designed by the Board of Supervisors to review a subdivision plan and perform the duties of engineer in behalf of the Township.
- l. 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.
- m. Lot: A tract or parcel of land intended for separate development, use, or transfer of ownership.

- n. Mobile Home: A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two 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.
- o. Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.
- p. Mobile Home Park: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.
- q. Planting strip: The unpaved portion of a street, right-of-way between the sidewalk-pavement and the property line.
- r. Right-of-way: Land set aside for public use as a street, crosswalk, or other common means of communication and travel.
- s. 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.
- t. Runoff from a fully developed area upstream: The surface water runoff that can be reasonable anticipated upon maximum development of that area of the watershed located upstream from the subject tract, as permitted by prevailing zoning or the township comprehensive plan, if such exists.
- u. Sanitary sewage facility: A public sanitary sewage system, or a comparable common or package sanitary sewer facility approved by the appropriate governmental agency.
- v. Sedimentation: The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".
- w. Slope: Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.
- x. Soil Stabilization: Chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise improve its engineering properties.
- y. Street: A strip of land which is intended primarily as a means of vehicular and pedestrian travel and which may also be used as a space for sewers, public utilities, shade trees, and sidewalks. See Section 704 for the classification of streets by function.
- z. Subdivider: The owner or the authorized agent of the owner of a subdivision.

- aa. Subdivision: The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose whether immediate or future, of lease, transfer or ownership of building or lot development: Provided, however, that the division of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access, shall be exempted.
- bb. Swale: A low lying stretch of land which gathers or carries surface water runoff.
- cc. Top Soil: Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.
- dd. Watercourse: A permanent stream; intermittent stream, river; brook; creek; channel or ditch for water whether natural or man-made.

ARTICLE III

CONTROL OF SUBDIVISIONS, RECORDING OF PLANS,
DEDICATIONS OF PROPERTY AND IMPROVEMENTS

Section 300. Control of Subdivisions. From and after the effective date of this Ordinance no subdivision of any lot, tract, or parcel within the Township 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 building abutting thereon, except in strict accordance with the provisions of this ordinance. No lot in a subdivision may be sold, no permit to erect, alter or repair any building upon land in a subdivision may be issued, no building may be erected, and no change 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, unless and until a plan for the subdivision has been approved by the Board of Supervisors and recorded, and until the improvements required by the Board of Supervisors in connection therewith have either been constructed in strict accordance with the standards and specifications of the Township or guaranteed as provided in Section 600, f., of this Ordinance. Said standards and specifications, particularly as presented in Article VII 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 accomodate 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 coordinated system of streets conforming to the Township'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 other hazard, that all necessary or required erosion and sedimentation facilities be installed prior to or during the initial phase of construction of the subdivision. (Where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship, the Board of Supervisors 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 301. Recording of Final Plans, and Dedication of Property and Improvements. Upon approval of a final plan, the developer shall within ninety days of such final approval record such plan in the Office of the Recorder of Deeds of Fulton 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. Offers of dedication of such public improvements to the Township may be made on the plans by formal notification thereof; or the owner may note on the plans that such improvements have not offered for dedication to the Township. Every street, park, erosion and sediment facility or other public improvement shown on a recorded subdivision plan shall be deemed to be a private street, park, or improvement until such time as the same has been offered for dedication to the Township and accepted by ordinance and resolution which has been recorded in the Office of the Clerk of Courts, Fulton County, or until is has been condemned for use as a public street, park erosion and sediment facility, or other improvement

ARTICLE IV

GENERAL PROCEDURE AND JURISDICTION

Section 400. Plan Approving Authority. All subdivision plans shall be subject to approval, modification, or rejection by the Board of Township Supervisors; in the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant. Prior to action by the Board of Township Supervisors all subdivision plans shall be referred to the Township Planning Commission, if such exists, for its review and recommendations.

Section 401. Submittal of Plans. The subdivider shall submit preliminary and final copies of subdivision plans to the Township Secretary, and the Township Secretary shall distribute the required number of copies to the Township agencies concerned, as provided for in Article V and VI. All plans when first submitted shall be considered preliminary plans. If the subdivider 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.

Section 402. Review of Plans. Subdivision plans shall be reviewed by the Township Board of Supervisors at its first regular meeting following the date of submittal, providing that such plans are submitted at least ten (10) days prior to the meeting. Meetings of the Board of Supervisors at which plans are reviewed shall be open to the public. Subdividers shall be given reasonable notice of the time and place at which their plans are to be reviewed.

Section 403. Approval of Plans; Hearing. Approval of preliminary plans by the Board of Township 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. No subdivision or land development shall be approved unless (1) there has been an erosion and sedimentation control plan approved by the Board of Supervisors that provides for minimizing erosion and sedimentation. Measure used to control erosion and reduce sedimentation shall as a minimum meet the erosion and sediment control standards and specifications of the Fulton County Conservation District as adopted by Wells Township on _____ (date). The Township Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, and provisions, copies of which are available at the offices of Wells Township. The Board's 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 Township approval for the purpose of recording the plans in the Office of the County Recorder of Deeds. Before acting on any subdivision plan, the Board of Township Supervisors may arrange for a public hearing thereon after given such notice as it may deem necessary and desirable in each case.

Section 404. Waiver or Modification of Requirements. When an entire tract of land is divided into not more than two lots with frontage on a street of sufficient width and none of the lots is intended for further subdivision, the requirements for submittal of final plans, and the final plan filing fee, may be waived upon written application of the subdivider and that final approval be granted on the basis of the preliminary plan as submitted.

The application must include a statement that none of the lots to be created is intended for further subdivision as well as a plan to scale giving all of the boundary dimensions of the tract and of the proposed lots, the location of proposed buildings, and the width of abutting streets.

Section 405. Fees. The following fees shall be paid by the subdivider to the Township:

- a. Filing a preliminary plan - \$20.00 plus \$4.00 per lot or dwelling unit.
- b. Filing a final plan - \$2.00 per lot, or \$2.00 per dwelling or store.
- c. For necessary Engineering services in subdivision plan review and inspection of public improvements - the actual cost of the Engineering services and inspection, if any.

ARTICLE V

PREAPPLICATION CONSULTATION

Section 500. Consultation with the Board of Supervisors. Before going ahead with the Preliminary Plan procedure or with steps to acquire land or subdivide, the Subdivider should be familiar with these subdivision 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 sewage, etc.) and public services (police, fire, refuse disposal, etc.).
- e. The effect on the subdivision of any contemplated improvements or the proposals of any comprehensive plan and these regulations. The conference and any other communications are confidential.
- f. The necessary technical review agencies involved in obtaining subdivision approval. The subdivider is encouraged to contact said agencies prior to filing a preliminary plan with the Township.

Section 501. 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. An example of such a sketch plan is contained in Appendix A of this Ordinance.

ARTICLE VI
PRELIMINARY PLANS

Section 600. Plan Requirements. The Board of Supervisors may require that the following materials be submitted with an application for review and approval of preliminary plans:

- a. Five copies of the subdivision plan in the form of a map or series of maps drawn to a scale not smaller than two hundred (200) feet to the inch and showing the following:
 - (1) The limits and dimensions of the tract to be subdivided and the proposed name of identifying title of the subdivision. The date, scale and north point.
 - (2) Existing and proposed streets, including the name, widths of right-of-way and cartway.
 - (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 sewer and water facilities.
 - (5) The Board of Supervisors may require existing topographic contours at not more than ten-foot intervals or at such intervals that the contours shall have a maximum spacing of 100 feet, and may also require supplemental plans showing proposed final contour.
 - (6) The name and address of the subdivider, the name, seal, and signature of the engineer, architect, or surveyor who prepared the plan. The name and address of the owner of the tract and the names of the owners of the adjoining tracts.
- b. Four copies of a sketch or map, drawn approximately to scale, showing the location of the proposed subdivision in relation to adjacent properties and existing streets, and showing any proposed connection with existing sewer and water facilities and a summary table of the number of structures and dwelling units proposed.
- c. The Board of Supervisors may require four copies of a statement of proposed improvements, including streets, curbs, gutters, and sidewalks, including a typical cross section diagram of proposed street construction, and including the proposed means of water supply and sanitary drainage.
- d. In the event that the plans propose the enlargement of utility or any other services extending from another municipality, a statement or certificate indicating that the proposal has been reviewed by the municipality or municipal authority concerned and is considered to be reasonable.

- e. Whenever a single tract or parcel of land is to be subdivided into three or more lots, the Subdivider shall prepare, for the use of the Township, four copies of a formal revision to the Township's Official Liquid Wastes Disposal Plan, pursuant to the Rules and Regulations of the Pennsylvania Department of Environmental Resources. Such revision shall include but not be limited to the following information:
- (1) A preliminary plan indicating within the site the location of existing and proposed buildings, lot lines, sewage or sewerage systems, all sources of water supply such as wells and springs, ponds, streams, and other bodies of water, rights-of-way, streets, roadways, highways, and access routes.
 - (2) Information relating to the type of water supply and sewage supply provided or to be provided including soil conditions and limitations for on-lot sewage disposal if applicable.
 - (3) Information relating to adjacent property, building, sources of water supply, ponds, streams, sewage or sewerage systems, rights-of-way, streets, that may have a significant effect on the environmental and sanitary aspects of the proposed subdivision.
 - (4) Direction to north, direction of slopes, and degree of slopes.
 - (5) Direction and distance of the nearest sewage treatment plant and information as to its present or future accessibility in terms of time, finances and load capacity as well as the sources of this information.
- f. Whenever a single tract or parcel of land is to be subdivided into three or more lots, the Subdivider shall prepare, for the use and review of the Township, four copies of an Erosion and Sediment and Control Plan, pursuant to the Rules and Regulations of the Pennsylvania Department of Environmental Resources relative to Erosion Control. The design standards and specifications for said Plan are contained in Article VIII, Section 807 of this Ordinance. The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the Erosion and Sedimentation Control Plan. All the factors to be considered are included, but not limited to, the following:
- (1) The erosion and sedimentation control plan shall be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques.
 - (2) The erosion and sedimentation control plan shall be designed to prevent accelerated erosion and sedimentation by incorporating the following control measures and control facilities:
 - (a) The topographic features of the project area.
 - (b) The types, depth, slope and aerial extent of the soils indicated on the plat plan or similar appropriate official map.
 - (c) The proposed alteration to the area:
 - (i) Stripping of vegetation regrading, or other development shall be done in such a way that will minimize erosion.

- (ii) Whenever feasible, natural vegetation shall be retained, protected and supplemented.
 - (iii) Disturbed soils shall be stabilized as quickly as practicable.
 - (iv) Development plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
- (d) The amount of runoff from the project area and the upstream watershed area;
- (i) Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary the rate of surface water runoff will be structurally retarded to prevent sedimentation from being discharged into the waters of the Commonwealth.
 - (ii) All surface water shall be diverted away from the project area where feasible.
- (e) The staging of earthmoving activities; the disturbed area and the duration of exposure shall be kept to a practicable minimum.
- (f) Temporary control measures and facilities for use during earthmoving;
- (i) Temporary vegetation and/or mulching shall be used to prevent exposed critical areas during development.
 - (ii) Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.
- (g) Permanent control measures and facilities for long term protection;
- (i) The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.
- (h) A maintenance program shall be developed for the control facilities including disposal of materials removed from the control facilities or project area.

Section 601. Review Procedure.

- a. Upon receipt of the required plans and application materials, the Township Secretary shall forward two copies of the plan and supporting data to the Township Planning Commission, if such exists; and one copy of the Fulton County Conservation District. In the case of unusually large or complex subdivision proposals the Township Secretary shall forward one copy of the plan and supporting data to the Engineer or other official as designated, if any.
- b. The Engineer, or other official, when requested to, shall review the plans from the standpoint of engineering requirements and considerations and shall transmit them to the Board of Supervisors with a copy of his report.
- c. The Planning Commission, if such exists, shall coordinate its review with that of the Township Engineer, or other designated official, if any, and shall forward two copies of the plan to the Board of Township Supervisors together with a report in writing summarizing the findings of the Engineer and the Planning Commission.
- d. The Board of Supervisors shall consider a preliminary subdivision within sixty (60) days of Township receipt of the plans and data and shall formally adopt and submit to the Pennsylvania Department of Environmental Resources for their review, the revision to the Township's Official Liquid Wastes Disposal Plan.
- e. The Board of Township Supervisors shall take official action on a preliminary subdivision plan within ninety (90) days of Township's receipt of the plans and data. The Board shall note its action on three copies of the plans. One copy shall be returned to the subdivider and two copies shall be retained for Township use.

ARTICLE VII
FINAL RECORD PLANS

Section 700. Plan Requirements. The Board of Supervisors may require that the following materials be submitted with an application for approval of a final plan. Final plans shall conform in all important details with preliminary plans as previously approved, and any conditions specified in the approval of preliminary plans shall be incorporated in the final plans.

- a. Five copies of the subdivision plan in the form of a map or series of maps, drawn to a scale of not smaller than 200 feet to the inch on sheets 12 x 18 inches. Where more than one sheet is required, an index map of the entire subdivision 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 50 feet 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 copy of such map shall be made on a stable reproducible plastic or linen material, and the error of closure shall not be more than one part in 10,000. Such final subdivision plans shall show:
 - (1) The items required to be shown in preliminary subdivision plans, as specified in Section 500, a.
 - (2) Final topographic contours at not more than 10 foot intervals that the contours shall have a maximum spacing of 100 feet.
 - (3) The location of all proposed monuments, street lights, and street signs.
- b. Two 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. Two copies of profile and cross-section maps or diagrams of street showing proposed grades of curbs, sanitary and storm water sewers, water pipes and other underground utilities.
- d. A statement of the type or types of structures to be erected, and a summary table of the number of structures and dwelling units proposed.
- e. Evidence that the plans are in conformity with building, sanitation and other applicable Township 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.
- f. Evidence that the subdivider has installed the necessary street, erosion and sediment control facilities and other improvements as required in Section 801 in accordance with Township standards and specifications, or that the subdivider has furnished the Township the following assurances that said improvements will be installed:
 - (1) A written agreement concerning improvements not yet completed in a form provided by the Township that the subdivider will lay out and improve

roads and streets, erosion and sediment control facilities, and construct all of the improvement required in Section 801 as a condition of the approval of the plan by the Board of Township Supervisors within the time or times specified herein.

- (2) A bond in such amount, under such conditions and form and with surety, as shall be approved by the Board of Township Supervisors to guarantee the performance of the subdivider'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 shall provide a maintenance bond not exceeding twenty-five percent of the full cost of all improvements under such conditions, in form and with surety as shall be approved by the Board of Township Supervisors to guarantee the maintenance of all required improvements for a period of not less than two years from the date of acceptance of said improvements by the Township. In lieu of a bond, the subdivider 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 Solicitor and Board of Township 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 Board of Township Supervisors.
 - (3) An agreement that the subdivider will install underground utilities before paving streets and constructing sidewalks.
- g. In any case where part of the tract proposed for subdivision comprises a cemetery, the subdivider shall create a trust fund such as will provide the Township with an income of approximately \$100.00 per annum per acre to provide for the care and maintenance of the cemetery.
 - h. In any case where Pennsylvania Department of Environmental Resources required the subdivider to obtain an earth moving permit, two (2) copies of the Final Plan and supporting data shall be submitted directly to the Fulton County Conservation District.

Section 701. Review Procedure.

- a. One copy of each subdivision plan and one copy of utility maps and street profiles received by the Township Secretary shall be transmitted to the Township Planning Commission, if such exists, for its review. The Commission, if such exists, shall report back to the Township Secretary whether the final plans as submitted are in agreement with previously submitted preliminary plans.

- b. In the case of a subdivision plan proposing any public improvements, the Township Secretary shall forward one copy of the subdivision plan and one copy of utility maps and street profiles to the Engineer, or other designated official, if any, for his review as to the adequacy and estimated cost of construction of the required public improvements. Also, the Township Secretary shall forward one copy of the Subdivision Plan and supporting data to the Fulton County Planning Commission, if such exists, for review and report at County expense. In the event that the subdivider has made substantial changes in his plans since the preliminary plans were approved, the Board of Supervisors shall review the plans according to the procedure for preliminary plans.
- c. On receipt of the Engineer's, or other designated official's, report, the Township Secretary shall notify the Township Solicitor to prepare proper forms of agreement between the Township and the subdivider concerning the matters described in Section 700, f., above and in Section 804, u., if appropriate.
- d. The Township Secretary shall not place consideration of the plan on the agenda of the Board of Township Supervisors prior to receipt by the Township of a favorable report for the Department of Environmental Resources regarding the Official Plan Revision. However, upon receipt of said favorable report the Township Secretary shall notify the subdivider of the time and place of the meeting at which the plans shall be considered.
- e. The Township Board of Supervisors shall take official action of each subdivision plan within ninety (90) days of Township receipt of the final plans and data and shall note and stamp its action on all copies of the plan. Distribution of copies of the subdivision plan, as finally approved, shall be as follows: one copy to the Engineer, or other designated official; two copies to be retained in the Township files, and two copies to the subdivider. One copy of all supporting materials shall be retained in the Township files. The subdivider shall be responsible for filing one copy of the subdivision plans as approved with the County Recorder of Deeds within ninety (90) days after final approval by the Township Board of Supervisors.

ARTICLE VIII
DESIGN STANDARDS

Section 800. Application. The standards of design in this Article shall be used to judge the adequacy of subdivision 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 801. Construction of Improvements. The subdivider shall grade and pave the streets and install all other necessary improvements at no expense to the Township, 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, in strict accordance with the requirements of this Article and the standards and specifications of the Township. Construction and inspection of all such facilities and utilities shall be subject to inspection by appropriate Township officials during the progress of the work. The subdivider shall not begin work on structures in any part of the subdivision until the streets in that part have been graded to within four inches of the finished grade.

Section 802. General Standards.

- a. Land. No land shall be subdivided for residential purposes unless all hazards to life, health, or property from flood, fire and disease, shall have been eliminated or unless the plans for the subdivision shall provide adequate safeguard against such hazards.
- b. Development. Proposed subdivisions shall be coordinated with existing nearby neighborhoods so that the community as a whole may develop harmoniously.

Section 803. Blocks and Lots.

- a. Block length. Residential and commercial blocks shall be not less than 500 feet long nor more than 2,000 feet long. Crosswalks up to 12 feet wide with a paved walk of six feet in width, may be required for blocks more than 1,000 feet long.
- b. Block width. Blocks shall be wide enough for two tiers of lots and shall not generally be less than 300 feet between right-of-way lines.
- c. Through lots. Double frontage lots are to be avoided and generally will not be permitted unless the lots are a minimum of 200 feet deep. Along major highways, through reserve frontage lots, served entirely by a separate residential service neighborhood feeder street, may be required in order to protect the character of the major street.
- d. Grading. Blocks and lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of storm water in pools. Roof drainage shall be provided for according to recommendations of the Engineer or such other official as may be designated by the Board of Township Supervisors. Top soil shall be preserved and redistributed as cover and shall be suitably planted with perennial grasses or ground cover.

- e. Lot size. The minimum lot size and width requirements shall be as follows:
1. In any portion of the Township where neither public water nor sanitary sewer facilities are provided, each lot shall have a minimum lot area per family of forty-three thousand five hundred square feet, excluding the right-of-way width required herein, and a minimum lot width of 100 feet at the building line and at the front property line.
 2. In any portion of the Township where either public water or sanitary facilities, or both, are provided each lot shall have a minimum lot area per family of twelve thousand square feet, excluding the right-of-way width required herein, and a minimum lot width of eighty feet at the building line and at the front property line.
- f. Lot lines. Lot lines shall be approximately at right angles or radial to street lines so long as reasonably shaped lots result.
- g. House numbers. House numbers may be assigned to each lot by the Township.
- h. Residential parking. At least one off-street parking space with access to a public street shall be provided for each proposed dwelling unit. Where such access is to other than a residential service street, adequate turn-around space shall be provided on the lot.
- i. Exceptions. Blocks in commercial and industrial districts may vary from the elements of design contained in this section if the nature of the use requires special treatment. Off-street parking and loading space shall be provided along with safe and convenient access to the street system.
- j. Setback lines. Setback lines shall be at least thirty-five (35) feet from the road right-of-way or at least sixty (60) feet from the road centerline, whichever is greater. Buildings shall be constructed at least ten (10) feet from the sidelines and at least twenty-five (25) feet from the rear lot line.

Section 804. 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 related to topography 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. Rural service street - A street providing access to farms and scattered residences. Improvements along such streets must be designed to allow ultimate construction of the street as a neighborhood feeder street. Standards for these streets assume light traffic flow and no on-street parking.
 2. Residential service street - A street, usually within a development, intended primarily to serve only the properties along it. Standards assumes light traffic flow and street parking along one side. When such a street is intended to serve row or multi-family structures, the standards provide for parking on both sides and light traffic flow. Such streets should be laid out to discourage through traffic.

3. Neighborhood feeder street - A street which connects residential service streets to intercommunity streets or to neighborhood facilities. Standards assume medium traffic flow and parking on both sides of the street.
4. Intercommunity or secondary street - A street connecting places of relatively dense settlement with each other and with major highways. Standards assume medium heavy traffic flow at high speeds. Street parking may or may not be provided for.
5. Major Highway or street - A street connecting regional centers and only incidentally of local use.
6. 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 Cartway Width</u>	<u>Minimum Pavement Width</u>
Rural service street	50 feet	26 feet	18 feet
Residential service street	50 feet	26 feet	18 feet
Neighborhood feeder street	50 feet	26 feet	18 feet
Intercommunity or secondary highway or street	80 feet	30 feet	24 feet
Major highway or street	State Highway Dept. Standards	State Highway Dept. Standards	State Highway Dept. Standards
Alley and service drive	20 feet	20 feet	16 feet

- d. Street pavement. Minimum pavement width shall be improved with macadam or other hard surface. The remainder of the cartway shall be improved according to Township specifications.
- 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 the Township.
- g. Access. Streets shall be laid out to make provision for access to all lots and to adjacent undeveloped areas, and the subdivider shall improve these access streets to the limits of the subdivision.
- h. Reserve strips. Reserve strips controlling access to the subdivision or adjacent areas are prohibited.
- i. Dead-end streets. Dead-end streets are prohibited unless constructed as cul-de-sacs not exceeding 1,000 feet in length, with a turn-around having a minimum of 200 feet diameter right-of-way and a minimum of 100 foot diameter of paving.
- j. Clear sight distance. Clear sight distance along the center lines of residential and neighborhood streets shall be maintained at not less than 150 feet; along secondary or intercommunity streets at not less than 250 feet; and along major streets at not less than 450 feet.

- k. Directional changes. Changes in street direction shall be made by horizontal curves with a minimum radius of 500 feet for major streets, 300 feet for secondary streets, and 200 feet for neighborhood feeder streets and rural and residential service 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 three-fourths of one percent on all streets. Grades shall not exceed six percent on all major and secondary streets and ten percent on rural residential and neighborhood streets. Steeper grades may be permitted on rural and residential streets for shorter distances if no gentler slope is possible.
- m. Vertical curves. Changes in grade shall be joined by vertical curves; and the maximum rate of changes of grade shall be five percent 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 residential service and neighborhood feeder streets shall be more than one-eighth inch per foot and less than one-third inch per foot as directed by the Engineer, or other designated official, if any.
- o. Curbs. Curbs and gutters shall be constructed in full length of all streets as may be judged necessary by the Board of Supervisors.
- p. Side slopes. Cuts and fills shall be provided with side slopes no steeper than one vertical to two horizontal. Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent gulleying and erosion. Along the side of a street where there is a drop off of ten (10) feet or more vertically within thirty (30) feet or less horizontally there shall be erected a metal guardrail of a type approved by the Pennsylvania Department of Transportation.
- q. Sidewalks. Sidewalks shall generally be required for residential and commercial areas, but the Board of Supervisors may recommend that the sidewalk requirement for low density residential areas be waived. Sidewalk paving shall not be less than four feet wide. The Board of Supervisors may recommend wider pavements in high density area and in commercial areas. The location of sidewalks relative to planting strips shall be in accordance with Township requirements.
- r. Materials and construction standards. Materials and construction standards for streets, curbs and gutters, and sidewalks, shall conform to regulations and standards of the Township.
- s. Storm sewerage. Provision of storm sewerage inlets, catch basins and manholes shall meet the requirements of the Township as regards to both design and location. All catch basins shall be connected to a manhole.
- t. Intersections. Street intersections shall be designed according to the following standards:
- (1) No more than two streets shall cross at the same point. Street intersections shall be at right angles wherever possible, and intersections of less than 60 degrees (measured at the center-lines of the streets) will not be permitted.

- (2) Intersecting streets shall not enter into the same side of intercommunity or secondary streets or major highways at intervals of less than 800 feet. Minor streets entering another street from opposite sides should be directly opposite each other; or if necessary, they may be separated by at least 200 feet 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 in any direction, and approaches to any intersection shall follow a straight course within 100 feet of the intersection, grades within 100 feet of an intersection shall not exceed ten percent.
 - (4) Curb radii at intersections shall be according to the following schedule of minimum lengths: 15 feet for intersections of alleys and all streets; 20 feet for residential service and neighborhood feeder streets; and 30 feet for major and secondary streets. Where streets of different categories intersect, requirement for the more important one shall hold. The street right-of-way line shall be parallel to the curb line. In zones where buildings are permitted to abut the right-of-way line, a diagonal cut-off may be employed, provided sidewalk width and corner visibility are unimpaired.
 - (5) Except where buildings are permitted to front on property lines, a 75-foot 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.
- u. The following standards shall apply to the design and location of alleys and service drives;
- (1) Alleys shall not be permitted in residential developments except by permission of the Township. No part of any dwelling, garage or other structure may be located within 16 feet 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.

Section 805. Utilities.

- a. All newly constructed properties shall be connected to a municipal sanitary sewer system as required by the Wells Township Ordinance, and to a public water system if accessible. Where a sewer is not yet accessible but is planned for extension to the subdivision, the subdivider shall install sewer lines, including lateral connections, as may be necessary to provide adequate service to each lot when connection with sewer service is made. The sewer lines shall be suitably capped at the limits of the subdivisions, and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, on site disposal facilities shall also be provided. A sewer shall be considered to be planned for extension to a given area any time after engineering the related studies have been initiated preparatory to the construction of facilities adequate to serve the area containing the subdivision.
 - (1) Sanitary sewers shall have a minimum inside diameter of eight inches and a minimum grade of 1/2%.
 - (2) Manholes shall be located generally at intervals of 250 feet and in no case more than 300 feet. Manholes are also required at all points of change of course or grade and at all points of intersection of sewer lines.
 - (3) Sanitary sewers shall not be used to carry storm water.
 - (4) When on-site facilities are necessary, their design, construction and installation shall be in accordance with the requirements of any Township ordinance or State regulation governing such on-site facilities, and shall be approved by the Township officer or other appropriate governmental agency.
- b. Installation of all sewers, water mains, street lights, manholes, and other utilities, shall be in strict accordance with the engineering standards and specifications of the Township, municipal authority, or other public utility concerned.
- c. Fire hydrants when provided shall be located so that the distance from any building frontage to a fire hydrant is not more than 600 feet measured along the curb.
- d. Where common utility lines are installed in or over undedicated land, a public easement six feet on each side of the 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.

Section 806. Other Public Facilities.

- a. Land Requirements. Areas set aside for recreational or school purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision, accessible from a public street, and not excessively irregular in terrain.
- b. Play Lots. Play lots for children of pre-school age shall be from 2,000 to 5,000 square feet in area.
- c. Land Marks. Wherever possible, subdividers shall preserve trees more than six inches in diameter at the trunk, groves, waterways, scenic points, historic spots, and other community assets and landmarks.
- d. Playgrounds. In subdivisions which provide or are intended to provide housing for more than fifty families, the Board of Supervisors shall consider the need for suitable open areas for recreation. Standards to be used by the Board of Supervisors as guides in requesting the reservation of space for recreation shall be as follows:

<u>Families to be served</u>	<u>Playground acreage</u>
50 - 174	1.50
175 - 374	2.75
375 - 624	3.25
625 - 800	4.00

- e. Monuments. Permanent monuments shall be placed throughout the subdivision in accordance with Township specifications, to give full surveying control for each block and for all areas of dedicated land or public easement. Monuments shall be set in the ground until final grading is completed.

Section 807. Erosion and Sediment Control Standards and Specifications.

- a. The installation and design of required erosion and sediment control facilities shall be in accordance with standards and specifications contained in the Erosion and Sediment Control Handbook on file with the Township including:
 - (1) Temporary Cover on Critical Areas.
 - (2) Permanent Grass and Legume Cover on Critical Areas on Prepared Seedbed.
 - (3) Permanent Grass and Legume Cover on Critical Areas on Unprepared Seedbed.
 - (4) Sodding.
 - (5) Mulching.
 - (6) Temporary Diversion.
 - (7) Permanent Diversion.

- (8) Grassed Waterway or Outlet.
 - (9) Grade Stabilization Structure.
 - (10) Debris Basin.
 - (11) Drain.
 - (12) Drainage - Main or Lateral.
- b. Stream channel construction on watersheds with drainage areas in excess of 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, Harrisburg, Pennsylvania 17120.

ARTICLE IX

MOBILE HOME REGULATIONS

Section 800. Procedure. No person, firm or corporation shall construct, maintain or operate a Mobile Home Park within the Township without obtaining a Mobile Home Park permit.

- a. Mobile Home Park Permit. Prior to the issuance of a Mobile Home Park Permit, a Site Plan shall be submitted to and approved by the Board of Supervisors in accordance with Section 901 and the following conditions:
- (1) Said Site Plan shall include areas within which Mobile Homes may be located, the spacing of mobile homes, open spaces and their landscaping, off-street parking spaces, and streets, driveways, utilities, watercourses, and any physical features relevant to the proposed plan, and
 - (2) Said Site Plan shall be subject to review and public hearing by the Supervisors in the following manner:
 - (a) Township Supervisors Public Hearing. The Township Supervisors shall hold a public hearing on the request for approval of the Site Plan within thirty (30) days of submission of the Site Plan. Said hearing shall be advertised in the newspaper of general circulation in the Township at least ten (10) days before such hearing and notice of said hearing shall be posted by certified mail to the owners of property abutting the site and directly across an adjoining street and to any other persons that the Supervisors may feel to be particularly affected.
 - (b) Township Supervisors Action. The Township Supervisors shall within thirty (30) days of the date of the public hearing on the Site Plan, take final action to approve, modify and approve or disapprove the Site Plan and shall so notify the applicant in writing. Disapproval of the Site Plan by the Supervisors shall be by resolution, setting forth the reasons therefore.
 - (3) Prior to Site Plan approval, the developer shall file with the Township Supervisors a performance guarantee to insure the proper installation of all street, utilities and recreation improvements shown on the Site Plan, and shall be required to file a maintenance guarantee to insure the proper maintenance of all such facilities. The amount and period of said guarantees shall be determined by the Board of Supervisors, and the form, sufficiency, manner of execution, and surety shall be approved by the Township Attorney and Township Supervisors.

- (4) Application fees. Every application for approval of a Mobile Home Park shall be accompanied by a fee payable to the Township in the sum of:

First 5 Mobile Home lots or less	Flat fee \$25.00
Next 50 Mobile Home lots	\$3.50 per lot
Next 100 Mobile Home lots	\$2.00 per lot
Next 100 Mobile Home lots	\$1.00 per lot

Section 901. Approval of Site Plan.

- a. Objectives. In considering and acting upon Site Plans, the Board of Supervisors shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of this Ordinance and the accomplishment of the following objectives in particular.
- b. Traffic Access. That all proposed traffic access and ways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations.
- c. Circulation and Parking. That adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use and that the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots.
- d. Landscaping and Screening. That all playground, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets and that the general landscaping of the site is in character with that generally prevailing in the neighborhood. Existing trees over 8" in diameter measured 4-1/2 feet above the average ground level shall be retained to the maximum extent possible.
- e. Illumination. That lighting from the installation of outdoor flood or spot lighting and illuminated signs will be properly shielded so that such lighting will not adversely affect any abutting property or public streets.
- f. Effect of Site Development Plan Approval. No mobile home park permit shall be issued for any structure covered by this Ordinance until an approved Site Plan or approved amendment of any such plan has been secured by the applicant from the Board of Supervisors.
- g. Site Plan Elements. The applicant shall cause a Site Plan map to be prepared by a civil engineer, registered surveyor or architect. Site Plan elements shall include those listed below which are appropriate to the proposed development.

(1) Legal Data.

- (a) Lot, block, and section number of the property taken from the latest tax records.
- (b) Name and address of the owner of record.
- (c) Name and address of person, firm, or organization preparing the map.
- (d) Date, north point, and written and graphic scale.
- (e) Sufficient description or information to define precisely the boundaries of the property. All distances shall be in feet and hundredths of a foot. All angles shall be given to the nearest 10 seconds or closer. The error of closure shall not exceed one in five thousand.
- (f) The locations, names, and existing widths of adjacent streets and curb lines.
- (g) The locations and owners of all adjoining lands as shown on the latest tax records.
- (h) Location, width, and purpose of all existing and proposed easements, set-backs, reservations, and areas dedicated to public use within or adjoining the property.
- (i) A complete outline of existing deed restrictions or covenants applying to the property.
- (j) Existing zoning, if any.

(2) Natural Features.

- (a) Existing contours with intervals of five (5) feet or less, referred to a datum satisfactory to the Board.
- (b) Approximate boundaries of any areas subject to flooding or storm water overflow.
- (c) Location of existing watercourses, marshes, wooded areas, rock outcrops, isolated trees with a diameter of eight or more inches, measured 4-1/2 feet above the average ground level, and other significant existing features.
- (d) Soil percolation test results as required by the Board.
- (e) Detailed soil survey maps as required by the Board.

(3) Existing Structures and Utilities On and Within 200 Feet of the Site.

- (a) Location of uses and outlines of structures drawn to scale.
- (b) Paved areas, sidewalks and vehicular access.
- (c) Locations, dimensions, grades, and flow direction of existing sewers, culverts, water lines as well as other underground and above ground utilities within and adjacent to the property.
- (d) Other existing development, including fences, landscaping, and screening.

(4) Proposed Development.

- (a) The location of proposed buildings or structural improvements.
- (b) The location and design of all uses not requiring structures, such as off-street parking and loading areas.
- (c) The location, direction, power and time of use for any proposed outdoor lighting or public address systems.
- (d) The location and plans for any outdoor signs.
- (e) The location and arrangement of proposed means of access and egress, including sidewalks, driveways, or other paved areas. Profiles indicating grading and cross-sections showing width of roadway, location and width of sidewalks, and location and size of water and sewer lines.
- (f) Any proposed grading, screening, and other landscaping including types and locations of proposed street trees.
- (g) The location of all proposed water lines, valves and hydrants and of all sewer lines and manholes or alternate means of water supply and distribution and sewage disposal and treatment.
- (h) An outline of any proposed deed restrictions or covenants.
- (i) Any contemplated public improvements on or adjoining the property.
- (j) If the Site Plan only indicates a first stage, a supplementary plan shall indicate ultimate development.
- (k) Any other information deemed by the Board of Supervisors to be necessary to determine conformity of the Site Plan with the intent and regulations of this Ordinance.

Section 902. Renewable Mobile Home Park Permit.

- a. The Township Board of Supervisors may grant a Mobile Home Park Permit in a period not to exceed six (6) months from the date of approval of such permit which shall be renewable every six (6) months. The Township Supervisors shall inspect each Mobile Home Park prior to granting a semi-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 Mobile Home Park to keep a register and to report therein the name of person or head of family occupying each said mobile home, showing date of entry on said land, license number of automobile, serial number, and make and size of trailer, the last permanent address of the person or head of family using said mobile home, and the names of all persons using or living in said mobile home.
- c. Said register and Mobile Home Park shall be subject to inspection periodically by the Township Supervisors.

Section 903. Park Site. The park site shall be well drained and have such grades and soil as to make it suitable for the purpose intended. All such parks shall be planned as a unit and shall be located on a tract of land at least ten (10) acres in size. The area of said site shall be in single ownership or under unified control.

Section 904. Lot Requirements.

- a. All lots in any Mobile Home Park shall be well drained and graded to a point where Mobile Homes may be parked so that the parking of the same shall result in safety to all concerned. In all instances as much natural vegetation as is reasonably possible shall be preserved by any Mobile Home Park developer.
- b. Individual mobile home lots located in a Mobile Home Park shall contain at least 5,000 square feet of lot area and shall not be less than 50 feet wide at the building setback line exclusive of easements.
- c. The maximum number of mobile home lots that may be approved in a Mobile Home Park shall be computed by subtracting from the total gross area a fixed percentage of 10% of said area for usable open space and dividing the remaining 90% of the area by the minimum lot requirements set forth above.
- d. In computing the maximum number of mobile home lots that may be created, any lands which are located within a flood plan area, which are subject to either periodic flooding or occasional chronic wetness, which have a slope in excess of 25% in such a manner as to limit their use or prevent their development shall not be considered part of the total gross area.

- e. All mobile home lot shall be given street numbers and all park streets shall be given names.

Section 905. Yard and Setback Requirements.

- a. All mobile homes shall be located at least seventy-five (75) feet from any street right-of-way which abuts a Mobile Home Park boundary and at least one hundred (100) feet from any other boundary of the park.
- b. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home and adjoining pavement of a park street or common parking area or other common areas.
- c. All mobile homes shall be separated from each other and from other buildings by at least twenty (20) feet.

Section 906. Park Street System.

- a. Park Access. Access to Mobile Home Parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. Each Mobile Home Park shall be provided with at least two (2) points of ingress and/or egress and a distance of at least 150 feet shall be maintained between centerlines of access streets.
- b. Lot Access. All Mobile Home Parks shall be provided with safe and convenient paved access streets to and from each and every mobile home lot. Alignment and gradient shall be properly adapted to topography.
- c. Streets. All streets within any Mobile Home Park shall have a minimum right-of-way width of fifty (50) feet, a minimum cartway width of thirty-six (36) feet, and a minimum pavement width of twenty-four (24) feet, except that one-way streets shall have a minimum cartway width of twenty-eight (28) feet and a minimum pavement width of twelve (12) feet. All streets shall be paved in accordance with Township specifications and shall be kept in good repair.
- d. Intersections. Not more than two (2) streets shall intersect at any point and a distance of at least 150 feet shall be maintained between centerlines of offset intersecting streets.

Section 907. Required Off-Street Parking.

- a. Off-street parking areas shall be provided in all Mobile Home Parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least one and one-half (1-1/2) vehicular parking spaces for each mobile home lot.

- b. Each off-street parking space shall contain at least 300 square feet and shall not exceed a distance of three hundred (300) feet from the mobile home lot that it is intended to serve.

Section 908. Utility Improvements.

- a. Water Distribution. All Mobile Home Parks shall provide to each separate mobile home lot line a continuing supply of safe and potable water as approved by the State Department of Environmental Resources.
- b. Sewage Disposal. All Mobile Home Parks shall provide to each separate mobile home lot a connection to a centralized sanitary sewage disposal system which shall be approved by the State Department of Environmental Resources.
- c. No Mobile Home Park Permit shall be issued until the sewage disposal and water distribution systems for the Mobile Home Park have been approved by the State Department of Environmental Resources.

Pollution of any natural watercourse shall be prohibited.

Section 909. Usable Open Space.

- a. All Mobile Home Parks 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.
- 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 910. Buffer Strips. A suitably screed or landscaped buffer strip at least ten (10) feet wide, approved by the Commission shall be provided by the developer along all of the property and street boundary lines separating the park from adjacent uses.

Section 911. Walkways.

- a. General Requirements. All parks shall be provided with safe, convenient, and season pedestrian walks of adequate width for intended use, durable and convenient to maintain, between individual mobile home lots, the park streets and all community facilities provided for park residents. Sudden change in alignment and gradient shall be avoided.

- b. Common Walk System. A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of four (4) feet.
- c. Individual Walks. All mobile home lots shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two (2) feet.

Section 912. Signs and Lighting.

- a. Signs may be permitted subject to the approval of the Township Board of Supervisors.
- b. All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

Section 913. Other Site Improvements.

- a. One fire alarm box or public telephone shall be provided for each Mobile Home Park. Dry chemical fire extinguishers, not less than five pounds in capacity, shall also be provided and shall be located that no mobile home is more than 150 feet distant from said fire extinguisher.
- b. Provision shall be made by the Park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the Mobile Home Park shall be subject to the approval of the State Department of Environmental Resources.
- c. Each mobile home lot shall be provided with a four (4) inch concrete slab on a stable surface at least 10 feet by 18 feet in size for use as a terrace and so located so as to be adjoining and parallel to the mobile home. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected.
- d. Individual tenants at the Mobile Home Park may construct attached enclosures or covered patios to individual mobile homes, provided that such enclosure does not exceed the slab area noted in 913 c. and is confined to same. Board of Supervisors approval shall be required for such enclosures in each case.
- e. There shall be provided in each Mobile Home Park such other improvements as the Board may require whereby such requirements shall at all times be in the best interests of the Park residents.
- f. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

Section 914. Park Areas for Non-Residential Uses.

- a. No part of any mobile home park shall be used for a non-residential 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 mobile home located on an individual lot and connected to the pertinent utilities.

Section 915. Existing Mobile Home Parks. The operators of existing Mobile Home Parks shall have six (6) months from date of enactment of this Ordinance to comply with the provisions of the Ordinance and to obtain a permit or to apply for an exception where such compliance would be an undue hardship.

ARTICLE X

PENALTIES

Section 1000. Penalties. Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees to enter into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat or such subdivision or land development or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this act and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding ONE THOUSAND DOLLARS (\$1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the Wells Township whose ordinance has been violated. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

ARTICLE XI

EFFECTIVE DATE: ENACTMENT

~~July 7~~ 1979

Section 1100. Effective Date. This Ordinance shall take effect upon its enactment as provided by law.

Section 1101. Enactment. Enacted and ordained this 2^d day of July, 1979.

WELLS TOWNSHIP

By Clifford Townson
President, Board of Township
Supervisors

BOARD OF TOWNSHIP SUPERVISORS OF
WELLS TOWNSHIP

Earl Long

Carl Anderson

ATTEST:

Robert L. DeFuriaugh
Township Secretary

Amended - effective July 7, 1979.