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ORDINANCE NO. 2001 A

AN ORDINANCE OF THE TOWNSHIP OF WORTH, COUNTY OF BUTLER, DEFINING AND REGULATING THE SUBDIVISION OF LAND AND ITS DEVELOPMENT; ESTABLISHING PROCEDURES FOR THE CONSIDERATION OF MINOR AND MAJOR SUBDIVISIONS, MOBILHOME PARKS AND MAJOR AND MINOR LAND DEVELOPMENTS; REQUIRING THE PREPARATION OF PRELIMINARY, FINAL AND AS-BUILT PLANS; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER OR DEVELOPER AND ESTABLISHING DESIGN STANDARDS FOR THOSE IMPROVEMENTS; REGULATING THE SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, WATER LINES, SEWERS, OTHER FACILITIES AND PUBLIC IMPROVEMENTS; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE; AND PRESCRIBING PENALTIES FOR VIOLATION.

ARTICLE I

GENERAL PROVISIONS

Section 101 Short Title

This Ordinance shall be known as the “Worth Township Subdivision and Land Development Ordinance.”

Section 102 Purpose

This Ordinance is adopted for the following purposes:

- 102.1 To assure sites suitable for building purposes and human habitation.
- 102.2 To provide for the harmonious, orderly, efficient and integrated development of the Township.
- 102.3 To assure new development will be coordinated with existing Township development.
- 102.4 To provide for adequate easements and rights-of-way for drainage and utilities.
- 102.5 To make provisions, as needed, for the reservation of land as it may be needed for public grounds or purposes.
- 102.6 To accommodate prospective traffic, facilitate fire protection and make such provisions as are necessary for public safety and convenience.

- 102.7 To make provisions for appropriate standards for streets, storm drainage, sanitary sewers, water facilities, curbs, gutters and such other improvements as shall be considered needed by the Township.
- 102.8 To promote the sound layout and design for subdivisions and land developments.
- 102.9 To allow for new and flexible standards of design, especially where they would assist in the implementation of the Worth Township Comprehensive Plan.
- 102.10 To secure equitable review and administration of all subdivision plans by providing uniform procedures and standards for all parties involved.
- 102.11 To implement the Worth Township Comprehensive Plan.

Section 103 Authority

The Township of Worth is vested by law with jurisdiction and control of the subdivision of land, mobile home parks and land development located within the Township limits in accordance with Article V of the Pennsylvania Municipalities Planning Code.

Section 104 Jurisdiction and Application

Plans for subdivisions, mobile home parks and land development within the Township shall be submitted to, and approved by, the Township before they are recorded. Such approval is in addition to, and does not supersede, those required by other ordinances, resolutions or regulations of Worth Township, Butler County, the Commonwealth of Pennsylvania or the United States government. The application of this Subdivision and Land Development Ordinance is subject to the limitations of Section 508(4) of the Pennsylvania Municipalities Planning Code.

Section 105 Municipal Responsibility and Liability

The provisions within this Ordinance are designed to fulfil the purposes cited in Section 102. The degree of protection sought by the conditions and requirements of this Ordinance for the present and future residents and landowners in the Township is considered reasonable for regulatory purposes. This Ordinance does not imply that compliance with the minimum requirements for subdivisions, mobile home parks or land developments will render such subdivisions, mobile home parks or land development free from inconveniences, conflicts, danger or damages. Therefore, this Ordinance shall not create liability on the part of the individual members of the Board of Supervisors, the Township of Worth Planning Commission or any officer, appointee or employee of the Township for any damages that may result from reliance on this Ordinance, or any administrative decision lawfully made thereunder.

Section 106 Effective Date, Jurisdiction and Repealer

This Ordinance shall become effective April 8th, 2001 and shall remain in effect until modified or rescinded by the Board of Supervisors. This Ordinance shall supersede and replace all other

conflicting regulations issued by the Township previous to the approval date of this Ordinance. No applicable land development or subdivision of land shall occur in Worth Township except by the provisions of this Ordinance. Compliance with this Ordinance does not release any party from compliance with other applicable local, county, state or federal laws or regulations.

Section 107 Copies

Copies of the Worth Township Subdivision and Land Development Ordinance shall be made available to the general public at a free adequate to compensate the Township for the cost of reproduction.

ARTICLE II

DEFINITIONS

Section 201 General Interpretations

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated: words in the singular include the plural, and the words in the plural include the singular. The word “person” includes a corporation, unincorporated association and a partnership as well as an individual or any other legal entity. The words “shall” and “will” are mandatory; the word “may” is permissive. An “agency” shall be construed to include its successors or assigns. Words not defined in this Article, or the Pennsylvania Municipalities Planning Code shall have the common meaning given to them.

Section 202 Meaning of Words

Accessory Building: A subordinate building, incidental to, and located on the same lot as the principal building. Such buildings are utilized for purposes subordinate to and incidental to the principal building’s use.

Agricultural Purposes: Any agricultural use, including farming, dairying, pasturage, horticulture, aquiculture, floriculture, viticulture, capriculture, animal and poultry husbandry and forestry, including the harvesting of timber.

Agricultural Security Areas: A deeded covenant between landowners and the Township of Worth as provided for by P.L. 128, No. 31, as amended.

Alley: A passage of way open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

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

Application for Development: Every application, whether preliminary, tentative or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. (MPC)

Block: A parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage or a combination thereof.

Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property.

Building Line: An imaginary line located a fixed distance from the front line (yard line) of the lot and interpreted as being the nearest point that a building may be constructed to the front lot line

(see Yar, Front). The building line shall limit the location of porches, patios and similar construction, steps excepted, to the face of this line. Said line is specified distance from, and generally parallel to, the street right-of-way or abutting lot lines.

Cartway: The improved surface of a street or alley designed for vehicular traffic. Does not include shoulders or surface outside the gutter line.

Clear Sight Triangle: A triangular area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street centerlines.

Commission: The Planning Commission of the Township of Worth.

Comprehensive Plan: The Worth Township Comprehensive Plan and any amendments thereto.

Condominium: A building, or group of buildings, in which dwelling units, offices or floor areas are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis or by a separate managing entity.

County: The County of Butler, Pennsylvania.

County Planning Commission: The Planning Commission of the County of Butler.

Cul-de-Sac: A street open to traffic at one end and terminating at the other in a vehicular turn-around.

Cut: An excavation. The difference between a point on the original ground and a designated point of lower elevation of the final grade. Also, the material removed in excavation.

Department of Environmental Protection (DEP): The Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

Designated Floodplain Areas: A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation in a 100-year flood and so defined by the Federal Emergency Management Agency.

Detention Pond: An area in which surface water runoff is temporarily stored pending its release at a controlled rate.

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

Development: Any man-made change to improved or unimproved real estate, including but not limited to , buildings or other structures, the placement of mobile homes, streets and other paving, utilities, storm sewers, drains, improvements to water courses, sidewalks, street signs, crosswalks, shade trees, seeding, sodding, monuments or other property markers, water supply

facilities, and sewage facilities; filling, grading, excavation, mining, dredging, or drilling operations, in the subdivision of land, when conducted within the context of subdivision or land development activities, as defined by the Pennsylvania Municipalities Planning Code.

Development Plan: The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase “provisions of the development plan,” when used in this Ordinance, shall mean the written and graphic materials referred to in this definition.

Drainage: The removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

Drainage Facility: Any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

Drainage Easement: The lands required for the installation of storm water sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Driveway: A private vehicular passageway providing access between a street and a private parking area or private garage.

Dwelling Unit: Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

Easement: A right granted for limited use of private land for public and quasi-public purposes including such things as utilities and drainage. There shall be no structures on any easements granted to the Township of Worth and to any officially created municipal authority.

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

Erosion: The displacement of surface materials by the action of natural elements.

Erosion and Sediment Control Plan: A plan showing all present and proposed grades and facilities for storm water, drainage, erosion and sediment controls, and which is in accordance with this Ordinance.

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.

Fill: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top

of the stripped surface and shall include the conditions resulting therefrom. The difference in elevation between a point of the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

Flood Prone Area: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

Governing Body: The council in cities, boroughs and incorporated downs; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designed in the law providing for the form of government. (Def. amended Dec. 14, 1992, P.L. 815, No. 131) (MPC)

Grading and Drainage Plan: A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities, described by materials, grades, contours and topography.

Gross Leasable Area: The sum of the gross horizontal areas of a building or structure (excluding vehicular parking lots) from the exterior face of exterior walls or from the centerline of a wall separating two buildings but excluding any space where the floor to ceiling height is less than six (6) feet.

Improvements: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

Land Development: Any of the following activities:

- A. The improvements of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - 1. A group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
 - 3. See also Article I and Article V of the Pennsylvania Municipalities Planning Code.
- B. A subdivision of land.

C. “Land development” does not include development which involves:

1. The conversion of an existing single-family, detached dwelling or single-family, semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities. (MPC)

Comment: The definition of land development was altered in the 1988 Amendments to the Pennsylvania Municipalities Planning Code. This new definition has caused some confusion. This commentary, while not intended to replace the definition, may aid in its understanding.

According to the definition, all subdivisions are also land developments, but not all land developments involve subdivisions. This means that municipalities have the power to review certain forms of development which involve no subdivision.

Rather than defining what a non-subdivision land development is, it may be easier to understand what it is not.

Land development does not generally include:

1. The dividing of a single-family home into three (3) or fewer residential apartments.
2. The construction of new single-family homes, or a single-apartment building.
3. The construction or expansion of any accessory buildings for a farm or home (barns, garages, etc.).
4. New rides, buildings or attractions within an existing amusement park.

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. (MPC)

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

Lot, Area of: The total horizontal ground area of a lot expressed in acres or square feet and computed exclusive of any portion of the right-of-way of any public or private thoroughfare, street, road, alley, or easement of access of use; but including any easement for essential service.

Lot, Corner: A lot at the junction of and fronting on two or more intersecting street rights-of-way.

Lot, Double Frontage: A lot which abuts streets in both the front, rear and/or side yards.

Lot, Non-Conforming: A lot the area or dimension of which was lawful prior to the adoption or amendment of subdivision regulations, but which fails to conform to the requirements of the governing ordinance in which it is located by reasons of such adoption or amendment.

Lot, Reverse Frontage: A lot extending between and having frontage on an arterial street and a local access street, and with vehicular access solely from the latter.

Lot, Width of: A mean horizontal distance between the side lot lines measured at its widest and narrowest points.

Maintenance Guarantee: Any financial security, acceptable under Article V of the Pennsylvania Municipalities Planning Code, which may be accepted by the Township of Worth for the maintenance of any improvements required by this Ordinance.

Major Subdivision: Any subdivision not classified as a minor subdivision; specifically, those involving more than two (2) parcels of land, including the residual parcel. For the purposes of this Ordinance, all land developments shall also be considered a major subdivision, regardless of including an actual subdivision of land (see Land Development).

Marker: A metal stake pin placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots.

Minor Subdivision: The subdivision of land into not more than two (2) parcels, including the residual property, located on an existing improved street that does not involve the construction, installation or dedication of new streets, utilities, or other public improvements.

Mobile home: A transportable, single-family dwelling intended for permanent occupancy, contained in one unit or in two 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. (The term does not include recreational vehicles or travel trailers.) (MPC)

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

Modification: When a subdivider can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to, and where because of topographic or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions, the Planning Commission may recommend, and the Board of Supervisors may authorize a modification. Any modification thus authorized and the reasoning on which departure was justified shall be entered on the minutes of the Board of Supervisors. A modification applies only to the particular subdivision for which it is granted.

Monument: A concrete, stone, or other permanent object placed to designate boundary lines, corners of property, and rights-of-way of streets and utilities, for the purpose of reference in land and property survey.

Mountable Curb (“Cape Code Berm”): A low curb with an obtuse slope designed for vehicular croning without discomfort or damage.

Municipal Authority: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipalities Authority Act of 1945.” (MPC)

Municipal Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission. (MPC)

Person: An individual, partnership, corporation, or other legally recognized entity.

Plan, Final: A complete and exact subdivision plan, mobile home park or site plan prepared for official recording as required by statute and this Ordinance.

Plan, Preliminary: The preliminary drawing indicating the proposed layout of the subdivision, mobile home park or site plan to be submitted to the Township of Worth for consideration, as required by this Ordinance.

Plan, Sketch: An informal plan indicating salient existing features of a parcel or development and its surroundings and general layout of the proposed subdivision.

Plan, Soil Erosion and Sedimentation Control: A plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization and surface treatment.

Planning Code: The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and such other amendments to same as may be adopted from time to time.

Planning Commission: The Planning Commission of the Township of Worth, Butler County, Pennsylvania.

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

Principal Solar Energy Systems (PSES), are designed to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for off-site use.

Public Grounds: Includes:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
- C. Publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by the Township of Worth or the Worth Township Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code. (MPC, as amended for local usage.)

Public Meeting: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act.”

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

Replat: Replats involve the transfer of land between adjacent lots where no new building lot is created. No replat may create a lot in violation of this Ordinance or of the Worth Township Zoning Ordinance. Replats will be considered as minor subdivisions.

Reserve Strip: A narrow parcel of ground having inadequate area for building purposes separating a street or a proposed street from other adjacent properties.

Reverse Frontage Lot: A lot extending between and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

Right-of-Way: Land dedicated for use as a public street, alley or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone and cable system(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 of the surface of the land.

Screen - A structure providing enclosure and a visual barrier between the area enclosed and the adjacent property. A screen may also be nonstructured, consisting of shrubs or other growing materials.

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.”

Sewage System, Community: A system, whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two or more lots and for the treatment or disposal of the sewage or industrial waste on one or more of the lots or at any other site.

Sewage System, Individual: A system of piping, tanks or other facilities serving a single lot and collecting, treating, and disposing of domestic sewage into the soil or into waters of this Commonwealth or by means of conveyance to another site for formal disposal.

Site Distance: The extent of unobstructed vision, in a horizontal or vertical plane, along a street.

Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon.

Small Solar Energy Facility - a small solar energy facility is an accessory to the principal use(s) on the same lot. The sale and distribution of excess available energy shall be incidental and not the primary purpose of the facility.

Street: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways or strips of land used or intended to be used by vehicular traffic or pedestrians whether public or private. (MPC) Particular types of streets are further defined as follows:

- A. Arterial (Expressway): This class of highway facility is devoted entirely to the task of moving large volumes of traffic and performs little or no land service function. It is generally characterized by some degree of access control. Normally, this classification should be reserved for multi-lane, divided roads with few, if any, grade intersections.
- B. Collector: This class of road serves the internal traffic movement within the municipality and connects developed areas with the arterial system. They do not accommodate long, through trips and are not continuous for any appreciable length. The collector system is intended to simultaneously supply abutting property with the same degree of land service as a minor street and accommodate local internal traffic movements.
- C. Commercial: Commercial roads service areas whose predominant use is commercial. In function, design, and specification, they will be considered as a collector street.

- D. Local and Minor: The minor street's sole function is to provide access to immediately adjacent land.
- E. Industrial: Industrial roads are primarily designed to serve industrial and manufacturing development. These roads will be designed to accommodate extensive truck traffic of all types.

Street Centerline: An imaginary line which passes through the middle of the right-of-way and the cartway simultaneously, or which is in the center of the right-of-way in cases where the cartway is not centered in the right-of-way.

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

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

Subdivision – Replat: The change of a lot line between two abutting existing parcels which does not create a new parcel and where such lot line change is in full compliance with this Ordinance, the Worth Township Zoning Ordinance and related ordinances, rules and regulations of the Township. A replat shall be treated as a minor subdivision.

Substantially Completed: Where, in the judgment of the Township Engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use. (MPC)

Surveyor: A professional surveyor, licensed as such in the Commonwealth of Pennsylvania.

Swale: A low-lying stretch of land characterized as a depression used to carry surface water runoff.

Temporary Turnaround: A temporary circular turnaround at the end of a road which terminates at or near the subdivision boundary bordering undeveloped land.

Top Soil: Surface soils and subsurface soils which normally are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Top soil is usually found in the uppermost soil layer called the A Horizon.

Township or Worth Township: The Township of Worth, Butler County, Pennsylvania.

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

Undeveloped Land: Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building or other improvements.

Utility Plan: A plan to show all existing and proposed fire hydrants, water and sewer lines, storm sewer lines, gas and electric lines, cable television facilities and street lighting.

Water Facility: Any water works, water supply works, water distribution system or part thereof, designed, intended or constructed to provide or distribute potable water.

Water Survey: An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township.

Watercourse: A permanent stream, intermittent stream, river, brook, creek, or a channel, drain or ditch for water, whether natural or man-made.

Wind Energy Facility - Wind energy facilities, consisting of one or more wind turbines and other accessory structures and buildings, and designed to supply electrical power primarily for off-site use.

Yard: That portion of a lot which is unoccupied and open to the sky and extends from the lot line to the yard line.

Yard Line: A line within a lot defining the minimum distance between any building or structure or portion thereof, and an adjacent lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.

Yard, Front: A yard between an adjacent right-of-way and the building line and extending for the full width of the lot.

Yard, Rear: A yard between the rear lot line and a line drawn parallel thereto as such distance therefrom and extending for the full width of the lot.

Yard, Side: An open yard space between the side lot line and parallel thereto extending from the front lot line to the rear lot line.

ARTICLE III

PROCEDURES – SUBDIVISION AND LAND DEVELOPMENTS

Section 301 Pre-Application Investigation

- 301.1 Developers are urged to discuss possible development sites with the Township prior to submission of the Preliminary Plan. The purpose of the pre-application meeting is to afford the developer the advice and assistance of the Township. A second purpose is to determine if the proposed development is in general accordance with this Ordinance. The developer is encouraged to further discuss the proposal with PennDOT, the Butler County Planning Commission, Butler County Conservation District or utility companies as may be appropriate. The discussion of and preparation of plans and information for a pre-application discussion does not constitute the filing of either a preliminary or final plan.
- 301.2 A sketch plan may be prepared and presented for informal review and discussion at the same time. Sketch plans should generally include those items listed under Plan Requirements, Article V of this Ordinance.
- 301.3 This process is advisory only. It does not relieve any developer from meeting all the requirements of this Ordinance.

Section 302 Preliminary Plan Application

- 302.1 The Preliminary Plan and all information and procedures relating thereto shall, in all respects, be in compliance with the applicable provisions of this Ordinance when submitted to the Township. It is the responsibility of the developer to coordinate his plans pursuant to the provisions of this Ordinance with all private and public service agencies and utility companies.

302.1.1 Sewage Disposal and Water Supply

The Planning Commission shall not receive, recommended for approval or review any subdivision or land development plan unless accompanied by a statement from the developer that the proposed method of sanitary sewage disposal and water supply meets the requirements of the municipality or the Pennsylvania Department of Environmental Protection.

If the individual sewage systems (septic tanks) are to be utilized in the development, the Planning Commission shall not receive, approve or review any subdivision or land development plan unless accompanied by a copy of soil percolation tests for the property, certified by the municipal sewage enforcement officer or by the developer's engineer. The soil percolation tests shall be conducted in accordance with the provisions of the Pennsylvania Sewage Facilities Act, Standards for Sewage Disposal Facilities

and any local ordinances enabled by such act. The Planning Commission may require the certification of the percolation tests by the Pennsylvania Department of Environmental Protection. Where the Soil Survey for Butler County indicates a severe soil limitation for the property, and the developer submits acceptable soil percolation tests, the Planning Commission shall request a written statement from the developer setting forth the procedure utilized in conducting the percolation test.

302.1.1A Minor Subdivision Final Plan Checklist

The proposed location and type of on-lot sewage disposal facilities, including documentation of approval from the host municipality, its sewage enforcement officer, and the PA Department of Environmental Protection.

302.1.1B Non-Building Lots

Where acceptable by and complying with the policies and rules of the municipality and the PA Department of Environmental Protection in administering Act 537 sewage facilities planning, a lot that is otherwise buildable according to the provisions of this Ordinance and applicable municipal Ordinances may be created and designated non-building without providing suitable sanitary sewer service. The final subdivision plan shall contain a notation, meeting municipal and PA DEP policies and rules, for each such lot declaring the lot to be for non-building purposes until such time that suitable sanitary sewer service is provided, and stating the following:

An application for and approval of a new subdivision is required to remove the non-building notation from this lot. The application shall document the lot has suitable sanitary sewer service in accordance with Section 612.

302.2 A original plus six (6) copies of the Preliminary Plan and all required exhibits shall be received during regular office hours of the Township and must be received at least two (2) weeks prior to the Planning Commission meeting.

302.3 Information to be filed with Preliminary Plans shall generally include those items listed under the Plan Requirements, Article V of this Ordinance, and shall be prepared in accordance with, and submitted with the number of copies, as specified herein.

302.4 In cases where the subdivision fronts an existing or proposed State Highway or has proposed streets entering on such highway, the developer shall submit the plans to the Pennsylvania Department of Transportation (PennDOT) for review and permit(s) as

required. All plots shall note the requirements of the applicable State statute or PennDOT Regulation.

Section 303 Approval of Preliminary Plans

- 303.1 The Worth Township Secretary shall receive all Preliminary Plans at least two (2) weeks prior to the Planning Commission meeting. After receipt, Plans will be reviewed for completeness. Any fee for such a review shall be assessed in accordance with Section 503 of the Pennsylvania Municipalities Planning Code. Subdivisions which are not in substantial compliance with this Ordinance will be returned to the developer as an incomplete submission and shall not be regarded as filed. After such review, a copy of the Plan will be referred to the Worth Township Planning Commission and a copy referred by the Township to the Butler County Department of Planning for review and recommendation.
- 303.2 The Pennsylvania Municipalities Planning Code allows for a public hearing to be held on an application for subdivision approval, either Preliminary or Final. If the Planning Commission decides that a public hearing is necessary, it may arrange for same. If a hearing is held, public notice will be given.
- 303.3 The Planning Commission shall make its final recommendation on the Preliminary Plan no later than ninety (90) days following the date of the next regular meeting of the Planning Commission following the date that the plan is filed with the Township; provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the plan, the ninety (90) day period shall then be measured from the thirtieth (30th) day following the day the application was filed. They shall render its decision during a public meeting. The Planning Commission may recommend approval of the Plan, disapprove the Plan or recommend approval of the Plan with certain conditions. If the Planning Commission recommends either disapproval or conditional approval, it shall cite the provisions of this Ordinance upon which it made its recommendation. Within fifteen (15) days after its recommendation, the Planning Commission shall notify the developer, in writing, of the action taken, and specifying what changes, if any, will be required prior to the Supervisors' approval of the Preliminary Plan.
- 303.4 Any changes of the Preliminary Plan required, as prerequisite to approval, will be noted on two (2) copies of the Preliminary Plan. One (1) copy of the Preliminary Plan will be returned to the developer and one (1) copy will be retained by the Township.
- 303.5 For major subdivisions, the purpose of the Preliminary Plan is to define, in detail, the design, construction standards, lot layout, and related items for a subdivision. It is necessary that such matters be resolved through approval of the Township Supervisors prior to the submission of the Final Plan. [See also Section 508(4)(v) of the Pennsylvania Municipalities Planning Code.]

303.6 One (1) reproducible original or permanent copy of the Preliminary Plan on stable plastic tracing film will be required. Said copy is to show the Preliminary Plan as approved with all required changes.

Section 304 Final Plan Application

304.1 After the developer has received official notification that the Preliminary Plan has been approved and what changes, if any, must be made if the Plan is to proceed to consideration as a Final Plan and has accepted any conditions, the developer has five (5) years in which to submit a Final Plan. If the developer does not do so within the five (5) year period, the approval of the Preliminary Plan shall become null and void unless an extension of time is requested by the developer in writing and is granted, in writing, by the Township Supervisors before the expiration date. [See also Section 508(4)(v) of the Pennsylvania Municipalities Planning Code.]

304.2 The information, certificate, and plans to be filed with the Final Plan application shall include those items listed under Plan Requirements.

304.3 Assurance of the completion of improvements, where required, shall be submitted in accordance with Article IV.

304.4 At least one (1) copy of the Final Plan on stable plastic drafting film (permanent copies), along with six (6) prints thereof and all other exhibits required for approval shall be filed with the Township Secretary.

304.5 When an extension of time is granted for the submission of a Final Plan, the Township shall require changes in the Plan, prior to final approval, that will reflect any substantial changes on the site of the subdivision or in its surrounding, that have taken place since the grant of preliminary approval.

304.6 It is not necessary for the whole Plan that received preliminary approval to be submitted as a Final Plan. The Final Plan may be submitted in sections, each covering a portion of the entire proposed subdivision shown on the Preliminary Plan. In the case where development is projected over a period of years, the Township 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. [See also Section 508(4)(v) of the Pennsylvania Municipalities Planning Code.]

304.7 The developer must provide sewerage and water system plans for the entire development site of the Preliminary Plan regardless of the number of sections or stages to be initially developed. [See also Section 503.1 of the Pennsylvania Municipalities Planning Code.]

Section 305 Approval of Final Plan

- 305.1 The Secretary of the Township of Worth shall receive all Final Plans during regular office hours. Plans must be received at least two (2) weeks prior to the Worth Township Planning Commission meeting. After receipt, the plan shall be reviewed for completeness and conformance to the Preliminary Plan and any conditions relevant thereto. Major subdivisions shall be reviewed by the Township Engineer. Any fee for such a review shall be assessed in accordance with Section 503 of the Pennsylvania Municipalities Planning Code. Submissions which are not in substantial compliance with this Ordinance will be returned to the developer as incomplete submissions and shall not be regarded as filed. After such review, a copy of the Plan will be referred to the Worth Township Planning Commission and a copy referred by Worth Township to the Butler County Planning Commission for review/recommendations. The Butler County Planning Commission shall have thirty (30) days in which to complete its review. This time period shall commence on the date that a complete Final Plan (including any other exhibits required for approval) is submitted to the County.
- 305.2 The Pennsylvania Municipalities Planning Code allows for a public hearing to be held on an application for subdivision approval, either Preliminary or Final. If the Township Supervisors decide that a public hearing is necessary, it may arrange for same, or it may request that the Planning Commission conduct the hearing as part of its preliminary review process. If a hearing is held, public notice will be given.
- 305.3 If after the review required by this section the Board of Supervisors finds that the Final Plan is in conformance with the Ordinance, it shall sign the Final Plan. One (1) copy of the Final Plan will be retained for the Township's records.
- 305.4 If the Board of Supervisors finds that the Final Plan is not in conformance with this Ordinance, it shall not sign the Final Plan, and shall notify the developer as to the section(s) of this Ordinance that is not being complied with.
- 305.5 The developer may wish to seek a modification of certain regulations where, owing to special conditions, a literal enforcement of this Ordinance would result in unnecessary hardship to the developer. All requests for modification shall then be reviewed and considered by the Board of Supervisors, pursuant to the recommendation of the Planning Commission.
- 305.6 The Planning Commission shall make its final recommendation on the Final Plan to the Township Supervisors for action. Such action by the Supervisors shall be no later than ninety (90) days following the date of the next regular meeting of the Planning Commission following the date that the plan was filed with the Township; provided, however, that should the next regular meeting occur more than thirty (30) days following the filing of the plan, the ninety day period shall then be measured from the 30th day following the day the plan was filed. The Planning Commission may recommend approval of the plan, disapproval of the plan, or recommend approval with certain conditions. If the Planning Commission recommends either disapproval or conditional

approval. It shall cite the provisions of this Ordinance upon which it made its recommendation. After the Township Supervisors have taken action on the plan, the Township Secretary shall notify the developer in writing within fifteen (15) days following the decision. When the Plan is not approved in terms as filed, the decision shall specify the defects found in the Plan and describe the requirements which have not been met and shall cite the provisions of the statute or ordinance relied upon.

The Board of Supervisors shall render its decision during a public meeting. The decision shall be communicated to the developer in writing no later than fifteen (15) days following the date the decision was made.

The formal date of approval shall be deemed to be that date following approval by the Board of Supervisors whereby the developer provides satisfactory evidence that all conditions set forth by the Supervisors' approval have been met. In no event shall that time extend beyond one hundred twenty (120) days from the date of the Supervisors' action.

- 305.7 No Final Plan shall receive approval by the Board of Supervisors unless the developer shall have filed with the Township financial guarantees in accordance with Section 509 of the Pennsylvania Municipalities Planning Code in favor of the Township, or designated agency, or shall have completed all required improvements listed in this Ordinance or as the Township may require in the public interest.
- 305.8 Upon completion of the improvements in accordance with the specifications of this Ordinance or those of the Township or designated agency, the developer shall take steps to dedicate the improvements and have the same accepted by the Township or designated agency.

Section 306 Recording of Plan

- 306.1 Upon approval of the Final Plat, the developer shall within 90 days of such final approval or (the date the approval of the governing body is noted on the plat) 90 days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed for such approval, whichever is later, record such plat in the office of the recorder of deeds of the county in which the municipality is located. Whenever such plat approval is required by a municipality, the recorder of deeds of the county shall not accept any plat for recording unless such plat officially notes the approval of the governing body and reviewed by the county planning agency if one exists. (MPC Section 513a). Should the developer fail to record the Plat, the approval shall be considered null and void.
- 306.2 The Final Plan shall be recorded with the County Recorder of Deeds before proceeding with the sale of lots, issuance of building permits or the construction of buildings. Proof of such recording shall be required by the Township. No building permits will be issued until such proof is obtained.

306.3 Recording the Final Plan after approval shall have the effect of an irrevocable offer to dedicate all public streets and other public ways to public use, and to dedicate or reserve all park reservations, and school sites and other public service areas as hereafter provided. Approval shall not impose any duty upon the Township concerning maintenance or improvement of any such dedicated streets, parks, areas or portions of same until the proper authorities of the Township shall have made actual appropriation of the same by Ordinance.

ARTICLE IV

ASSURANCE OF COMPLETION

Section 400 General

400.1 The purpose of this Article is to identify financial security and to delineate extent of completion of improvements prior to Final Plan approval.

Section 401 Improvements

- 401.1 The developer shall, for all major subdivisions, agree to complete all improvements in accordance with these regulations or such other improvements as the Township may require in the public interest as a prerequisite to approval of the Final Plan. Such improvements include those which will be dedicated to the Township, an appropriate municipal authority or similar designated agency.
- 401.2 No plan shall receive Final Plan approval unless the developer shall have completed all improvements as required by these regulations or shall have filed with the Township or appropriate agency, surety or other financial security guaranteeing the completion of such improvements. (See Section 402.)
- 401.3 The Board of Supervisors shall require the Township Engineer to check final construction plans for their correctness and to inspect the construction of improvements. The Township Engineer will be used for all improvements where the Township is to assume ownership or be responsible for maintenance. The cost of Plan review and inspection will be borne by the developer in accordance with the Pennsylvania Municipalities Planning Code. The review and inspection of improvements to be dedicated to authorities or agencies where the Township will not maintain same will be in accordance with such organization's practices.
- 401.4 Upon completion of the improvements in accordance with the specifications of this Ordinance and upon final inspection of the improvements by the Township Engineer, the developer shall take the final steps to dedicate the improvements and have the same accepted by the Township. Improvements to be dedicated to authorities or agencies where the Township will not maintain same will be in accordance with such organization's practices.
- 401.5 Improvements may include, but not necessarily be limited to, the following:
- A. Monuments or markers.
 - B. Grading, streets, curbs and walks, as required.
 - C. Sanitary sewers.
 - D. Water service, including fire hydrants.
 - E. Storm drainage improvements, as required.

- F. Erosion and sedimentation control measures, as required.
- G. Street lighting.
- H. Street signs.

Section 402 Financial Security

The purpose of the Section is to provide for the filing of financial security as allowed by Section 509 of the Pennsylvania Municipalities Planning Code. Where the improvement is to be dedicated to an authority or agency other than the Township, the developer will follow that organization's practices. In any event, it is the clear intent of this Ordinance that all improvements required by this Ordinance be wither installed and approved by the developer or his agent, or the developer will post adequate financial security as required by Section 509 of the Pennsylvania Municipalities Planning Code before Final Plan approval is granted.

- 402.1 As assurance of proper completion of the improvements by financial security in the subdivision shall be made by one of the following methods, or such other method as shall be satisfactory to the Township of Worth:
 - A. An irrevocable letter of credit, restrictive or escrow account, certified check, or other security satisfactory to the Township and in accordance with Section 509 of the Pennsylvania Municipalities Planning Code, which shall run or be made payable to the Township.
- 402.2 The amount of the financial security shall be in an amount determined to equal one hundred ten percent (110%) of the cost of the required improvements in accordance with Section 509 of the Pennsylvania Municipalities Planning Code and shall be approved by the Township Engineer.
- 402.3 The certified check or other securities shall specify the time for the completion of the required improvements. Such time shall be satisfactory to the Township Supervisors, but not exceed one (1) year. When the improvements have been completed and approved by the Township, the guarantee shall be released and returned. When a portion of the required improvements has been completed and approved by the Township, a portion of the security commensurate with the cost of the improvement may be released and returned in accordance with Section 509 of the Pennsylvania Municipalities Planning Code.

In no event shall the entire performance assurance be returned to the developer. At least ten percent (10%) shall be retained until:

- A. All improvements have been completed, and satisfactory operation demonstrated as applicable, and approved by the Township Engineer and accepted by the Township.
- B. The required maintenance bond (see Article XI) has been filed and accepted by the Township.

- C. All the requirements of Article XI, specifically including the filing of as-built drawings, have been met.
- 402.4 In the event that cash or its equivalent is deposited as an improvement guarantee, it shall be held in an escrow fund, which may bear interest to the credit of the developer, but the developer shall pay all costs for the maintaining of such escrow fund.
- 402.5 In the event any improvements which may be required by this Ordinance are not installed as provided herein, the Township may institute remedies to affect the completion of such improvements as provided by Section 511 of the Pennsylvania Municipalities Planning Code or any actions provided for under law.
- 402.6 For circumstances relating to Financial Security not specifically delineated in the Ordinance, including the amount of same and the resolution of disagreements relative to such security, it is the intention of the Township of Worth to follow the guidelines and procedures as set forth by Sections 509 and 510 of the Pennsylvania Municipalities Planning Code.

ARTICLE V

PLAN REQUIREMENTS

Section 501 Sketch Plan

- 501.1 A subdivision sketch plan should be submitted by the developer or property owner as a basis for informal and confidential discussion with the Planning Commission.
- 501.2 Data furnished in a sketch plan shall be at the discretion of the developer. The sketch plan needs be to scale, and the precise dimensions are not required. It is suggested that the following items be included in the sketch plan presentation:
- Subdivision boundary
 - North arrow
 - Streets on and adjacent to the tract
 - General topographical and physical features
 - Proposed general street layout
 - Proposed general lot layout
 - Proposed easements
 - Information relative to and the location of water and sanitary sewer lines in and adjacent to the proposed subdivision
 - Surrounding property and the names of owners
 - Name, address, and telephone number of the Surveyor, and, if needed, Engineer

Section 502 Preliminary Plan

- 502.1 Copies of the Preliminary Plan drawing shall consist of an original drawn on stable plastic film and shall be in permanent ink. Accurate, permanent photographic reproducible reproductions in black will be accepted in lieu of inked drawings, White copies may be either black on white or blue on prints. An original and six (6) copies shall be submitted to the Township Secretary.
- 502.2 The Preliminary Plan shall be drawn at a scale of either one inch equals fifty feet (1" = 50') or one inch equals one hundred feet (1" = 100'). However, the Township Supervisors reserve the right to specify the one inch equals fifty feet (1" = 50') scale where warranted. In unusual circumstances, if the scales may be acceptable. Preliminary Plan is drawn in two (2) or more sections, it shall be accompanied by a key map showing the location of the various sections. The size of the Preliminary Plans shall be consistent with the requirements for Final Plans.
- 502.3 The following information shall be shown on, or included with, all Preliminary Plans when they are submitted to the Township:

- A. Proposed subdivision name, identifying title and in the case of major subdivisions, the words “Preliminary Plan.”
- B. Name and address of the owner of the tract or of his agent, if any, and of the developer.
- C. Date, north arrow, and graphic scale.
- D. Total acreage of the tract, number of lots, proposed land use, remaining acreage of any unsubdivided land.
- E. Tracy boundaries which shall show distances and bearings.
- F. A key map, for the purpose of locating the site in the Township, showing the relation of the tract to adjoining property and streets, roads, bodies of water, and municipal boundaries.
- G. Contours at vertical intervals of two (2) feet for land with an average natural slope of four percent (4%) or less, and at vertical intervals of five (5) feet for more steeply sloping land. Locations of bench marks will be shown, Contour data for minor subdivisions will not be required.
- H. The names of all owners of all immediately adjacent unplatted land; the names of all subdivisions platted immediately to adjacent the development, and the locations and dimensions of any streets or easements terminating adjacent to the development.
- I. The locations and dimensions of all existing streets, roads, railroads, public sewers, aqueducts, water mains, and feeder lines, fire hydrants, gas, electric, communication and oil transmission lines, streams, intermittent drainage ways, swales, and other significant features within the property proposed to be subdivided, or within one hundred (100) feet of said property.
- J. The location of all buildings and for major subdivisions, approximate location of all tree masses within the property.
- K. For major subdivisions, a description and map of the existing vegetative cover.
- L. For major subdivisions, full plan of the development, showing the location of all proposed streets, road, alleys, utility easement, parks, playgrounds, pedestrian ways, and other public areas, sewer and water facilities, proposed lot lines and approximate dimensions of lots, lot numbers and/or block numbers in consecutive order, and all streets and other areas designed for appurtenant facilities, public use, or future public use, together with the conditions of such dedications or reservations.

- M. Location of any abutting agricultural security areas and any agricultural security areas included within the bound of the proposed subdivision or land development.
- N. Components for Act 537 on-lot sewage disposal system, if applicable. Status of any required DEP sewer system or water system permits (as applicable), including permits or approvals for sanitary sewage system line extension, as well as any needed approval of the Worth Township Sewage Enforcement Officer.
- O. Preliminary designs of sewerage and water plans. These designs may be submitted on separate sheets.
- P. For major subdivisions, typical cross-sections and center-line profiles for each proposed street shall be shown on the Preliminary Plan (See Article VII). These profiles may be submitted as separate sheets.
- Q. For major subdivisions, a complete Drainage Plan and Erosion Sedimentation Control Plan. (See also Storm Water Management Ordinance.)
- R. For major subdivisions, preliminary designs of any bridges or culverts which may be required. These designs may be submitted as separate sheets.
- S. Name, address, and telephone number of Engineer/Surveyor.

502.4 The following certificate, where applicable, shall appear on the Preliminary Plan:

- A. Certificate for the approval of the Township of Worth Board of Supervisors.
- B. Certificate for review of the Worth Township Planning Commission and the Butler County Department of Planning.
- C. Certificate of the Surveyor and/or Engineer (if required) as to the accuracy of the survey and/or design.

502.5 Where the Preliminary Plan submitted covers only a part of the subdivider's entire holding, a sketch plan of the prospective future street system of the unsubmitted part shall be furnished; the street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.

Section 503 Final Plan

503.1 The approved Preliminary Plan may be utilized as the Final Plan for minor subdivisions, provided all necessary and applicable information and certificates in Section 503 are included. A Final Plan is required for major subdivisions.

503.2 The Final Plan original for all subdivisions shall be drawn on stable plastic film and shall be in permanent ink. Accurate, permanent photographic reproductions in black ink will be

accepted in lieu of inked drawings. For major subdivisions, the original plus six (6) prints shall be submitted. Copies can be either black on white or blue on white print.

- 503.3 Sheet size for Final Plans shall be eighteen by twenty-four (18x24) inches or twenty-four by thirty-six (24x36) inches in size for all subdivisions. (Note, Butler County Recorder's Office requires 18x24 for recordation – typical practice is to reduce the original plat.)
- 503.4 If the Final Plan is drawn in two (2) or more sections, it shall be accompanied by a key map showing the location of the several sections.
- 503.5 The Final Plan shall be drawn at the scale as required of Preliminary Plans unless otherwise approved by the Township Supervisors.
- 503.6 The following information shall be included on Final Plans where applicable:
- A. Block and lot numbers (in consecutive order).
 - B. Lot lines and tract boundaries with accurate bearings and distances. Distances to be to the nearest hundredth of a foot; bearings to the nearest second. Survey closure shall be 1:10, 000 or less. A copy of the closure computations shall also be submitted as a matter of record.
 - C. Exact acreage of entire subdivision and each individual lot. Acreage to be to the nearest hundredth acre exclusive of rights-of-ways, or other public areas.
 - D. Accurate bearings and distances to the nearest established street corners or official monuments. Reference corners shall be accurately described on the Plan.
 - E. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
 - F. Complete curve data for all curves included in the Plan, including radius, delta angle, tangent and arc length.
 - G. Street centerlines with accurate dimensions in feet and hundredths of feet, with bearings of such street centerlines.
 - H. Street names.
 - I. Location and material of all permanent existing and proposed monuments and lot markers.
 - J. Easements for utilities and any limitations on such easements.

- K. Accurate dimensions of existing public land and of any property to be dedicated or reserved for public, semi-public or community use; and all areas to which title is reserved by owner.
- L. Source of title to the land of the subdivision and to all adjoining lots, as shown by the books of the County Recorder of Deeds and names of the owners of all adjoining unsubdivided land.
- M. Any other information required by these regulations.
- N. Where subdivided property included agricultural areas or directly abuts agricultural security areas, a signed notarized statement that the subdivider, builder, or owner of record agrees to attach the following to all deeds or records or conveyance:
 - 1. “The property is in, or abuts, an agricultural security area, and the owner/resident must tolerate the noise, dust and odors which are inherent parts of normal farming practices.”

503.7 The following certificates, where applicable, shall be shown on the Final Plan:

- A. Certification, with seal, by a registered land surveyor and/or engineer, as appropriate, to the effect that the survey and plan are correct.
- B. Certificate for approval by the Worth Township Board of Supervisors.
- C. Certificate of review of the Worth Township Planning Commission and the Butler County Planning Department.
- D. A statement, duly acknowledged before a Notary Public, with Seal, and signed by the owner or owners of the property, to the effect that the subdivision or development shown on the Final Plan is the act and deed of the owner, that he/she is the owner of the property shown on the survey and plan, and that he/she desires the same to be subdivided or developed and recorded as shown. Said statement to include an offer of dedication of public roads, easements or other improvements as needed.
- E. A certificate to provide for the recording of the Subdivision or other Plan.
- F. A highway occupancy permit notice when so required by Section 508(6) of the Pennsylvania Municipalities Planning Code. Note: Approved forms of some of these required certificates are set forth in the Appendix of this Ordinance.

503.8 The following information, in addition to that shown on the Final Plan, shall be submitted to the Township for Final Plan review, when applicable. Six (6) copies shall be submitted unless noted otherwise.

- A. Application for approval.
- B. Approval of sanitary sewerage service and water service by the appropriate Municipal Authority and/or utility company, as applicable. (One [1] copy)
- C. Draft of any proposed covenants to run with land.
- D. Tentative timetable for the proposed sequence of development for the subdivision, if required.
- E. House numbering will be in accordance with the system developed by the Butler County 911 as issued by the Township Secretary. The developer may choose street names subject to the recommendations of the Planning Commission and the approval of the Board of Supervisors and the 911 system. No street, other than an extension, may be given the name of an existing street that is located in Worth Township. The developer is advised to consult with the local U.S. Post Office as well as the Butler County Management Agency/911 System to avoid any confusing duplication of street names.
- F. Required assurances of completion or a letter of approval of required improvements by the Township Engineer, per Section 402 of the Ordinance, or by a designated agency per Section 501 of this Ordinance. (One [1] copy)
- G. Certificate of dedication of streets and other public property. This is the offer of dedication.
- H. Final profiles, cross sections, and specifications for street improvements, and sanitary and storm sewerage, and water distribution systems shall be shown on one (1) or more separate sheets. (Number of copies the same as Section 603.2.) Street design cross sections shall be provided at intervals of not less than fifty (50) feet for most roads. If a road's grade is in excess of six percent (6%), the Township may require cross sections at closer intervals.

ARTICLE IV DESIGN

STANDARDS

Section 601 General

The design standards set forth by these regulations are intended to insure proper development in the Township of Worth.

- 601.1 The following land subdivision principles, standards, and requirements shall be applied by the Township of Worth in evaluating the plans for proposed subdivision.
- 601.2 In reviewing subdivision plans, the Township will consider the adequacy of existing or proposed community facilities to serve the additional dwelling units proposed by the subdivision. A reservation of land for community facilities may be requested when appropriate.
- 601.3 The subdividing of land shall be done in a manner that will not have the effect of debaring adjacent property owners from access to the streets and ways of the allotment. The Township may require dedicated, improved, or undedicated parcels to be provided for future access to adjacent land.
- 601.4 Land which is unsuitable for development because of hazards to life, safety, health, or property, shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the Subdivision of Land Development Plan. Specific Local Hazards may include:
- A. Land subject to flooding or which has a high ground water table.
 - B. Land which, if developed, will create or aggravate a flooding condition upon other land.
 - C. Land subject to subsidence.
 - D. Land containing significant areas of slopes greater than sixteen percent (16%).
 - E. Land which, because of topography or means of access, is considered hazardous by the Township of Worth.
 - F. Land which exhibits ground pollution or contamination.
 - G. Other conditions which preclude the creation of buildable lots.

601.5 The following requirements and guiding principles for land subdivision shall be observed by all developers, and the Township shall consider the suitability as to location of any proposed subdivision with respect to the following:

- A. Any development in areas considered by the Township as habitable yet subject to periodic or occasional inundation shall comply with the regulations as established under this Ordinance and any other Federal, State, or local municipal law, rule and regulation, including, but not limited to, the Flood Plain Management Act.
- B. No subdivision showing reserve strips controlling the access of public ways will be approved.
- C. The following regulations and/or legislation must also be complying with:
 - 1. Pennsylvania Sewage Facilities Act (See Township Sewage Enforcement Officer).
 - 2. Pennsylvania Storm Water Management Act (See Township Storm Water Management Ordinance).
 - 3. Regulations of the Pennsylvania Department of Transportation relating, but not limited to driveway and street openings.

601.6 Proposed subdivisions and land developments shall be coordinated with existing nearby neighborhoods so that the community, as a whole, may develop harmoniously. Toward such harmonious planning, where any subdivision is partially located in Worth Township and partially located in another jurisdiction or municipality, the developer shall submit the entirety of the proposed development for local review, as well as specific submissions for each municipality.

601.7 The developer must present evidence of approval of an approved Erosion and Sedimentation Control Plan.

601.8 Lot and Setback Standards: To provide sufficient light, air, access and an orderly design, all lots shall meet the criteria outlined in the table below:

Table 601.8
Lot, Yard and Height Standards

	<u>Min Lot Area</u>	<u>Min. Lot Width</u>	<u>Min. Front Yard</u>	<u>Min. Side Yard</u>	<u>Min. Rear Yard</u>
Single-Family Dwelling (On-Lot Sewage and Water)	1.5 acres	150 feet	50 feet	25 feet	50 feet
Single-Family Dwelling (Public Sewage and Water)	25,000 s.f.	100 feet	35 feet	25 feet	40 feet
Multiple-Family Dwellings (On-Lot Sewage and Water)	2.0 acres	200 feet	50 feet	40 feet plus 3 feet/unit	75 feet plus 1 foot/unit
Multiple-Family Dwellings (Public Sewage and Water)	1.5 acres	150 feet	50 feet	40 feet	75 feet
Other Land Development Types	2.0 acres	150 feet	75 feet	5 feet/1,000 GLA*	5 feet/1,000 GLA*
Mobilehome Parks – See Article X					

*Gross Leasable Area

No building height shall exceed three (3) stories, with the exception of silos, grain elevators, steeples, antennas or similar protuberances not intended for human habitation.

No impermeable surfaces shall exceed forty percent (40%) of total lot area.

Presence of only public sewer or only public water shall be treated as a total on-lot system in calculating lot areas.

Section 602 Blocks

602.1 Blocks shall be designed to ensure proper fire safety.

602.2 In general, all blocks in a subdivision shall have a maximum length of fifteen hundred (1,500) feet. Blocks subdivided into lots shall be approximately two (2) lot depths in width, except lots along a major thoroughfare which front on an interior street. Block lengths shall not be less than six hundred thirty (630) feet.

602.3 In commercial areas, the block layout shall conform, with due consideration to site conditions, to the most efficient and best design of overall development.

602.4 The block layout in industrial areas shall be governed by the most efficient arrangement of space for present use and future expansion, with due regard for worker and customer access parking. Of special interest will be accommodation of truck traffic.

Section 603 Lots and Building Lines

- 603.1 The depth-to-width ratio of usable lot length shall be a maximum of four (4) to one (1).
- 603.2 Double frontage and reverse frontage lots should be avoided except to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement across which there shall be no right of access may be required by the Supervisors along the line of lots abutting such a traffic artery or other disadvantageous use.
- 603.3 Side lines of lots, so far as practical, shall be at right angles or radial to street lines.
- 603.4 Corner lots shall be increased in size whenever necessary so as to conform to minimum building setback line requirements.
- 603.5 Lots abutting local streets shall front upon the streets which parallel the long dimension of the block, if possible.
- 603.6 All lots shall abut by their frontage on a publicly dedicated street.
- 603.7 Flag Lots: The Township of Worth, as a matter of policy, does not encourage the use of flag lots. However, it is recognized that in certain situations it may be the only practical method to develop road frontages which are associated with large lots. For residential development, flag lots shall have fifty (50) foot access to a public street. For all other types of developments, the flag lot shall have a connection of at least sixty (60) feet.

Section 604 Lot Grading for Subdivisions and Land Developments

- 604.1 Blocks and lots shall be graded to provide proper drainage away from buildings and to prevent the collection of storm water in pools.
- 604.2 Lot grading shall be of such design as to carry surface waters to the nearest practical street, storm drain, or natural water course. Where drainage swales are used to deliver surface water away from buildings, their grade shall not be less than one percent (1%) nor more than four percent (4%). The swales shall be sodded, planted, or lined as required. A Grading and Drainage Plan shall be required for all subdivisions and land developments, except minor subdivisions.
- 604.3 No final grading, fill, or cut shall be permitted with a cut face steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions:
- A. The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than two (2) horizontal to one (1) vertical, and a written statement of a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, to that effect is submitted to the Township Engineer and approved by same. The statement shall state that the site has been

inspected and that the deviation from the slope specified hereinbefore will not result in injury to persons or damage to property.

- B. A concrete or stone masonry wall with an up-slope drainage system constructed according to sound engineering standards for which plans are submitted to the Township Engineer for review and written approval is provided.

604.4 The top or bottom edge of slopes shall be a minimum of three (3) feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. All property lines, or right-of-way lines, where walls or slopes are steeper than one (1) horizontal to one (1) vertical and five (5) feet more in height, located at the top of the slope, shall be protected by a protective fence no less than three (3) feet in height approved by the Township Engineer.

Section 605 Streets

605.1.A. Minimum street right-of-way widths and cartway widths shall be as follows:

Type of Street	Cartway Curbs	Cartway Curbs	Right-of-Way	With No Shoulders
Cul-de-sac ¹		22 ft.	20 ft.	50 ft.
Minor/Local	3 ft.	22 ft.	20 ft.	50 ft.
Collector/Comm.	3ft.	32 ft.	30 ft.	50 ft.
Industrial	6 ft.	36 ft.	30 ft.	50 ft.
Arterial	None	None	None	None

As prescribed by the Pennsylvania Department of Transportation.

¹ Residential, other cul-de-sacs follow commercial/industrial standards.

In order to determine the classification of a street, the following two tables shall be used as a guide:

TABLE – STREET CLASSIFICATION	
Project Daily Volume Traffic (ADT)	
Cul-de-Sac	0-250
Minor/Local	0-1,000
Collector	1,000-3,000

Source: Table 2-1 RESIDENTIAL STREET, 2nd Ed., American Society of Civil Engineers, National Association of Home Builders, Urban Land Institute

TABLE – RESIDENTIAL TRIP GENERATION RATES		
Daily Vehicle Trips Per Dwelling Unit		
	<u>Weekday</u>	Peak Hour
Single-Family		
Detached	10.1	1.0
Apartments		
All	6.1	0.7
Low-Rise	6.6	0.7
High-Rise	4.2	0.4
Townhouses and Single-Family Condominiums	5.9	0.6

Source: Table 2-2 RESIDENTIAL STEETS, 2nd Ed., American Society of Civil Engineers, National Association of Home Builders, Urban Land Institute

605.2 In cases where a new subdivision is planned to join the street system on an existing subdivision, the above minimum requirements shall apply except where the existing streets and rights-of-way differ from those required. In this event, the Township may require that the new streets and rights-of-way be consistent with those in the existing subdivision. Any street or way that is planned, though not already established, shall be continued at not less than its width as planned.

605.3 Provisions of additional street width (rights-of-way) may be required by the Township in specific cases for:

- A. Public safety and convenience.
- B. Parking in commercial and industrial areas and in areas of high-density residential development.
- C. Widening existing streets (rights-of-way) where the width does not meet the requirements of these regulations.

605.4 General design criteria for streets not otherwise covered in this ordinance shall be in accordance with specifications as set forth by the Township and the typical cross-section as shown in the Appendix of the Ordinance. All details of the cross-section including crown, curb (if any) pavement, shoulders (if any) subgrade, storm sewers and roadside swales shall be followed.

605.5 Cul-de-Sacs: Cul-de-sacs shall only be permitted where there is no alternative methods of devising a new street system. All streets should have at least two means of ingress and egress in the interest of public safety, sensible traffic flow and service/maintenance vehicle access. Where this is not feasible and the parcel's configuration permits it, developers shall employ turning loops. The interior portion of this turning loop shall be maintained in natural vegetation to minimize impervious surfaces. Fully paved cul-de-sacs shall only be permitted where the original parcel's configuration presents no other alternative. All traffic shall be in a counterclockwise direction.

A. In no event shall a street be allowed to dead end without a permanent or temporary cul-de-sac or turning loop. Residential dead-end streets (cul-de-sacs) may be permitted when it is clear that the configuration of the property to be developed offers no other means of street configuration. A dead-end street must have adequate turning space for vehicles, which shall include a minimum rights-of-way radius of sixty (60) feet, and a minimum road edge (excluding shoulders) or curb radius of fifty-five (55) feet. In no event shall the shoulder area be considered as part of the required minimum road width.

B. Temporary dead-end streets may also be permitted in the case of phased development, where the developer can illustrate how this would be a temporary condition due to the eventual planned street configuration. Where a temporary residential cul-de-sac is proposed in a residential development, the developer will be allowed to install a paved temporary facility with a minimum radius of forty-five (45) feet provided that such a temporary cul-de-sac will not be permitted for more than a two (2) year period and further provide that the developer shall post a bond, in accordance with the provisions of Section 402 of this Ordinance, in an amount sufficient to construct a permanent cul-de-sac, a paved turnaround of shape and dimensions per the American Association of State Highway and Transportation Officials (AASHTO: A Policy on Geometric Design of Highways and Street, Washington, D.C., AASHTO, 1994) and as approved by the Township Engineer will be allowed. The temporary facility must be constructed of subbase material with a wearing surface of BCBC or a bituminous surface treatment per PA DOT Publication 408, Section 480.

If the street is not constructed in said two (2) year period, the developer shall construct a permanent cul-de-sac or turning loop in full accordance with the standards of this Ordinance. In such an event, the bond shall be returned. In the event the developer neither continues the street nor constructs the cul-de-sac/turning loop in a two (2) year period, the Township shall use the bond funds to construct same.

Where a temporary cul-de-sac is proposed, the needed street rights-of-way to the tract boundary shall be clearly shown on the preliminary and final plat. The rights-of-way of any future street shall meet the requirements of this Ordinance. Area needed to provide the temporary turn-around may be provided by an easement. Said easements shall be so designed as to meet the requirements of this Ordinance pertaining to cul-de-sacs. If the cul-de-sac shall become permanent, the easement and improvements will be considered as a permanent dedication to the Township of Worth. If the road is extended and the temporary cul-de-sac is no longer needed, then the easement will be terminated.

605.6 Street intersections shall comply with the following requirements:

- A. All curbs or pavement outer edge at intersections shall be rounded by a minimum radius of:

Collector, Commercial and Arterial Streets	40 feet
Minor, Local Streets	25 feet
Industrial Streets	50 feet

Thirty (30) foot radii shall be used where minor streets intersect collector and/or arterial streets.

- B. When fences, hedges or other plantings, structures or walls on any lot corner would create a traffic hazard by limiting clear vision across a corner lot from a height of three (3) feet above the finished paved area, at the centerline of the rights-of-way, such structures and/or vegetation shall be removed in conjunction with grading the rights-of-way to provide a minimum sight line of one hundred twenty (120) feet along the centerline of a collector, commercial, arterial or industrial street from the centerline intersections and one hundred (100) feet at minor street intersections. New street intersections shall be designed with proper sight distances as required by the AASHTO "A Policy on Geometric Design of Highways and Streets," Chapter IX. Alternatively, Table 2.3 in PA DOT Publication 70 may be used. When an arterial, commercial, industrial or collector and a minor street intersect, each shall retain its respective footage requirements along the centerline to form the sight triangle. No building or structure shall be permitted in this site triangle. Clear site triangles shall be shown on the plan.
- C. Where the grade of any street at the approach to an intersection exceeds four percent (4%), a leveling area shall be provided, if possible, with a transitional grade not to exceed three percent (3%) for a minimum distance of fifty (50) feet from the nearest rights-of-way line of the intersection.
- D. Intersections of more than two (2) streets shall be avoided.

- E. Minimum street intersection angles shall be seventy-five (75) degrees. Right-angle intersections shall be used whenever possible.
 - F. Intersecting minor/local streets shall be separated by three hundred fifty (350) feet or more, measured between centerlines along the centerline of the intersected street.
- 605.7 Horizontal curves shall be laid on all deflecting angles along the centerline of streets, and the degree of curvature shall be set to assure the proper sight distance as required by Table A.
- 605.8 Vertical curves shall be used in changes of grade exceeding one percent (1%), and shall be designed for maximum visibility as set forth by Table A.
- 605.9 In general, minor and collector streets shall not join into the same side of arterial streets at intervals of less than eight hundred (800) feet.
- 605.10 Half streets shall be prohibited. If circumstances render this impractical, adequate provisions for the concurrent dedication of the remaining half of the street must be furnished by the developer. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided in the proposed development. The use of reserve strips is prohibited.
- 605.11 The provisions for the extension and continuation of major streets into and from adjoining areas is required. Where a subdivision abuts or contains an existing or proposed major street, the Township may require reverse frontage lots or such treatments as will provide protection for abutting properties, reduction in the number of intersections with the major traffic streets, and separation of local and through traffic.
- 605.12 When the subdivision adjoins unsubdivided acreage, new streets or reserved rights-of-way shall be provided through to the boundary lines of the development.
- 605.13 Where a subdivision borders on, or contains a railroad right-of-way, an arterial highway right-of-way or a stream, ravine, steep hill or swamp, the Township may require a street approximately parallel to and on each side of such rights-of-way or other obstruction at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations, and for non-residential uses of land, where permitted.
- 605.14 If the lots in a development are large enough for re-subdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such re-subdivision shall be provided. Such access and/or street openings shall not be less than fifty (50) feet in width.
- 605.15 All required traffic control devices shall comply with and be installed in accordance with Commonwealth of Pennsylvania Department of Transportation, Title 67, Chapter 211, Publication 68. Additionally, it shall be the developer's responsibility to perform all

required Traffic and Engineering Studies in accordance with PA DOT, Title 67, Chapter 201 for all traffic control devices.

TABLE A				
Design Criteria for Streets ¹				
(Not to Include Intersections)				
Type of Street				
Item	Com./Ind.	Local/Collector	Res. Minor	Cul-de-sac ⁴
Maximum Grade ²	6.0%	6.0%	9.0%	9.0%
Minimum Grade	0.5%	0.5%	0.5%	0.5%
Minimum Centerline Radium	500 ft.	500 ft.	250 ft.	250 ft.
Minimum Sight Distance ³	300 ft.	300 ft.	250 ft.	250 ft.
Tangent between Curves	150 ft.	150 ft.	100 ft.	100 ft.

¹ For arterial roads, PA DOT standards will apply.

² Grades in excess of the allowable percentage may be approved by the Township where it is clear that it is necessary and that no traffic hazard is or will be created thereby.

³ Sight distance shall be measured along the centerline of the street between points where a driver’s eyes at 3’6” in height can see an object 6” high. Values shown are minimums. Greater values may be required depending on site specific criteria.

⁴ Please see cul-de-sac definition – a cul-de-sac is the entire street not merely the vehicular turnaround.

Section 606 Curbs and Sidewalks

606.1 Curbs

- A. Curbs shall also be required on new streets in subdivisions or land developments in which public water or sewer is provided.
- B. Where sidewalks are installed, curbs shall be depressed at intersections to sufficient width to accommodate wheelchairs. Depression shall be in line with sidewalks where provided. (Note, appropriate Federal ADA standards will be used.)
- C. All curbs shall be of a mountable or “Cap Cod-berm” type. All curbs shall be constructed in accordance with Worth Township Street Construction Specifications.

606.2 Sidewalks

- A. Sidewalks shall be provided on all streets and parking compounds located within multi-family and apartment building developments. Sidewalks shall be required for all subdivisions in which public water or sewer is provided. In addition, wherever the Board of Supervisors shall so determine, due to potential volume of pedestrian traffic, sidewalks may be required regardless of any other regulations in this Ordinance.
- B. Sidewalks shall be constructed in accordance with Worth Township Street Construction Specifications.

Section 607 Easements

- 607.1 Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a drainage easement may be required that conforms substantially with the water line of such watercourse, drainage way, channel, or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving, or protecting such drainage facilities.
- 607.2 Where desirable or necessary, adequate easements or dedications for public service utilities shall be provided for sewer, water, electric power, gas lines, storm drainage and similar services; and no structure or obstruction of any kind shall be placed or allowed to be placed where it will interfere in any way with such easements.
- 607.3 Utility and drainage easements, where required, shall have a minimum width of twenty (20) feet and be placed at the side or rear of lots whenever possible.

Section 608 Street Names

The developer may choose his street names subject to the review and approval as set forth by the Township Planning Commission, County Planning Commission and Butler County 911 System.

Section 609 Storm Water Drainage

Where grass drainage swales (or open ditches) are used, sluice pipes or culverts will be required at all driveways. These will be of a size and specification as set forth by the Worth Township Driveway Ordinance. Also, all new roads that use rolled paved drainage swales or concrete curbs will provide storm drainage facilities in accordance with specifications as set forth by the Worth Township Stormwater Management Ordinance.

Section 610 Utility Regulations for Subdivision and Land Development

Gas, electric, water, telephone and cable utilities shall be located in subdivisions in accordance with utility company practice and in accordance with agreements with, or as approved by, the Township Engineer and shall be placed underground.

Section 611 Flood Plain Area Regulations

All developers are required to follow the Township of Worth's Flood Plain Regulations. In addition, when any flood plains are located within a proposed development, they should be clearly identified on the preliminary and final plat. The developer will use the most recent flood plain information for the Township of Worth as available from the Federal Emergency Management Agency.

Any public facilities or utilities which are constructed in a flood plain area shall be designed in accordance with approved regulations. These regulations are set forth in the Township's Flood Plain Regulations as amended from time to time.

Section 612 Sanitary Sewer Systems

Generally, sanitary sewer systems shall follow the design and construction criteria as set forth by the Pennsylvania Department of Environmental Protection and Worth Township. Where a community sanitary sewer system will not be dedicated to the Authority, the development engineer will present the design to the Township Engineer. To the extent possible, especially for collection systems, the design and construction criteria of the Township will be used. All designs must demonstrate compliance with DEP permit requirements and secure DEP approval.

- A. Water Systems: The developer shall install a complete water supply system for the subdivision which shall be connected to a municipal water supply, or with a community water system approved by the Pennsylvania Department of Environmental Protection and the Township Engineer with satisfactory provision for the maintenance thereof; except when such municipal or community water supply system is not available.
- B. Plans: The plans for the installation of a water supply system shall be prepared for the subdivision in accordance with PA DEP requirements and the applicable water utility and approved by its Engineer. Upon the completion of the water supply system, one (1) copy of each of the plans for such system as built shall be filed with the Supervisors and the utility.

Section 613 Driveways

Residential driveways shall be at least five (5) feet from property lines and at least fifty (50) feet from the centerline of intersecting streets. For an industrial subdivision, there shall be at least seventy (70) feet between driveways on the same side of the street, and at least ninety (90) feet between the closest intersection and any industrial driveway. For commercial developments, there shall be at least fifty (50) feet between driveways on the same side of the street and at least seventy (70) feet between the closest radius of the driveway and the intersecting street. Shared driveways shall not be permitted except in instances of land development of single lots. All driveways shall include a culvert at the point where they intersect with the road shoulder, unless the Township Engineer finds that drainage is otherwise adequate. All driveways shall meet the specifications as set forth in the Worth Township Driveway Ordinance.

ARTICLE VII

REQUIRED IMPROVEMENTS

Section 701 General

- 701.1 All of the following improvements, as required by the Township pursuant to the authority granted in the Pennsylvania Municipalities Planning Code, Act 247, as amended, shall be completed in accordance with the requirements established by this Ordinance prior to final approval of the Plan, except as otherwise provide herein.
- 701.2 Final Plan approval, except for minor subdivisions, shall not be given prior to the completion and acceptance of all subdivision improvements, except where assurance of completion is furnished as herein provided (Article IV).

Section 702 Improvements

- 702.1 Improvements shall be provided, where required, in each new subdivision as follows, except that improvements are not required in existing public streets which may be incorporated into, or be adjacent to, the subdivision.
- A. Survey monumentation.
 - B. Water supply.
 - C. Public or community sanitary sewage facilities.
 - D. Storm drainage facilities.
 - E. Streets, including required grading, subgrade preparation, sub-drainage, subbase and pavement.
 - F. Curbing on streets (if required).
 - G. Sidewalks (if required).
 - H. Seeding between the sidewalk and curb (if required).
 - I. Required utilities, street lighting, street name signs and required grading, as required.
 - J. Erosion and sedimentation control, as needed.

ARTICLE VIII

CONSTRUCTION REQUIREMENTS

Section 801 General

801.1 The construction of improvements shall be in accordance with the requirements of this section. It is the intent of these regulations that these construction requirements shall be for the purpose of establishing a standard of quality and durability.

Section 802 Monuments and Markers

802.1 The developer shall place permanent reference monuments in all subdivisions as required herein. Any monuments or markers that are removed during construction and/or grading of the site shall be placed in original locations by a Registered Engineer or Surveyor at the expense of the person removing them.

802.2 Monuments: Monuments for major subdivisions shall be made of pre-cast concrete with a minimum diameter of six (6) inches and a minimum length of thirty-six (36) inches and shall be set flush with the finished grade. A steel pin shall be set in the top of each monument and scored or marked to indicate the exact point of crossing of the intersection lines:

Monuments shall be set permanently:

- A. At the intersection of all lines forming angles in the boundary of the subdivision or land development; and
- B. At the intersection of all street lines.

802.3 Markers: Markers shall consist of magnetic metal pipes or bars at least thirty-six (36) inches long and not less than one-half (1/2) inch in diameter and shall be set flush with the finished grade. They shall be scored to indicate the exact point of crossing of intersecting lines.

Markers shall be set permanently at all lot corners.

Section 803 Water Supply

803.1 The developer shall contact the Township or other designated agency for the specifications of a water supply system. Prior to the approval of the Preliminary Plan, the developer shall provide documentation to the Township Supervisors that arrangements for the provision of the water system are proceeding satisfactorily for water supply and fire protection.

803.2 Fire hydrants shall be provided concurrently with the water supply.

- 803.3 All public water systems shall be laid wherever possible in the planting strip on the north and east sides of the street and constructed in accordance with the standards of the Township water utility, State Department of Environmental Protection, or the operating agency of such water mains.
- 803.4 All phases of construction, including minimum size six (6) inch lines, excavation, trench, pipe type, backfill, hydrants, tees and valves shall be in accordance with approved construction drawings, State Department of Environmental Protection Standards and inspected by Township Engineer, Township representative and/or the operating entity during the entire construction period.
- 803.5 Upon completion of the water supply system, and before any person uses said water supply, the subdivider shall submit two (2) copies of as-built plans to the Township. Said as-built plans shall show, by stationing, all valves, house taps, length and size of house connections and location of fire hydrants, position of mains in the rights-of-way.
- 803.6 All inspection costs, including, but not limited to, the compensation to be paid to the Township Engineer, his authorized representative and/or the operating agency or representative of the utility company shall be borne and paid by the subdivider.

Section 804 Sanitary Sewage

- 804.1 Where required, the developer shall construct a sanitary sewer system and provide lateral connections for each lot in accordance with the specifications of the Township and the operating agency.
- 804.2 The developer shall secure from the Township or designated agency (as appropriate), prior to approval of the Preliminary Plan, a letter indicating the general design, location, and preliminary approval of the proposed sanitary sewer collection system. Prior to the approval of the Final Plan, the developer shall supply documentation attesting to the installation of the sanitary sewer collection system and its approval/acceptance by the applicable operating entity.
- 804.3 It is the purpose of these regulations that developments which occur under this Ordinance shall pay their fair share toward needed improvements as set forth by Act 203 of 1990.
- 804.4 The minimum diameter of any sewer main shall be eight (8) inches and any lateral six (6) inches. Storm water and subsurface drainage shall not be permitted to enter sanitary sewers. Footing drains and down spouts shall not be connected to the sanitary sewer system.
- 804.5 All phases of construction, including excavation, trenching, installation of the appropriate size of pipe, grading, backfilling and installation of manholes shall be in accordance with construction drawings approved by the State Department of Environmental Protection, if such approval is required, and inspected by the Township Engineer, his authorized

representatives or the operating agency representative during the entire construction period. All inspection costs, including but not limited to compensation to be paid to the Township Engineer, his authorized representative and/or the operating agency representative during the entire construction period. All inspection costs, including but not limited to compensation to be paid to the Township Engineer, his authorized representative and/or the operating agency representative, and all other Township inspection costs shall be borne by the subdivider.

- 804.6 Upon completion of sanitary sewer installation, two (2) copies of each of the plans for such systems as built shall be filed with the Township or operating agency representative (as appropriate). Said as-built plans shall show, by stationing, all manholes, laterals, length of laterals and size and location of mains within the rights-of-way.
- 804.7 Private Community Sewer Systems- When a complete private sanitary sewer system using a treatment plant is to be provided, a statement shall be submitted to the Township from the Pennsylvania Department of Environmental Protection certifying that a permit has been issued by the appropriate agency approving the proposing facilities. Adequate security for the maintenance of such plant shall be furnished to the Township.
- 804.8 On-Lot Sewage Disposal – In subdivisions where public sewers are not available and a complete private community sanitary sewer system is not required, on-lot sewage disposal systems shall be provided. In such instances, the developer shall provide evidence that the planning module required for on-lot disposal by DEP has been approved. The developer must show compliance with Act 537, and other State or Township laws and/or regulations governing on-lot sewage disposal.

Section 805 Storm Sewers

- 805.1 A drainage system adequate to serve the needs of the proposed development will be required in new subdivisions. The developer shall construct a storm sewer system and connect the drainage system with any existing storm sewer system if one exists. All storm sewer construction shall comply with the Township’s Storm Sewer Specifications.
- 805.2 A ten (10) year storm frequency shall be utilized to design facilities serving local, commercial/industrial and marginal access streets and marginal access ways and access roads to multiple business properties. All longitudinal and side drains and slope pipes for street, road and highway systems will also be designed considering a ten (10) year storm frequency.

Culvert cross drains and any other type of drainage facility in an underpass or depressed roadway section shall be designed utilizing the following storm frequencies.

- 1. Arterial Highways25 years
- 2. Collector, Local Streets and others 10 years
- 3. Greater design frequencies may be required by the Township were justified on individual projects.

- 805.3 Bridges or culverts shall be designed to support and carry all legal loads, but not less than AASHTO Loading HS-20 and shall be constructed the full width of the cartway plus additional length, as necessary, to provide a proper installation.
- 805.4 Where open water courses are planned, adequate safety, erosion control, drainage, protection of capacity and appearance measures shall be taken by the developer to insure proper, safe, healthful disposal of storm water. All open water courses must be approved by the Township Engineer.
- 805.5 The direct discharge of surface or subsurface water such as down spouts or basement sump pumps onto the street cartway will not be permitted.

Section 806 Streets, Curbs and Sidewalks

- 806.1 Streets, curbs and sidewalks shall be designed and constructed in accordance with Worth Township's Street Construction Specifications.
- 806.2 The developer shall submit plans, profiles, cross-sections, and details for streets, curbs, and sidewalks to the Township. The developer shall not initiate construction until such plans have been approved by the Township and the Township Engineer, including any revisions required by the Township and the Township Engineer. Construction of streets, cul-de-sacs, curbs, and sidewalks shall be in accordance with plans that have been approved by the Township.
- 806.3 All streets shall have subdrainage systems consisting of subgrade (blind) drains and pavement base drains, designed, and constructed in accordance with the Worth Township Street Construction Specifications.

There may be areas of the Township consisting of naturally well-drained soil where the subdrainage requirements could be relaxed. Such cases will be reviewed by the Township Engineer upon written request. All deviations from the requirements of this Ordinance and the Worth Township Street Construction Specifications must be approved by Worth Township and the Worth Township Engineer.

- 806.4 Specifications for industrial, commercial, and other special use streets will be determined by the Township Engineer on a case-by-case basis.

Section 807 Utilities

Gas, electric, telephone and cable utilities shall be located in subdivisions in accordance with utility company practice and in accordance with agreements with, or as approved by the Township. All buried utilities must be installed prior to the road subbase construction. All buried utilities located within the roadway must be backfilled with the same material and compaction requirements as specified for storm or sanitary sewer backfill within roadways.

Section 808 Erosion Control

It shall be a requirement of all major subdivisions that the developer shall have a Soil Erosion and Sedimentation Control Plan and/or permit, prepared in accordance with current state law (Erosion and Sedimentation Control, Chapter 102, Pennsylvania Rules and Regulations, as amended), which shall be reviewed and approved by the Butler County Soil Conservation District. The Township may also require a like plan for any minor subdivision. The Plan shall be fully implemented during the construction of the development. A copy of the approved Soil Erosion and Sedimentation Control Plan shall be submitted with the subdivision plans.

ARTICLE IX

LAND DEVELOPMENT STANDARDS

Section 901 Jurisdiction

Certain physical developments are classified as land developments in the Pennsylvania Municipalities Planning Code and are subject to regulation under this Ordinance. The design and construction standards in this Ordinance are applicable to land development as such standards are appropriate. In land development there is not necessarily a division of land typical of land subdivision actions, although buildings and/or use areas may be sold at the time of development or at some future time. It shall be unlawful for an applicant to construct land developments as defined herein without complying with these additional requirements.

Section 902 Procedures

In processing a land development, the three-stage procedure established in this Ordinance for land subdivisions shall be used: Sketch Plan (not mandatory), Preliminary Site Plan, and Final Site Plan stages. The land development shall be processed, and submission requirements shall be the same as that required for a major subdivision.

Unless otherwise noted, the processing requirements, drawing size, certifications, acknowledgements, number of copies, etc. for submission of Land Development Site Plans shall be the same as for a major subdivision, and the Final Site Plan shall be recorded in the Butler County Recorder's Office.

Section 903 Final Plan Review

In addition to other final plan requirements for a major subdivision, the following items shall be included for Final Plan review for all land developments, as applicable:

- A. Site plans as required in this Article, engineering plans detailing the construction of all required improvements, and plans, other data information establishing compliance with the design standards of this Article.
- B. Proof of approvals by all appropriate public and governmental authorities or agencies where applicable including, but not limited to, occupancy permits for any planned road entrances into existing roads or highways and permits or approvals from the Department of Environmental Protection or other State agencies relating to sewage facilities, water obstructions, air quality, etc., as applicable.
- C. In case of multi-owner or multi-tenant developments, proof of the organization and means for management and maintenance of common open space, parking and other common utilities or improvements. Instruments demonstrating creation of

an association or entity or other means of assuring continuing maintenance shall be required.

Section 904 Site Plan

In lieu of a plot plan, the developer shall submit a Site Plan. Such Plan shall be at a scale of one (1) inch to twenty (20) feet. Where it is planned that building and parking lot development will cover an area in excess of fifty thousand (50,000) square feet, combined topographic data at two (2) foot contour intervals shall be required. In addition to the other requirements for Preliminary and Final Subdivision and Land Development Plans set forth, as applicable, each land development site plan shall, through one or more pages, show:

- A. Existing site conditions (topography, as needed, drainage, tree clusters, buildings, utility, streets, and nearby properties).
- B. Proposed developments, including buildings (with frontal elevation), parking, vehicular and pedestrian access areas, storm drainage, landscaping, utility location and size.
- C. Property information with a boundary survey completed by a Professional Land Surveyor.

Section 905 Design Standards

Land Developments shall meet the following design requirements. It is recognized by the Township that the design process should be somewhat flexible, pursuant to Section 503.2(5) of the Pennsylvania Municipalities Planning Code. Generally, the criteria for facilities for transportation and parking shall be based upon an accepted source, such as The Dimensions of Parking (Washington, D.C.: Urban Land Institute and National Parking Association) or Transportation and Land Development (Washington, D.C.: Institute of Transportation Engineers).

- A. Vehicular access connections to the surrounding existing street network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic.
- B. The developer shall make satisfactory provision for the improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities, sewage disposal facilities and storm water management devices.
- C. The development plan shall provide for adequate privacy, light, air and protection from noise through building design, street layout, screening, plantings and special siting of buildings.

- D. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or other association or entity. Private streets shall meet Township standards regarding sub-grade preparation, base and surfacing construction. Off-street parking areas may be integrated with public street design and construction providing maintenance responsibilities are mutually agreed upon.
- E. Service and waste storage and disposal areas for the land development shall be planned and constructed such that they are not visible from adjacent uses.
- F. Building locations and areas and roadways and driveways shall be sufficient for reasonably anticipated vehicular traffic, use and circulation.
- G. A parking and access plan shall be submitted along with estimated traffic flows. The developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development, based upon standard parking capacity measurements, including number of spaces per anticipated development type.
- H. A Storm Water Management Plan meeting the requirements of the Pennsylvania Storm Water Management Act and the Worth Township Storm Water Management Ordinance shall be provided.
- I. For multi-building land developments, a complete landscaping plan shall be submitted that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties. Landscape treatment shall be provided to enhance architectural features, manage storm water runoff, strengthen vistas and important axis, or provide shade.
- J. For multi-building land developments, a complete interior pedestrian circulation plan shall be submitted by all developers indicating the safe and efficient movement of people within and through the site. All traffic, parking and pedestrian plans shall be completed using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.
- K. Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society.
- L. Water and sanitary sewer service shall be provided by the respective water and sewer providers in accordance with local standards and requirements.
- M. Gas, electric, telephone and cable utilities shall be located in land developments in accordance with utility company standards and requirements. All such utilities shall be underground.

- N. All land developments required to submit plans for approval by the Pennsylvania Department of Labor and Industry shall show evidence of approval by the Department.

Section 906 Assurance for Completion and Maintenance of Improvements

Insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements (such as streets, parking areas and storm water drainage devices), which are to be privately maintained or maintained by a private (non-public) organization or entity created by the developer – there is not need for municipal acceptance of the site improvements. However, in these instances streets and storm water drainage shall be designed and built to the standards established in this Ordinance, and the Township shall ascertain that these improvements are, in fact, built to such standards. Where the developer does not intend to maintain the improvement and where a homeowner’s association or similar organization will not be organized for these responsibilities, the developer will submit a plan for maintenance of such facilities. This document will be legally enforceable, one clearly establishing maintenance responsibility. It must be approved by the Township. Any proposed improvement to be offered for public dedication will follow the requirements as specified by these Regulations. Among other remedies to enforce this section, the Township may refuse to issue building permits.

ARTICLE X

ALTERNATIVE LAND DEVELOPMENT TYPES
MOBILE HOME PARK DEVELOPMENT

Section 1001 Applicability

No person, firm or corporation proposing to open, re-arrange or expand a mobile home park in Worth Township, shall proceed with any construction work on the proposed park until they have obtained from the Township written approval of the Final Plan of the proposed park, according to procedures herein outlined.

1001.1 License

It shall be unlawful for any person to construct, remodel, alter, operate or extend any mobile home park within the limits of Worth Township unless he holds a valid license issued by the Township of Worth. Any person expanding his mobile home park by one (1) or more spaces shall make a re-application for a license to operate such facility in the manner prescribed by this Ordinance.

- A. This mobile home park license shall be non-transferable, shall be renewed each year thereafter upon application, and shall be subject to suspension or revocation upon finding the mobile home park not in compliance with the provisions of this Ordinance.
- B. The application for renewal of a mobile home park license shall be made thirty (30) days prior to permit expiration date.
- C. A copy of the mobile home park license shall be furnished by Worth Township to the municipal tax collector.

1001.2 Exempt Mobile Home Parks

A mobile home park involving no more than two (2) mobile homes shall be exempt from this section provided:

- A. A total of no more than two (2) dwelling units (including both standard housing units and mobile homes) occupies the lot.
- B. All lot and yard standards of this Ordinance for standard residential subdivisions can be met.
- C. Each mobile home shall have appropriate tie down and anchoring against overturning and sliding forces that result from winds, as shown on the Wind Pressure Map in American Standards Association, Standards A8.1-1995.

- D. All applicable sewage and building permits have been secured from Worth Township.

Section 1002 Plan Requirements

- A. Preliminary and Final Plans as required, shall comply in form and content with Articles of these regulations applicable to major subdivisions insofar as transferable and shall be in accordance with the standards set forth herein.
- B. Other regulations of the Township, including, but not limited to, those found in Article V may also be required.

Section 1003 Preliminary Plan

- A. Pre-application Procedure – The mobile home park developer should meet with the Township Planning Commission prior to formal application, to discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of his purposes. The Township Planning Commission shall inform the developer as to the general suitability of the plans and of any modifications required by these regulations, if deemed advisable.
- B. Application – The developer shall then prepare and submit a complete Preliminary Plan, together with improvement plans and other supplementary material, as required for major subdivisions.
- C. Upon receipt of a preliminary plan and license application for a mobile home park, the Worth Township Planning Commission shall determine compliance with the provisions of this Ordinance and shall render a recommendation for approval, approval with conditions, or denial of said Preliminary Plan, per the provisions of Article III of this Ordinance.

Section 1004 Final Plan Approval

- A. Upon completion of any conditions required by the Township Planning Commission and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply to the Board of Township Supervisors for approval of the Final Plan. Until the Final Plan for the mobile home park is approved and recorded and until all necessary improvements are completed for the mobile home park, the placement and habitation of individual mobile homes shall not be permitted.
- B. The Township Supervisors shall review the Final Plan for conformance with the approved Preliminary Plans and all requirements of these rules

and regulations. When required, an appropriate bond must be posted or required improvements have been installed, according to specifications.

- C. Recording - Recording of the approved Final Plan shall be of the same procedure as Section 306.1 of this Ordinance.
- D. Upon being furnished a copy of the permit issued by the Pennsylvania Department of Environmental Protection to the applicant, and upon approval by the Worth Township Supervisors of the Final Plans for the mobile home submitted by the applicant in compliance with this Ordinance, Worth Township shall issue a mobile home park license to the owner of the park which shall be valid for a period of one (1) year.

Section 1005 Existing Mobile Home Parks

The standards and procedures prescribed herein shall be applicable only to those mobile home parks which are constructed, remodeled, altered or expanded after the effective date of this Ordinance.

Section 1006 Inspection of Mobile Home Park

An authorized representative of Worth Township may inspect any mobile home park at reasonable intervals, and at reasonable times, to determine compliance with the terms of this Ordinance.

Section 1007 Design Requirements and Standard for Mobile Home Park Development

- A. Minimum Area of Tract or Park – The minimum area of the tract or park shall be five (5) acres. The site shall be so located that soil conditions, ground-water level, drainage, and topography shall not create hazards or nuisance to the property, health or safety of the occupants or adjacent property owners.
 - 1. Erosion and Sediment Control – The provisions of this Ordinance shall be applicable to all mobile home park development.
 - 2. Soil and Ground Cover Requirements – Exposed ground surfaces in all parts of every park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
 - 3. Park Areas for Non-Residential Uses – No part of any mobile home park shall be used for non-residential purposes, except when so designated on the Plan as uses required for the direct servicing and well-being of park residents, for the management and

maintenance of the park, and/or commercial activities related to the park development.

Nothing contained in this Section shall be deemed prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

- B. Individual Lots – The planning and location of individual lots shall be guided by the following requirements:
1. Access – Each lot shall be directly accessible from an approved internal street without the necessity of crossing any other space.
 2. Size – Each mobile home lot shall have a minimum lot width of fifty (50) feet, depth of one hundred (100) feet and a minimum of twenty thousand (20,000) square feet in area.
 3. Spacing Requirements
 - A. Mobile homes shall be parked on each lot so that there will be a minimum of fifteen (15) feet between the mobile home, appurtenant structures, and any adjacent side or rear lot line.
 - B. There shall be a minimum of twenty (20) feet between an individual mobile home, attached structure, and accessory structure, and the pavement of a park street or common parking area.
 - C. The setback from the right-of-way of any public street or highway shall be consistent with Table 601.8, minimum front yard.
 - D. Mobile homes shall be located a minimum of twenty (20) feet from any common building or structure.
 - E. Each mobile home lot shall be so platted to permit a minimum of fifty (50) feet between parallel ends of adjacent mobile homes.
 - F. There shall be at least forty (40) feet between any mobile home, appurtenance building, office or similar structure and any boundary line.
 - G. Rear yards shall be at least fifteen (15) feet from the mobile home lot line.

C. Park Street System

1. A safe and convenient vehicular access shall be provided from abutting public streets and roads to each mobile home lot.
2. The entrance road, or area connecting the park with a public street or road shall have a minimum pavement width of twenty-eight (28) feet.
3. Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the requirements of this Ordinance.
4. Street Construction Standards – All streets shall be constructed and surfaced in accordance with municipal specifications applicable to streets in conventional residential developments and approved by the municipal engineer. All roads shall be maintained in a dust-free condition.
5. Curbs and gutters shall be installed in compliance with this Ordinance.
6. Street Maintenance – All streets, roads and ways shall be maintained by the mobile home park owner, unless by ordinance or written agreement the municipality agrees to maintain the park streets, roads or ways.

D. Off-Street Parking Areas – Off-street parking areas with dust-free stabilized surfaces shall be provided in all mobile home parks for the use of park occupants and guests. Required car parking spaces shall be located as to provide convenient access to the mobile home but shall not exceed a distance of two hundred (200) feet from the mobile home that is intended to be served and shall consist of two (2) off-street parking spaces for each mobile home. Two (2) parking spaces shall be provided for such a mobile home.

E. Sidewalks

1. All parks may provide safe, convenient, all season pedestrian walkways of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the park streets and all community facilities provided for park residents, meeting the minimum standards in this Ordinance.
2. All mobile home lots shall be connected to common walks, or to streets or to driveways or parking spaces connecting to a paved

street. Such individual walks shall have a minimum width of two (2) feet.

F. Mobile Home Stands

1. The location of each mobile home stand shall be at such elevation, distance and angle in relation to the access street so that the placement and removal of the mobile home is practical.
2. The stand where the house is placed shall be at least fourteen (14) feet by sixty-five (65) feet to accommodate modern units.
3. A one percent (1%) to five percent (5%) gradient longitudinal crown or cross gradient for surface drainage shall be provided. Water shall be directed away from the mobile home stand. In no event shall the stand be designed to allow the pooling of water under mobile homes.
4. All mobile homes shall be set on a suitable foundation extending below the frost line to provide a stable foundation to withstand the dead and live loads from the mobile home.
5. Each mobile home foundation shall be designed to provide anchorage against overturning and sliding forces that result from winds as shown on the Wind Pressure Map in American Standards Association, Standards A58.1 – 1995.
6. There shall be a concrete patio area provided for each stand, not less than ten (10) feet wide and twenty (20) feet long located convenient to the main-entry door to the mobile home.

G. Recreation Areas – For a proposed park of fifteen (15) acres or more, not less than ten percent (10%) of the gross site area shall be devoted to recreational facilities for both passive and active recreation. Recreation areas may include space for community buildings and community use facilities such as indoor recreation areas, swimming pools, hobby and repair shops, and service buildings. Sites selected or reserved for such uses shall be appropriate topography, location and dimensions which in the judgment of the Township lend themselves to recreation uses.

1. The construction, modification, maintenance and operation of any bathing place (swimming pool) in a mobile home park shall be subject to the provisions of the regulations of the Pennsylvania Department of Environmental Protection.

- H. Conservation Buffer – A buffer yard shall be installed and maintained to minimize the environmental impact of this more dense and intense form of development upon surrounding properties. Due to the increased density standards, plantings are necessary to provide a windbreak and break of the intensity of stormwater flows.
1. This buffer yard shall consist of a fifty (50) foot buffer yard of natural vegetation sufficient to provide opaque screening during six (6) months of the year. This buffer yard shall maintain the existing natural vegetation unless insufficient for state purposes, stormwater control or of species generally recognized as inferior from shade or erosion control. If deemed so, the developer shall maintain a planting standard of eight (8) deciduous trees and twenty-eight (28) coniferous trees per each one hundred (100) lineal feet of buffer yard.
 2. A screening yard of Norway spruces, planted to the following standards: an initial row of trees to follow a lineal centerline with additional rows planted at oblique angles on each side of the centerline row, sufficient to provide complete and constant opaque screening from the time of planting.

Section 1008 Utility Requirements

- A. General – In accordance with the Rules and Regulations, Commonwealth of Pennsylvania, Department of Environmental Protection, provisions for all sewerage collection and disposal and the distribution and treatment of the water supply and such other information required by the Department of Environmental Protection shall be shown on plans and submitted to and approved by the Department of Environmental Protection. If a proposed park is within five hundred (500) feet of an existing community sewer system or public water system, it will be required to connect to same. All design standards and specifications of this Ordinance will be followed for mobile home parks.
- B. Water Supply
1. An adequate, safe, and potable supply of water shall be provided for mobile homes, service buildings and other accessory facilities as required by this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto, and its supply shall be used exclusively. Where a satisfactory public water system is not available, the development of the private water supply system shall be approved by the Pennsylvania Department of Environmental Protection.

- A. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.
 - B. No well-casings, pumps, pumping machinery, or suction pipes shall be placed in any pit, room or space extending below ground level, not in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.
 - C. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Protection.
2. All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.
- A. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and Local requirements.
 - B. The water piping system shall not be connected with non-potable water or questionable water supplies and shall be protected against the hazards of backflow or back siphonage.
 - C. The system shall be so designed and maintained so as to provide a pressure of not less than twenty (20) pounds per square inch under normal operating conditions at each mobile home lot, at service buildings and other locations requiring potable water supply.
 - D. Individual water riser pipes shall be located at a point where the water connection will approximate a vertical position, thereby ensuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
 - E. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers

from heaving and thawing actions of ground during freezing weather. Surface drains shall be diverted from the location of the riser pipe.

- F. A shut-off valve below the frost line shall be provided near the water riser pipe on each mobile home lot.

3. Sewage Disposal

- 1. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Wherever feasible, connection shall be made to a public system. The system shall be designed, constructed, and maintained in accordance with Pennsylvania Department of Environmental Protection regulations.
- 2. Individual sewer connection.
 - A. Each mobile home lot shall be provided with at least a three (3) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
 - B. The sewer connection shall have a minimal inside diameter of not less than three (3) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. All points shall be watertight.
 - C. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent, and durable. The inner surface shall be smooth.
 - D. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser pipe. The rim of the riser pipe shall extend at least one-half (1/2) inch above ground.
- 3. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of

materials approved by the Pennsylvania Department of Environmental Protection and shall have watertight joints.

4. Where the sewer lines of mobile home parks are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Department of Environmental Protection prior to construction. Effluents from sewage treatment facilities shall be discharged only as permitted by the Pennsylvania Department of Environmental Protection.

4. Electrical Distribution System

1. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with local electric power company specifications, National Electrical Code, and local and state codes and ordinances. Inspection by a qualified electrical inspection agency shall be made of all private electrical systems.
2. Power lines shall be located underground in accordance with Pennsylvania PUC Order Docket #99. All direct burial conductors or cables shall be buried below the ground surface and shall be insulated and specifically designed for the purpose.
3. Each mobile home lot shall be provided with an approved disconnect device and overcurrent protective equipment. The minimum service per mobile home outlet shall be 120/140 volts AC, 200 amperes.
4. All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.
5. Street lighting shall be provided to illuminate streets, driveways, parking areas and walkways for the safe movement of vehicles and pedestrians at night.

5. Service Building and Other Community Service Facilities

1. No central toilet or washroom facilities may be constructed in any mobile home park, and each mobile home so parked therein shall be equipped with toilet and washroom facilities which shall be attached to central sewage and water facilities as provided for each lot.
2. Central laundry facilities may be permitted, and such facilities shall be maintained in clean condition free from accumulation of wastewater, trash or any other noxious or offensive accumulation. Such facilities may be shielded from other buildings by fences or vegetation of sufficient height to bar view.

6. Solid Waste Disposal

1. Storage, collection and disposal of solid waste and refuse in the mobile home park shall be so conducted as to create no health hazards, no rodent harborage, insect breeding areas, accident or fire hazards or air pollution.
2. All refuse containing garbage shall be collected at least once weekly. Where a suitable collection service is not available from municipal or private agencies, the management shall provide this service.

7. Fuel Supply and Storage

1. Natural gas piping systems when installed in mobile home parks shall be maintained in conformity with accepted engineering practices. All gas piping installed below ground shall have a minimum earth cover of eighteen (18) inches. Gas piping shall not be installed under any mobile home.
2. Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

ARTICLE XI

NATURAL GAS COMPRESSOR STATIONS

Section 1101

Natural gas compressor stations shall comply with the following requirements to minimize impacts on the township's physical and social environments and to protect adjoining landowners and the community from noise, light, and industrial activity.

- 1101.1 All compressors and equipment, other than condensation tanks, dehydrators, and other non-rotating mechanical support equipment, shall be located within a fully enclosed building with soundproofing and blow-down silencers and mufflers at a minimum. Cooler fans may be exposed to the outside if noise requirements can be met otherwise.
- 1101.2 Audible sound from a natural gas compressor station shall not exceed a noise standard of 55 dBA at the nearest property line or the applicable standard imposed by Federal law, whichever is less. The applicant shall provide technical support documentation indicating the noise standard will be achieved.
- 1101.3 All compressor station equipment shall comply with the following setback distances: (1) Two hundred (200) feet from adjoining properties and public road rights-of-way. (2) Seven-hundred fifty (750) feet from any existing residential structure not located on the project parcel or any school, church, hospital, or other occupied building. (3) Two hundred (200) feet to any body of water, perennial or intermittent stream, or wetland.
- 1101.4 Compressor stations shall provide the following buffer: (1) An area of not less than 50 feet in width shall be maintained along all property lines and road rights-of-way to provide a buffer. The buffer shall not be used for parking, storage, or any other purpose except landscaping, crossing of access roads, or required utilities and discharge/intake lines. (2) Vegetative screening shall be provided in the buffer area which creates an effective visual screen. In determining the type and extent of screening required, the Planning Commission shall take into consideration the design of the project structure(s) and site topographic features which may provide natural buffering, existing natural vegetation, and the relationship of the proposed project to adjoining areas.
- 1101.5 Fencing

The compressor station site shall be enclosed by a minimum eight (8) foot high-security fence.

ARTICLE XII

WIND ENERGY FACILITIES

Section 1201

Wind energy facilities, consisting of one or more wind turbines and other accessory structures and buildings, and designed to supply electrical power primarily for off-site use, shall comply with the following requirements to minimize impacts on the Worth Township's physical and social environments and adjoining landowners and the community.

1201.1 The design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or other similar certifying organizations.

1201.2 To the extent applicable, the wind energy facility shall comply with the Pennsylvania Uniform Construction Code.

1201.3 All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

1201.4 Wind turbines shall be a non-obtrusive color such as white, off-white, or gray.

1201.5 Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

1201.6 No portion of a wind turbine shall contain or be used to display advertising.

1201.7 On-site transmission and power lines between wind turbines shall, to the maximum extent practicable, be placed underground.

1201.8 Wind turbines shall be set back from an occupied building, the property line, and the right-of-way of any adjacent state or municipal road a distance not less than 1.5 times the turbine height. Setback shall be measured from the center of the wind turbine base.

1201.9 Noise from a wind turbine shall not exceed 55 dBA at the nearest property line. The applicant shall provide technical support documentation indicating the noise standard will be achieved.

1201.10 Wind energy facilities shall provide reasonable measures to minimize shadow flicker on

any occupied building.

- 1201.11 Wind energy facilities shall provide reasonable measures to avoid disruption or loss of radio, telephone, television, or similar signals, and shall mitigate any harm caused by the wind energy facility.
- 1201.12 The facility owner or operator shall, at its expense, complete the decommissioning of the facility within 12 months after the end of the useful life of the facility. The facility will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of 12 months.
- 1201.13 Decommissioning shall include the removal of wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities. Disturbed earth shall be graded and re-seeded.
- 1201.14 An independent Professional Engineer, registered in the Commonwealth of Pennsylvania, shall be retained by the facility owner or operator to estimate the total cost of decommissioning without regard to salvage value of the equipment ("Decommissioning Costs") and the cost of decommissioning net salvage value of the equipment ("Net Decommissioning Costs"). Said estimates shall be submitted to Worth Township after the first year of operation and every fifth year thereafter.
- 1201.15 The facility owner or operator shall post and maintain decommissioning funds in an amount equal to net decommissioning costs provided that at no point shall decommissioning funds be less than 100% of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or federal or Commonwealth of Pennsylvania chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth of Pennsylvania and is approved by Worth Township. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee, or other form of financial assistance as may be acceptable to the Township.
- 1201.16 If neither the facility owner nor operator completes decommissioning within the prescribed period, then the Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors, and assigns that the Township may take such action as necessary to implement the decommissioning plan.
- 1201.17 The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and Worth Township concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality to implement the decommissioning plan.

ARTICLE XIII

SMALL SOLAR ENERGY FACILITIES

Section 1301

Small Solar Energy Facility – a small solar energy facility is an accessory to the principal use(s) on the same lot. The sale and distribution of excess available energy shall be incidental and not the primary purpose of the facility.

1301.1 Small Solar Energy Facilities shall primarily supply power to a principal on-site structure or use.

1301.2 Roof-mounted facilities shall fit securely and shall not extend beyond the limits of the existing roof area to which it is mounted.

1301.3 Ground-mounted facilities, including all required support equipment, shall not be in front yard areas.

1301.4 Ground-mounted facilities, including all required support equipment, shall not project into any minimum front, side, or rear yard setbacks established by Table 601.8.

1301.5 Ground-mounted facilities, including all required support equipment, shall not exceed the one-story height of the principal structure.

1301.6 Ground-mounted facilities, including all required support equipment, shall not exceed 10,000 sf.

1301.7 All mechanical equipment serving Solar Facilities shall be screened from adjacent property.

1301.8 All electrical cabling between the Solar Facilities and the primary structure shall be buried or concealed.

ARTICLE XIV

PRINCIPAL SOLAR ENERGY SYSTEM

Section 1401

Principal Solar Energy Systems (PSES), are designed to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for off-site use, shall comply with the following requirements to minimize impacts on the Worth Township's physical and social environments and on adjoining landowners and the community.

- 1401.1 The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with Municipality's Building Code, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
- 1401.2 The minimum lot size shall be ten (10) acres.
- 1401.3 PSES shall be setback from all property lines a minimum of one hundred (100) feet.
- 1401.4 Ground-mounted PSES shall not exceed fourteen (14) feet in height.
- 1401.5 All on-site transmission and plumbing lines shall be placed minimally under solar panels and to the extent feasible underground.
- 1401.6 Appropriate safety/warning signage concerning voltage shall be placed on ground-mounted electrical devices, equipment, and structures.
- 1401.7 No portion of the PSES shall contain or be used to display advertising.
- 1401.8 All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways. The applicant has the burden of proving, either through sitting or mitigation, that any glare produced does not have a significant adverse impact on neighboring or adjacent uses.
- 1401.9 Noise from PSES shall not exceed 55 dBA, at the nearest property line. The applicant shall provide technical support documentation indicating the noise standard will be achieved.

- 1401.10 PSES shall be screened from any adjacent property or roadway. The screen shall consist of plant materials that provide an effective visual screen and be maintained permanently. Any plants that do not live must be replaced within six (6) months.
- 1401.11 PSES shall be completely enclosed by a minimum eight (8) foot high-security fence.
- 1401.12 PSES shall not be artificially illuminated except to the extent required for safety or applicable federal, state, or local authority. Site lighting shall be directed downward and shielded to avoid glare on public roads and adjacent properties. No lighting shall project onto any neighboring properties or roadways.
- 1401.13 PSES shall meet all other applicable Township, County, State, and Federal regulations.
- 1401.14 A minimum twenty-five (25) feet wide access road shall be provided from a state or municipal road into the site, and a minimum twenty (20) feet wide driveway shall be provided between the solar arrays to allow access for maintenance vehicles, emergency management vehicles, and fire apparatus.
- 1401.15 PSES site shall have the grass area maintained three times a year. Once in the Spring, Summer, and Fall months.
- 1401.16 Glare from the Solar facility determined by Worth Township to be a nuisance to adjacent properties or roadways shall be prohibited. The Solar facility owners shall remediate any nuisance glare claims within six (6) months of being notified.
- 1401.17 All electrical cabling between the Solar Facilities and the utility system connection shall be buried or concealed.
- 1401.18 The facility owner or operator shall, at its expense, complete the decommissioning of the facility within 12 months after the end of the useful life of the facility. The facility will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of 12 months.
- 1401.19 Decommissioning shall include the removal of solar panels or collectors, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities. Disturbed earth shall be graded and re-seeded.
- 1401.20 An independent Professional Engineer, registered in the Commonwealth of Pennsylvania, shall be retained by the facility owner or operator to estimate the total cost of decommissioning without regard to salvage value of the equipment (“Decommissioning Costs”) and the cost of decommissioning net salvage value of the equipment (“Net Decommissioning Costs”). Said estimates shall be submitted to Worth Township after the first year of operation and every fifth year thereafter.

- 1401.21 The facility owner or operator shall post and maintain decommissioning funds be less than 100% of decommissioning costs. The decommissioning funds shall be posted and maintained with a bonding company or federal or Commonwealth of Pennsylvania chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth of Pennsylvania and is approved by Worth Township. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee, or other form of financial assistance as may be acceptable to the Township.
- 1401.22 If neither the facility owner nor operator completes decommissioning within the prescribed period, then the Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors, and assigns that the Township may take such action as necessary to implement the decommissioning plan.
- 1401.23 The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and Worth Township concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality to implement the decommissioning plan.

ARTICLE XV

ACCEPTANCE OF PUBLIC IMPROVEMENT

Section 1501 General

Upon completion of street and drainage systems and/or the water and/or sanitary sewer system as set forth on the Final Plan, the developer shall request the Township, appropriate Township Authority, or other agency to accept ownership and perpetual maintenance. The Township's acceptance shall require the following:

- 1501.1 Certificate by the Township Engineer that the improvements have been completed as shown on the Final Plan and in accordance with the Ordinance.
- 1501.2 Execution of Bill of Sale by the developer transferring the improvements to the Township.
- 1501.3 The Township shall require the posting of financial security for any improvements to be accepted. Said financial security is for the structural integrity and/or functioning of said improvements for a period of eighteen (18) months from the date of their acceptance by the Township and shall not be in excess of the amount allowed by Section 509 (fifteen percent [15%] of the actual cost of installation) of the Pennsylvania Municipalities Planning Code, as amended.
- 1501.4 Submission by the developer of as-built drawings of the said improvements. As-built drawings are to be permanent drawings on stable plastic drafting film and be prepared by a professional engineer or land surveyor.
- 1501.5 Improvements offered to any municipal authority shall be subject to their rules and acceptance process. However, proof of acceptance will be required.

ARTICLE XVI

ADMINISTRATION, AMENDMENT AND MODIFICATION

Section 1601 Amendments

The Board of Supervisors of the Township of Worth may from time-to-time revise, modify and amend this Ordinance by appropriate action in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

Section 1602 Filing Fee and Review

The filing fee for subdivision plans shall be established by the Township Supervisors. Such filing fees shall include those for mobile home parks and land development. Review fees shall include the review of subdivision plats, mobile home park plans and land development site plans. Review fees shall also include the field inspection of such plats, plans or site plans or their final inspection. The fees charged shall be in accordance with 503 (1), 509 and 510 of the Pennsylvania Municipalities Planning Code.

Section 1603 Records

The Township shall maintain an accurate public record of all plans upon which it takes action and of its findings, decisions, and recommendations in relation thereto.

Section 1604 Appeals

In any case where the Board of Supervisors approves or disapproves a subdivision plan, any person aggrieved thereby may appeal to the Court of Common Pleas of Butler County, Pennsylvania in accordance with Article X-A of the Pennsylvania Municipalities Planning Code.

Section 1605 Validity

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remainder of this Ordinance as a whole, or any individual part thereof.

Section 1606.1 Prevention Remedies

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

- B. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance of Worth Township. This authority to deny such a permit or approval shall apply to any of the following applicants:
1. The owner of record at the time of such violation.
 2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

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

Section 1606.2 Enforcement Remedies

- A. Any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance enacted under the Pennsylvania Municipalities Planning Code or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by Worth Township, pay a judgment of not more than five hundred dollars (\$500), plus all court costs, including reasonable attorney fees incurred by Worth Township as a result thereof. No judgement shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgement pending a final adjudication of the violation and judgment.
- C. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

Section 1607 Modification of Regulations

1607.1 The Board of Supervisors may grant a modification of the requirements of one (1) or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed. Requests for modification shall be reviewed by the Worth Township Planning Commission and shall after its review, forward its recommendation to the Township Supervisors.

1607.2 All requests for a modification shall be in writing and shall accompany and be a part of the plan for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

1607.3 The Board of Supervisors shall keep a written record of all action on all requests for modification.

1607.4 The Board of Supervisors may approve or deny the request for modification. If the Board of Supervisors approves the request for modification, it shall authorize the minimum modification from this Ordinance that will afford relief.

Section 1608 Conflict

Whenever there is a difference between the minimum standards or dimensions specified herein and those contained in other regulations, resolutions or ordinances of the Township, the highest standards shall govern.

Section 1609 Effective Date

Enacted and Ordained this _____ day of _____, 2001, by the Board of Supervisors of Worth Township, Butler County, Commonwealth of Pennsylvania.

ATTEST:

Secretary