

# CATHARINE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE NUMBER 48

## ARTICLE I

### GENERAL PROVISIONS

#### Title, Purpose, Authority and Jurisdiction

##### Section 101 Title

This Ordinance shall be known as the "**Catharine Township Subdivision and Land Development Ordinance**".

##### Section 102 Purpose

The purpose of this Ordinance is to provide for the orderly, logical and harmonious development within the Township and to protect, promote and create conditions favorable to the health, safety, and general welfare of Township residents by:

**102.1** Ensuring that all future development is consistent with the Comprehensive Plan for Blair County and other plans developed through local level planning programs;

**102.2** Providing for the orderly development of open lands and acreage in concert with environmental and natural capacities and limitations;

**102.3** Assuring uniform and equitable processing of all subdivision plans by providing uniform standards and procedures;

**102.4** Establishing requirements, standards and specifications to aid in guiding elected public officials, planners, planning commissions, sub-dividers, developers, land surveyors, engineers and others in the design and development of subdivisions and land developments throughout the Township;

**102.5** Ensuring a coordination of proposed streets, parks and other features in and bordering a proposed subdivision or land development, as to such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, with the existing street and highway system of the Township thereby facilitating the rational and safe movement of traffic;

**102.6** Providing for adequate oversight of subdivision and land development to ensure that public concerns with accessibility, storm water management, sewage disposal, water supply and other factors are considered and satisfied;

**102.7** Providing for adequate open spaces for traffic, recreation, light and air, and for proper distribution of the population;

**102.8** Encouraging and providing for innovations in new residential developments such as planned mixed use development, cluster development and other evolving methods which provide for: a greater variety in type, design and layout of dwellings; the conservation and more efficient use of useable space in relation to new dwellings; savings on energy, water use, infrastructure, and paving; and integration of slope and other areas that cannot be developed into the total development plan for use as open space;

**102.9** Protecting the character and the social stability of the Township by promoting harmony between existing development, future development, and the natural environment;

**102.10** Protecting and conserving the value of land throughout the Township, and the value of buildings and improvements upon the land and minimize the conflicts among the uses of land and buildings;

**102.11** Guiding public and private policy and action in order to provide adequate and efficient transportation, water supply, sewerage, storm water management, schools, parks, playgrounds, recreation and other public requirements and facilities;

**102.12** Preventing the pollution of air, stream and ponds; to assure the adequacy of drainage of facilities; to safeguard the groundwater resources; and to encourage the wise use and management of the natural resources in order to preserve the community and value of the land;

**102.13** Preserving the natural beauty and topography of the Township and ensuring appropriate development with regard to these natural features;

**102.14** Providing the most beneficial relationship between the uses of land and buildings and the circulation of traffic within the Township, with particular regard to the avoidance of congestion on the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and building lines;

**102.15** Providing for the logical and orderly addition and extension of the community facilities and public utilities systems to developing areas;

**102.16** Upgrading the quality of land records through creation and filing of accurate and legible subdivision plans with the Blair County Recorder of Deeds for future information and use by municipal officials and the general public.

**102.17** Generally ensuring that the future growth and development of the Township is accompanied by adequate public facilities without negatively affecting the environment;

**102.18** Ensuring that minimum setback lines and minimum lot sizes be applied throughout the Township based upon the availability of water and sewage, and;

**102.19** Permitting the Township to minimize developmental and related problems as may exist or which may be foreseen, by encouraging development on land exhibiting the appropriate soils, slope and other physiographic and environmental characteristics.

When development throughout the Township is guided by the foregoing and incorporated into the general context of Area-wide Comprehensive Planning, the developer, the buyer, adjacent local municipalities, the Township, the County, and the General Public will derive a mutual benefit.

### **Section 103 Creation, Authority and Jurisdiction**

**103.1 Subdivision Control:** The Catharine Township Board of Supervisors has the jurisdiction, powers and authorities as particularly and specifically set forth in the Act, and specifically the said Board of Supervisors shall have the jurisdiction and control of all Subdivision of Land located within the limits of Catharine Township. All Plans shall be submitted to the Catharine Township Board of Supervisors for review and approval. This includes all plans, plots, or re-plots of land. No Subdivision or Land Development of any lot, tract or parcel of land within Catharine Township shall be made; no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in accordance with the provisions of these Regulations. The Blair County Recorder of Deeds shall accept no plat for recording unless such plat officially notes the approval of the Catharine Township Board of Supervisors.

**103.2 Land Development Control:** Land development must comply with the regulations contained in this Ordinance. Such compliance shall include, but not be limited to: the filing of preliminary and final plans; the dedication and improvement of rights-of-way, streets and roads; and the payment of fees and charges as established by the Board of Supervisors. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit and improvements to public rights-of-way.

**103.3 Enforcement:** For any person or persons violating this Ordinance the following enforcement actions should be applied: A letter sent to the violator stating the violation to the Ordinance and that a reply is required within thirty (30) days of the mailing date. If within the thirty (30) day reply period no reply is given then a letter written by the Township Solicitor stating that legal action may be enforced shall be sent to said violator and given a final thirty (30) day time period to reply before legal

action may be enforced. Penalties may be enforced under Article XII, Section 1205 of this Ordinance or similar type action may be enforced.

## **ARTICLE II DEFINITIONS**

### **Section 201 Interpretation- General Terms**

For the purpose of this Ordinance words in the singular include the plural, and those in the plural include the singular. Words in the present tense include the future tense. Words in the masculine gender include the feminine and neuter. The word "person", "sub-divider" and "owner" include a corporation, unincorporated association and a partnership or other legal entity, as well as an individual. The word "street" includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. The word "building" includes structures and shall be construed as if followed by the phrase "or part thereof". The word "watercourse" includes channel, creek, ditch, dry run, spring, and stream. The words "should" and "may" are permissive; the words "shall" and "will" are mandatory.

### **Section 202 Definitions- Specific Terms**

For the purpose of this Ordinance, the terms or words used herein, unless otherwise expressly stated shall have the following meanings:

**Act:** The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

**Administrator:** The officer as appointed by the Catharine Township Board of Supervisors to administer these regulations and to assist administratively the other Boards and Officers of the Township.

**Alley or Service Drive:** A minor right-of-way, privately or publicly owned, primarily for service access to the back or sides of properties.

**Appeal:** A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Ordinance as authorized by the provisions of Article XII.

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

**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.

**Appointing Authority:** The Catharine Township Board of Supervisors

**Authority:** A body politic and corporate created pursuant to the act of May 2, 1945 (P .L. 382, No.164), known as "Municipality Authorities Act of 1945."

**Blair County Conservation District:** A legal subdivision of state government delegated to administer the Erosion Control Program as set forth under the Chapter 92 and Chapter 102 regulations of the PA Clean Streams Law within the County of Blair.

**Block:** A tract of land, a lot, or a group of lots bounded by streets, public parks, railroad rights-of-way, watercourses, and boundary lines of the Township, non-subdivided land, other definite barriers, or by a combination of the above.

**Board:** Any body granted jurisdiction under a land use ordinance or under the Act to render final adjudications.

**Board of Supervisors:** The Board of Supervisors of Catharine Township, Blair County, Pennsylvania.

**Building:** A combination of materials to form a structure having walls and a roof, including but not limited to, all mobile homes.

**Building Setback Line:** The line within a property, parallel to, and defining the required minimum distance between the foremost part of any building and the adjacent right-of- way or property boundary line.

**Campsite:** Any site intended to be used for temporary and/or seasonal use for camping, inclusive of the area required to sustain a tent, camper, motor home, or other temporary camping facility.

**Cart-way (Roadway):** The portion of a street right-of-way, paved or unpaved, intended for vehicular traffic.

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

**Commerce Park:** A tract of land that has been planned, developed, and operated as an integrated facility intended for a number of non-retail professional, business, personal, and other service uses, with special measures for traffic circulation, parking, utilities, and compatibility.

**Common Open Space:** A parcel or parcels of land, an area of land, an area of water, or a combination of land and water within a development site designed and

intended for the use or enjoyment of residents of (the planned residential) a development, not including streets, off-street parking areas, and areas set aside for public facilities.

– **Comprehensive Plan:** The Complete Plan plus any Amendments or any of its component parts for the development of Blair County and Catharine Township providing the continuing orderly development of the municipality and being recognized by the governing bodies of the County as the "Official Plan" including such elements as community development objectives, plans and policies for use of the land for housing, for community facilities, for transportation, and for plan implementation.

**Condominium:** Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices, and other types of space in commercial and industrial buildings or on real property.

**Construction Plan:** The maps or drawings accompanying a subdivision or development plan and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Board of Supervisors as a condition of the approval of the plan.

**County:** Blair County, Pennsylvania

**County Planning Commission:** The Blair County Planning Commission.

**Crosswalk:** A right-of-way, municipally or privately owned, intended to provide access for pedestrians.

**Cul-de-sac:** A short street having one end open to traffic and being permanently terminated by a vehicular turn-around.

**Culvert:** A pipe, conduit, or similar enclosed structure, including appurtenant works, which carries surface water.

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

**Decision:** Final adjudication of any board or other body granted jurisdiction under any land use ordinance or the Act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Blair County.

**Density:**

**High Density:** Those residential subdivisions and land developments in which the density is equal to or greater than four (4) dwelling units per acre.

**Low Density:** Those residential subdivisions and land developments in which the density is less than four (4) dwelling units per acre.

**Dedication:** The deliberate appropriation of land by its owner for any general and public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

**Department of Environmental Protection (DEP):** The Pennsylvania Department of Environmental Protection, its Bureaus, Departments, or Divisions.

**Design Storm:** The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24 hour), and used in computing storm water management control systems.

**Determination:** Final action by an officer, body, or agency charged with the administration of any land use ordinance or applications there under, except the governing body and any local planning commission, only to the extent the planning agency is charged with final decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions. Determination shall be applicable only to the boards designated as having jurisdiction for such appeal.

**Detention Basin:** A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin can be designed to drain completely after a storm event or it can be designed to contain a permanent pool of water.

**Developer:** A person, firm, partnership, corporation, trust, or authorized agent thereof proposing to divide land so as to constitute a Subdivision, or engage in land development, as defined by the Act. (See also Sub-divider.)

**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; the construction, extension, and/or installation of streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations; and the subdivision of land.

**Development Plan:** The provision 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 Right-of-Way:** The lands required for the installation of storm sewers, 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 or Dwelling Unit:** Any structure, or part thereof, which is designed to be used as living quarters as a single housekeeping unit.

A. **Detached House:** A dwelling unit occupying the whole of a freestanding residential structure.

B. **Twin or Semi-Detached House:** A residential structure occupied by two (2) dwelling units with a common wall.

C. **Duplex:** A residential structure divided horizontally into two (2) dwelling units.

D. **Row House or Town House:** A structure with two (2) or more party walls of three (3) or more units not having any horizontal division between units.

E. **Apartment:** A dwelling unit separated horizontally and/or vertically from one (1) or more other units in a structure.

1. **Apartment House or Multiple Dwelling Units:** A residential structure containing three (3) or more apartments.

2. **Garden Apartment:** An apartment house not exceeding three (3) stories in height.

3. **High-Rise Apartment:** An apartment exceeding three (3) stories in height.



**Easement:** A right-of-way granted, but not dedicated, for specific use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

**Engineer:** A person licensed to practice in the Commonwealth of Pennsylvania as a "Registered Professional Engineer".

**Engineering Specifications:** The engineering criteria of Catharine Township regulating the installation of any improvement or facility.

**Erosion:** The removal of surface materials by the action of natural elements

**Erosion, Accelerated Water:** Erosion of the soil or rock over and above normal erosion brought about by changes in the natural cover or ground conditions, including changes caused by human activity.

**Excavation:** Any act by which earth, sand, gravel, rock, or any other material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed. It shall include the conditions resulting there from.

**Fill:** Sand, gravel, earth or other material placed or deposited so as to form an embankment or raise the elevation of the land surface. The term includes material used to replace an area with aquatic life with dry land or to change the bottom elevation of a surface water area.

**Financial Security:** Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit and restrictive of escrow accounts from Federal or Commonwealth chartered lending institutions in an amount and form satisfactory to the Board of Supervisors and to be used wherever required by these regulations. (See Article III.)

**Floodplain:** The Lands adjoining a river or stream that have been or may be expected to be inundated by floodwaters in a 100-year frequency flood.

**Governing Body:** The Board of Supervisors of Catharine Township, Blair County Pennsylvania.

**Grade:** The slope of a road, street, or other public way specified in percentage terms

**Hearing:** An administrative proceeding conducted by a board pursuant to the Act.

**Industrial:** Those fields of economic activity including construction contractors, mining, manufacturing, transportation, communication, electric, gas, sanitary services, and wholesale trade.

**Industrial Park:** A tract of land that has been planned, developed, and operated as an integrated facility intended for a number of individual industrial uses, with special measures for traffic circulation, parking, utilities, and compatibility.

**Infiltration Structures:** A structure designed to direct runoff into the ground, e.g., French drains, seepage pits, dry wells, and seepage trenches.

**Land Development:** Any of the following activities:

**A.** The improvement 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 nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

**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.

**B.** A subdivision of land. For the purposes of this Ordinance, land development specifically excludes the addition of an accessory building, including farm buildings on a lot or lots subordinate to an existing principal building.

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

**Land Use Ordinance:** Any ordinance or map adopted pursuant to the authority granted in Articles IV / V / VI and VII of the Act.

**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.

**Lot Area:** The horizontal area contained within the property lines of a parcel of land as shown on a subdivision plan, excluding space within any street, but including the area of any easement.

**Lot, Corner:** A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

**Lot, Frontage:** That side of a lot abutting on a street or way, and ordinarily

regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

**Lot, Interior:** A lot having side lot lines that do not abut on a street.

**Lot of Record:** Any lot which individually, or as part of a subdivision, has been recorded in the office of the Blair County Recorder of Deeds.

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

**Lot, Through or Double Frontage:** A lot with both front and rear street frontage.

**Maintenance Guarantee:** Any security, other than cash, which may be accepted by Catharine Township for the maintenance of any improvements required by this Ordinance.

**Marker:** A metal stake 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.

**Marginal Access Streets:** Minor collector streets parallel and adjacent to arterial streets providing access to abutting properties and control of intersections with an arterial street.

**Mediation:** A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

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

**Mobile/Manufactured Home Lot:** A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

**Modifications:** Waivers of the requirements of one (1) or more provisions of the ordinance as the literal enforcement will exact undue hardship because of particular conditions pertaining to the land in question.

**Monument:** Stone or concrete monument of known coordinates, established by Professional Land Surveyors, and utilized to locate property lines.

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

**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.

**Municipality:** The Township of Catharine.

**Nonresidential Subdivision:** A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

**Official Map:** The Municipal Map adopted by Ordinance showing the exact locations of the lines of existing and proposed public streets: watercourses and public grounds including widening, narrowing, extensions, diminutions, opening or closing of same, for the entire municipality or part thereof.

**Organized Camp:** A combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children, youth, and adults, with social, recreational, and educational objectives and operated and used for five (5) or more consecutive days during one or more seasons of the year.

**Peak Discharge:** The maximum rates of flow of water at a given point and time resulting from a storm event.

**Planning Commission, Local:** Any Township Planning Commission as established and appointed by the Board of Supervisors.

**Plan, Preliminary:** A Subdivision Plan or Land Development Plan in lesser detail than the Final Plan.

**Plan, Final:** A complete and exact Subdivision Plan prepared for official recording as required by statute; a final plat.

**Plat:** A plat is a map or plan of a Subdivision or Land Development whether preliminary or final indicating the location and boundaries of individual properties.

**Public Grounds:**

1. Parks, playgrounds, trails, paths, and other recreational areas and other public areas .
2. Sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities.
3. Publicly owned or operated scenic and historic sites.

**Public Hearing:** A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action.

**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 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 less than seven (7) days from the date of the hearing.

**Recreational and Seasonal Land Development:** The improvement and development of land for camping and/or related activities via the provision of campsites and any supportive facilities on a rental basis.

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

**Recreational Vehicle, On-Site:** Any recreational vehicle that is placed on an undeveloped site outside of a Recreational and Seasonal Land Development for more than thirty (30) days and which is used for living or dwelling at any time during the year.

**Recreation Vehicle Park:** A parcel of land upon which one or more recreational vehicle sites are located, established, or maintained for occupancy by one or more recreational vehicles of the *owner, lessee, or general public* as temporary living quarters for vacation or recreation purposes.

**Recreation Vehicle Site:** A plot of ground within a recreation vehicle park intended, created, or used for the accommodation of either a recreation vehicle or other similar individual camping unit on a temporary basis.

**Regulatory Flood Elevation:** The elevation which includes the one-hundred (100) year floodplain plus a freeboard safety factor of one {1} and one-half {1/2} feet.

**Report:** Any letter, review memorandum, compilation, or similar writing made by any body, board, officer, or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed

recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body; or agency nor shall any appeal lie there from. Any report used, received or considered by the body, board, officer, or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

**Reserve Strip:** A parcel of ground separating a street from other adjacent properties, or from another street, which shall prevent a street from being connected or extended across property lines.

**Right-of-Way:** A public thoroughfare for vehicular or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land or alley and including both cart-way and shoulders.

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

**Sanitary Sewage Disposal, Community:** A sanitary sewage collection system, either publicly or privately owned, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a neighborhood area.

**Sanitary Sewage Disposal, Public:** A sanitary sewage collection system, owned by a municipality or municipal authority, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

**Sanitary Sewage Disposal, On-Lot:** Any system of piping, tanks and other facilities designed to bio-chemically treat sanitary sewage within the boundaries of an individual lot.

**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",

**Septic Tank:** A watertight receptacle which receives sewage or industrial wastes and is designed and constructed to provide for sludge storage, sludge decomposition, separate solids from liquids through a period of detention before allowing the liquid to be discharged.

**Service Street:** A minor public right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

**Setback Line:** The line within a property defining the required minimum distance between any building or structure to be erected and the adjacent property line. The front yard setback shall be measured at right angles from the front street right-of-way line which abuts the property on which said building is located and shall be parallel to said right-of-way line.

**Shade Tree:** A tree in a public place, street, special easement, or right-of-way adjoining a street as provided in these regulations.

**Shopping Center:** A group of retail establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, and provision of goods delivery separated from customer access.

**Sight Distance:** The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point ten (10) feet from the edge of cart way, three and one-half (3 1/2) feet high to a point four and one-quarter (4 1/4) feet above the road surface.

**Slope:** The rise or fall of the land usually measured in percent slope. The percent slope is equal to the rise or fall in feet for a horizontal distance of one-hundred (100) feet.

**Soil Percolation Test:** A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

**Solicitor:** The licensed attorney appointed by the Catharine Township Board of Supervisors to furnish legal assistance for the administration of this ordinance.

**Stabilization:** The natural or mechanical treatment of a mass of soil or ground area to increase or maintain its stability and ensure its resistance to erosion, sliding, or other movement.

**Stormwater Management Plan:** The plan for managing storm water runoff as required by the Township Engineer and/or a plan for managing storm water as required by any Township Storm water Management Ordinance.

**Streets:** A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation, and further defined by the following functional classification in accordance with the "Rural Area System" characteristics in the Design Manual Part 2 Highway Design, Publication 13, PENNDOT Bureau of Design, Latest Edition.

**Expressways, Interstates, and Limited Access Freeways:**

Those roadways providing limited access facilities.

**Arterial Streets, Major:** Those streets serving statewide or interstate travel, serving all urbanized areas, and/or providing integrated movements without stub connections.

**Arterial Streets, Minor:** Those streets linking cities, larger towns, and other traffic generators; providing integrated interstate and inter-county service; spaced at proper intervals consistent with population density; and/or those corridor movements with greater trip lengths and travel densities than those served by rural collector or local systems.

**Collector Streets, Major:** Those streets which provide service to county seats, larger towns, and other traffic generators; connect routes of higher functional classification; and/or serve inter-county travel corridors.

**Collector Streets, Minor:** Those streets that are spaced at intervals to collect traffic from local roads, provide service to remaining small communities, and/or link local traffic generators with rural hinterland.

**Local Streets:** Those streets which provide access to land adjacent to the collector network, serve travel over relatively short distances, and/or constitute all rural mileage not classified in one of the higher systems.

**Street, Private:** A street not accepted or maintained by a governmental body such as the State, County, or Local Municipality.

**Street, Public:** A street accepted and maintained by a governmental body such as the State, County, or Local Municipality.

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

**Sub-divider:** Same as developer

**Subdivision:** The division or re-division of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.



**Subdivision, Major:** All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new streets or extension of municipal facilities, or the creation of any public improvements.

**Subdivision, Minor:** Any subdivision containing not more than three (3) lots, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Official Map, or these regulations.

**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 pursuant to Article III 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.

**Surface Drainage Plan:** A plan showing all present and proposed grades and facilities for storm water drainage.

**Surveyor:** A licensed "Land Surveyor" registered by the Commonwealth of Pennsylvania.

**Swale:** A low-Lying stretch of land that gathers or carries surface water runoff,

**Temporary Occupancy:** Occupancy of a campground or organized camp for no more than six (6) months in any consecutive twelve (12) month period.

**Tent:** A portable lodging unit usually made of skins, canvas, plastic, or strong cloth stretched and usually sustained by poles, and dependent upon separate toilet and lavatory facilities.

**Topographic Map:** A map showing the elevations of the ground by contours or elevations including all existing topographic features such as streams, roads, streets, existing facilities, and improvements, as specified herein.

**Top Soil:** Top soil is surface soil and subsurface soil that is presumably fertile and ordinarily rich in organic matter or humus debris.

**Township:** The Township of Catharine, Blair County, Pennsylvania

**Trailer:** A portable vehicular structure built on, or designed to be mounted, often a chassis or wheels, or constructed as an integral part of a self-propelled

vehicle for use as a temporary dwelling for travel, recreation, and vacation and commonly known as travel trailers, pick-up coaches, motor homes, or camping trailers.

**Waiver:** When the sub-divider can show that a provision of this ordinance would cause unnecessary hardship if strictly adhered to because of conditions peculiar to the site, and where, in the opinion of the Township, a departure from this ordinance may be made without destroying the intent of such provisions, the Township may authorize a waiver. A modification to the minimum standards of this Ordinance. (Refer to Modification.)

**Watercourse:** A permanent or intermittent stream, river, brook, creek, channel, or ditch for collection and conveyance of water, whether natural or man-made, having defined bed and banks.

**Water Supply and Distribution System, Community:** A system for supplying and distributing water from a common source to two (2) or more dwellings and other buildings within a subdivision, neighborhood, or whole community, the total system being publicly or privately owned.

**Water Supply and Distribution System, On-Lot:** A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

**Water Survey:** An inventory of the source, quantity, yield, use of groundwater, and of surface water resources within a municipality.

**Waters of the Commonwealth:** Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

### **Section 203 Terms Not Defined**

Where terms or words are not defined in the foregoing definitions, they shall have their ordinarily accepted meaning or such as the context may imply; provided, however, that as to those terms which are not defined herein, but are defined in the Act of July 31, 1968 P.I. 247 (53 P.S. 10107), as amended, the Act then said words shall have the meaning as set forth in said section. \

## **ARTICLE III**

### **SUBMISSION AND REVIEW PROCEDURES**

#### **Section 301 General Procedures**

The procedures established in this Article shall apply to all subdivisions and land developments that require review and approval by Catharine Township. It shall be the sub-divider's responsibility to observe and follow the procedures established in this Article and to submit all plans and documents and pay all fees as may be required herein.

**301.1 Classification of Subdivision:** Whenever any subdivision of land or land development is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision or land development shall be granted, the owner or his agent, shall apply for and secure approval of such proposed subdivision or land development in accordance with the following procedures for subdivision and land development, which includes one (1) step for a minor subdivision and two (2) steps for a major subdivision as follows :

**(a) Minor Subdivision**  
1. Final Plan

**(b) Major Subdivision**  
1. Preliminary Plan  
2. Final Plan

**301.2 Pre-Application Consultation:** Prior to filing an application for approval of a subdivision or land development within the Township, the owner or his authorized agent, may meet with the Township for an official classification of his proposed subdivision or land development. The Township shall determine whether the proposal shall be classified as a minor subdivision, a major subdivision, or a land development. At this time, the Township may advise the owner or his authorized agent as to which of the procedures contained herein must be followed.

**301.3 Official Filing Date:** For the purpose of these regulations, the official filing date for required Plans shall be the date of the next regular meeting of the Catharine Township Board of Supervisors following the date the application and plans are received by Township Secretary provided that said regular meeting shall occur more than thirty (30) days following the submission of the application, the official filing date shall be the thirtieth (30th) day following the day the application has been submitted. Upon receipt of an application for subdivision or land development approval, the Catharine Township Board of Supervisors shall affix to the application both the date of submittal and the official filing date. Applications forms are available at the Township office.

**301.4 Establishment of Fees:** The Township fees for the submission and review of Subdivisions and Land Developments within Catharine Township by the Board of Supervisors, the Local Planning Commission and the Township Engineer shall be established by Resolution by the Board of Supervisors. Other fees for review of the Subdivisions and Land developments are established by the PA Department of Environmental Protection, the Blair County Sanitary Administrative

Committee and the Blair County Planning Commission.

**301.5 Payment of Fees:** Concurrent with submission of the Preliminary Plan for Township review IAW Section 304, the Applicant and/or his/her Authorized Agent shall provide the Township with separate checks for the Township review and, if applicable, the Department of Environmental Protection and Blair County Sanitary Administrative Committee reviews. If that portion of the Township review fee designated for the Township Engineer review does not cover such costs, the Applicant and/or his/her Authorized Agent shall reimburse the Township accordingly before the results of the Section 305 review will be released. See Article X of this Ordinance,

**301.6 Blair County Planning Commission Review:** All plans shall be submitted to and reviewed by the Blair County Planning Commission in accordance with its then prevailing rules and regulations. The Applicant and/or his/her Authorized Agent shall accomplish submission of the plans and applicable fees to the Blair County Planning Commission. The Township shall not take action on an application until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

**301.7 Local Planning Commission Review:** All plans shall be submitted to and reviewed by any existing Local Planning Commission for advisory comments at its regular monthly meeting. The Local Planning Commission may review the plans with engineering, planning, and/or other technical consultants to assist in the preparation of an advisory report for the Board of Supervisors. The Township shall forward to the Applicant a copy of any report of the Local Planning Commission. The Township shall not take action on an application until the Local Planning Commission report is received or until the expiration of thirty (30) days from the date the application was forwarded to the Local Planning Commission.

**301.8 Municipal Authority Review:** All plans shall be submitted to and reviewed by the applicable municipal authority in accordance with its requirements. The Township shall not take action on an application until the Authority's report is received.

**301.9 Other Required Reviews:** All plans, whether minor or major, that involve Subdivision of properties or which require sewage disposal systems covered by PA Act 537 must be reviewed and approved by both the PA Department of Environmental Protection and the Blair County Sanitary Administrative Committee. No actions for Township approval will be taken until approvals are received from those organizations.

## **Section 302 Submission and Review of "Sketch Plan"**

It is encouraged that prior to the preparation of a "Preliminary Plan" that the

Applicant confer with the Township for the purpose of an informal discussion concerning the proposed subdivision or land development. The Sketch Plan should be submitted for review not less than ten (10) days prior to the date of the regular meeting of the Board of Supervisors at which it is to be considered. The Applicant should also confer with the applicable municipal authority for all proposals involving public water and sanitary sewer connections or extensions prior to submitting the Sketch Plan.

**302.1 "Sketch Plan" Review:** The Township may review the "Sketch Plan" with the Applicant as it relates to:

- (a) The Comprehensive Plan for Blair County
- (b) Any Local Level Comprehensive Plan that may exist
- (c) Other relevant ordinances that may exist
- (d) The general suitability of the site for proposed development
- (e) The availability of necessary services and facilities
- (f) The improvements and design required by these regulations
- (g) Any known proposals of either Local, State or Federal Governments for such improvements as: highways, dams, recreation areas, historic sites, plus any other facility that may have an impact on the proposed subdivision.

### **Section 303 Minor Subdivision Procedure**

Subsequent to the Sketch Plan submission and review, minor subdivision plans shall be submitted for review in the form of a Final Plan as specified in Section 404 and shall be otherwise reviewed in accordance with the procedures and standards of Section 303 through Section 309.

**303.1 Additional Subdivision:** Any additional subdivision of a tract from which a minor subdivision has already been formed shall be deemed, at the discretion of the Board of Supervisors, to be a major subdivision and shall follow the procedures applying thereto.

### **Section 304 Submission of the "Preliminary Plan"**

Upon reaching conclusions, as a result of reviewing the "Sketch Plan", and after reviewing the Plan requirements of this ordinance, the Applicant is then in a position to proceed with the preparation and submission of the "Preliminary Plan", The "Preliminary Plan" shall conform with the requirements set forth in Article IV, Section 403, of this Ordinance,

**304.1 Number of Copies:** When submitting an application for review and approval of a "Preliminary Plan", the Applicant shall submit four (4) copies of prints of

the proposed subdivision or development plan, and supporting information along with four (4) copies of any proposed covenants to the Catharine Township Board of Supervisors. Copies of the letter of transmittal from the Applicant shall be sent to other relevant agencies and companies such as other affected utility companies, post offices, the local school district, Assessors, and fire departments, along with a notation that the plans are available for review in the Township Office.

**304.2 Sewage Facilities Planning Module:** When applicable, the application form shall be accompanied by seven (7) copies of a completed Sewage Facilities Planning Module as required by and to be submitted to the Pennsylvania Department of Environmental Protection (DEP, the Blair County Sanitary Administrative Committee together with separate checks to cover those review fees established by those organizations. The Applicant or his/her agent shall send a copy of the planning module to the Blair County Planning Commission together with a check for the Planning Commission review.

### **Section 305 Review of the "Preliminary Plan'.**

On receipt of the recommendations from the prints and information distributed to the Local Planning Commission, the County Planning Commission, affected water and sewer agencies, and the Township Engineer, and on receipt of the recommendations of the other agencies noted in Section 304.2, the Catharine Township Board of Supervisors shall review the application. Based on a thorough review of the comments of the above mentioned agencies and of the details of the "Preliminary Plan" in light of this ordinance, the Township Board of Supervisors shall approve, approve with modification, or disapprove the "Preliminary Plan". The Catharine Township Board of Supervisors shall render its decision not later than ninety (90) days following the date of the next regular meeting of the governing body following the date of the application is filed, provided that, should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed,

**305.1 Changes and Modifications:** The Catharine Township Board of Supervisors may require or recommend changes or modifications of the "Preliminary Plan" as prerequisite for approval of the "Final Plan",

**305.2 Action on the "Preliminary Plan":** Approval or approval with conditions, revisions, or modifications as stipulated or suggested by the Township Board of Supervisors of the "Preliminary Plan" shall constitute approval of the subdivision or land development as to the character and intensity of development; the arrangement; and approximate dimension of streets, lots, and other planned features. However, approval of the "Preliminary Plan" shall **not** constitute acceptance of approval for final approval and recording on fulfillment of all requirements of these regulations.

When the application is not approved in terms as filed, the written decision shall specify the defects found in the application, describe the requirements which have not been

met, shall cite the provisions of the statute or ordinance relied upon, and shall be communicated or mailed to the applicant.

### **Section 306 Submission of the Final Plan**

After the Applicant has received official notification that his "Preliminary Plan" has been approved and recommended changes, if any, have been made, he has five (5) calendar years in which to submit a final plan. If the applicant does not do so within a five (5) year period, his "Preliminary Plan" shall be nullified unless Catharine Township Board of Supervisors approves a written time extension. The "Final Plan" must conform to the general scheme of the "Preliminary Plan" as approved and must contain the information specified in Article IV, Section 404.

The "Final Plan" may be a portion of the entire subdivision shown on the "Preliminary Plan",

**306.1 Provision for "Final Plan" Approval:** Before requesting "Final Plan" approval, the Applicant must submit to the Township Board of Supervisors either a certification by a licensed engineer that all improvements and installations to the subdivision required by this Ordinance have been made as required by this Ordinance and have been made in accordance with the specifications and approved plans, or a financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and other related drainage facilities, recreation facilities, open space improvements, or buffer or screen plantings which may be required.

No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, storm water detention facilities, and other improvements as may be required have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat, this Ordinance provides for the deposit with the municipality of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and other related drainage facilities, recreation facilities, open space improvements, or buffer or screen plantings which may be required.

(a) When requested by the developer, in order to facilitate financing, the governing body or the planning agency, if designated, shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall

expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the governing body; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

**(b)** Without limitation as to other types of financial security which the municipality may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.

**(c)** Such financial security shall be posted with a Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said lending institution is authorized to conduct such business within the Commonwealth.

**(d)** Such security shall provide for, and secure to the public, the completion of any improvements that may be required on or before the date fixed in the formal action or approval or accompanying agreement for completion of the improvements.

**(e)** The amount of financial security to be posted for the completion of the required improvements shall be equal to one-hundred and ten (110%) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the municipality may adjust the amount of the financial security by comparing the actual cost of the improvements that have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the municipality may require the developer to post additional security in order to assure that the financial security equals said one-hundred and ten (110%) percent. The developer in accordance with this subsection shall post any additional security.

**(f)** The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, in accordance with applicable Prevailing Wage Rates for Pennsylvania, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The municipality, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the municipality and the applicant or developer. The estimate



certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the municipality and the applicant or developer.

**(g)** If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10%) percent for each one-year period beyond the first anniversary date from posting of financial security or to any amount not exceeding one-hundred and ten (110%) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure.

**(h)** In the case where development is projected over a period of years, the governing body 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.

**(i)** As the work of installing the required improvements proceeds, the party posting the financial security may request the governing body to release or authorize the release, from time to time, such portion of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the governing body, and the governing body shall have forty-five (45) days from receipt of such request within which to allow the municipal engineer to certify, in writing, to the governing body that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification, the governing body shall authorize release by the lending institution of an amount as estimated by the municipal engineer fairly representing the value of the improvements completed or, if the governing body fails to act within said forty-five (45) day period, the governing body shall be deemed to have approved the release of funds as requested.

**(j)** Where the governing body accepts dedication of all or some of the required improvements following completion, the governing body may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall be of the same type as otherwise required in the section with regard to installation of such improvements, and the amount of the financial security shall not exceed. Fifteen (15%) percent of the actual cost of installation of said improvements.

**(k)** If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

**(l)** If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the municipality shall not condition the issuance of building or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets, providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings. Any ordinance or statute inconsistent herewith is hereby expressly repealed.

### **306.2 Releases from Improvement Bond:**

**(a)** When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the municipal governing body, in writing, of the completion of the aforesaid improvements and shall send a copy thereof to the municipal engineer. The applicant's engineer shall certify that all completed work complies with the approved plans. The municipal governing body shall, within ten days after receipt of such notice, direct and authorize the municipal engineer to inspect all of the aforesaid improvements. The municipal engineer shall, thereupon, file a report, in writing, with the municipal governing body, and shall promptly mail a copy of the same to the developer. The report shall be made and mailed within thirty (30) days after receipt by the municipal engineer of the aforesaid authorization from the governing body; said report shall be detailed and shall indicate acceptance or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be accepted or shall be rejected by the municipal engineer, said report shall contain a statement of reasons for such non acceptance or rejection.

**(b)** The municipal governing body shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing by certified or

registered mail, of the action of said municipal governing body with relation thereto.

**(c)** If the municipal governing body or the municipal engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability except that required under Section 306.1 (j), pursuant to its performance guaranty bond or other security agreement.

**(d)** If any portion of the said improvements shall not be accepted or shall be rejected by the municipal governing body, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

**(e)** Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the municipal governing body or the municipal engineer.

**(f)** Where herein reference is made to the municipal engineer, he shall be a duly registered professional engineer employed by the municipality or engaged as a consultant thereto.

**(g)** The Township prescribes that the applicant shall reimburse the municipality for the reasonable and necessary expense incurred for the inspection of improvements, including resident inspection for those improvements as determined by the Township. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the municipal engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the municipality when fees are not reimbursed or otherwise imposed on applicants.

**1.** In the event the applicant disputes the amount of any such expense in connection with the inspection of the improvements, the applicant shall, within ten (10) working days of the date of billing, notify the municipality that such expenses are disputed as unreasonable or unnecessary, in which case the municipality shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expense.

**2.** If, within twenty (20) days from the date of billing, the municipality and the applicant cannot agree on the amount of expenses that are reasonable and necessary, then the applicant and municipality shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and

necessary.

3. The professional engineer so appointed shall hear such evidence and review such documentation, as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

4. In the event that the municipality and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the municipality is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the municipal engineer nor any professional engineer who has been retained by, or performed services for, the municipality or the applicant within the preceding five years.

5. The applicant shall pay the fee of the appointed professional engineer for determining the reasonable and necessary expenses if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000 or more, the municipality shall pay the fee of the professional engineer, but otherwise the municipality and the applicant shall each pay one-half of the fee of the appointed professional engineer.

### **306.3 Remedies to Effect Completion of Improvements:**

In the event that any improvements that may be required have not been installed as provided in the Subdivision and Land Development Ordinance or in accordance with the approved final plat, the governing body of the municipality is hereby granted the power to enforce any security by appropriate legal and equitable remedies. If proceeds of such security are insufficient to pay the cost of installing or making repairs or correction to all the improvements covered by said security, the governing body of the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

### **Section 307 Review of the "Final Plan"**

Within ninety (90) days from the submission of the "Final Plan", the Catharine Township Board of Supervisors shall review and act on the Plan and notify the Applicant, within fifteen (15) days, in writing of its action. On finding the "Final Plan" application to be in accordance with the requirements of this Ordinance and for compliance with the approved Preliminary Plan,

the Board of Supervisors shall affix its seal on the Plan together with the certifying signature of the Chairman and other active Supervisors on each page of the "Final Plan". Where modifications of the "Final Plan" are requested or the Plan is disapproved, the grounds for these actions must be stated in the notification and noted in the Township Board of Supervisors records.

**307.1 Approval of the "Final Plan":** Based on a thorough review of the details of the "Final Plan", the Township shall approve; approve with conditions, revisions, or modifications; or disapprove the application; and render its decision within ninety (90) days after the date the "Final Plan" application was officially filed. The Catharine Township Board of Supervisors shall notify the applicant in writing of its decision. The approval of the "Final Plan" by the Township Board of Supervisors shall not be deemed an acceptance of the proposed dedication and shall not impose any duty concerning the maintenance or improvements of any such street, highway, alley, or other portions of these same, until the municipality shall have accepted or made actual appropriation of the same by entry, use or improvement. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall in each case, cite to the provisions of the statute or Ordinance relied upon.

### **Section 308 Approval of Plats: Miscellaneous Procedures**

All applications for approval of a plat, whether preliminary or final, shall be acted upon by the governing body within such time limits as may be fixed in this Ordinance but the governing body shall render its decision and communicate it to the applicant no later than ninety (90) days following the date of the next regular meeting of the governing body following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the 30th day following the day the application has been filed.

(a) The decision of the governing body shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

(b) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or Ordinance relied upon.

(c) Failure of the governing body to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in matter of presentation of

communication shall have like effect.

**(d)** Changes in the Ordinance shall affect plats as follows:

**1** From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in the subdivision and land development ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provision of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

**2.** When an application for approval of a plat, whether preliminary or final has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from such approval.

**3.** Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

**4.** Where the landowner has substantially completed the required improvements as depicted upon the final plat within the five-year limit, or any extension thereof as may be granted by the governing body, no change of municipal ordinance or plan enacted subsequent to the filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.

**5.** In the case of a preliminary plat calling for the installation of improvements or submission of the final plat beyond the specified time period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed.

Such a schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the governing body in its discretion.

6. Failure of landowner to adhere to the aforesaid schedule of final plats for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinances enacted by the municipality subsequent to the date of the initial preliminary plan submission.

(e) Before Board of Supervisors takes action on any subdivision plat, the applicant shall show that all rights-of-way, streets, sewer and water facilities, and other public improvements have been completed and certified by a registered professional engineer to be in accordance with the approved plans.

(f) Before acting on any subdivision plat, the governing body may hold a public hearing thereon after public notice.

### **Section 309 Recording of the "Final Plan"**

Within ninety (90) days after the date of the approval of the "Final Plan" by the Catharine Township Board of Supervisors, the developer, shall record an original of the same in the office of the Blair County Recorder of Deeds and file a Recorder's Certificate that the approved Plan has been recorded with the Deed Book and page numbers indicated with the Township Secretary. The Applicant shall not proceed with the sale of lots until the "Final Plan" has been recorded with the County Recorder of Deeds and the Township Secretary has received the Recorder's Certificate. Upon receipt of the Recorder's Certificate, the Township Secretary shall send one (1) copy of the approved plan to the Township Sewage Enforcement Officer to inform him/her that he/she may now issue sewage permits for the approved lots. Recording the Final Plan shall be an irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all parks, open spaces, and other public areas to public use unless reserved by the Applicant. The approval of the Final Plan shall not impose any duty on the Board of Supervisors or the Township concerning maintenance or improvements by ordinance or resolution.

**ARTICLE IV**  
**PLAN REQUIREMENTS**

**Section 401 Preliminary Considerations**

After the effective date of this Ordinance, no person, firm, or corporation proposing to make or having made a Subdivision or Land Development, within the area of jurisdiction of this Ordinance, shall proceed with any development such as grading of roads or alleys or any other action before obtaining approval of the proposed subdivision or land development by the Catharine Township Board of Supervisors. The provisions and requirements of this Ordinance shall apply to and control all land subdivision and development which has not been recorded in the Office of the Recorder of Deeds in and for Blair County, Commonwealth of Pennsylvania, prior to the effective date of this Ordinance.

**401.1 Discussion of Requirements:** Before preparing a Sketch Plan or Preliminary Plan for a subdivision or land development, the Applicant should discuss with the Township the procedure for adoption of a subdivision or land development plan and the requirements as to the general layout of streets and for the reservation of land, street improvements, drainage, sewerage, fire protection, and similar matters as well as the availability of existing services. The Township shall also advise the Applicant, where appropriate, to discuss the proposed subdivision or land development with those officials (such as the Soil Conservationist, Township Engineer, and Sewage Enforcement Officer) who must eventually approve these aspects of the subdivision or land development plan coming within their jurisdiction.

**401.2 Conformity with Master Plan:** The layout of the proposed subdivision or land development shall be in conformity with the Comprehensive Plan for Blair County, and any local level plan which may exist within the area of the proposed subdivision.

**401.3 Site Considerations:** No land shall be subdivided or developed:

(a) Unless access to the land over adequate streets or roads exist, or will be provided by the Applicant; or

(b) If such land is considered by Catharine Township as unsuitable for residential use by reason of floodplain and floodway location or improper drainage, unacceptable underlying geologic structure, insufficient depth of the seasonal water table, unsuitable soil conditions, wetlands, unfavorable topographic features, or the presence of any other features harmful to the health and safety of possible residents and the community as a whole.

**Section 402 "Sketch Plan"**

Prior to the official submission of the "Preliminary Plan", a subdivision or land development the Applicant should submit "Sketch Plan". An informal discussion may be held



with the Township officials concerning the proposed subdivision or land development. This informal discussion could be extremely valuable in guiding the Applicant on the proper course in the development of a subdivision or land development thereby reducing the possibility for any costly mistakes. Submission of the "Sketch Plan" will not constitute formal filing of the plan with the Township. The "Sketch Plan" needs not be drawn to scale or contain precise dimensions.

The following items are suggested for inclusion in the "Sketch Plan" presentation:

- (a) Proof of Ownership;
- (b) Name of Owner,
- (c) General location within the Township;
- (d) Proposed name of subdivision or land development;
- (e) Tract boundary including all land that the Applicant intends to subdivide;
- (f) General topographical and physical features along with watercourses, streams, ponds, flood plains, and wetlands;
- (g) Names of surrounding property owners;
- (h) North point; approximate scale and date of original drawing;
- (i) Streets on and adjacent to the tract;
- (j) Proposed general street layout;
- (k) Proposed general lot layout or development;
- (l) Proposed use of the lots or development;
- (m) Any other information which would be helpful in the preliminary discussion of what the Applicant intends to do; and
- (n) Statement of general availability of utilities (water and sewer, etc.)

### **Section 403 "Preliminary Plan"**

The "Preliminary Plan" shall be accurately drawn to a scale of one (1) inch equals sixty (60) feet or larger [i.e. one (1) inch equals twenty (20) feet, fifty (50) feet, etc.]

**403.1 Required Information:** The "Preliminary Plan" shall contain the following information:

- ( a ) **Notes and Data**

- 1.** Name of proposed subdivision or land development with identification as a preliminary plan.
- 2.** Name and address of record owner of the tract along with deed book and page numbers of the deed conveying the property to the owner.
- 3.** Name(s) and address of developer, applicant or authorized agent, if different from owner.
- 4.** Name, address, and seal of Registered Professional Engineer, Surveyor, or Landscape Architect responsible for the plan.
- 5.** Tax parcel number(s) of subject tracts.
- 6.** Type of sewage disposal and water supply to be utilized. If on-lot groundwater is to be used, a hydro geological analysis including data on the source and supply may be required to be submitted.
- 7.** Total acreage of the subject tracts, and total number of proposed lots or units (if applicable), total gross square footage of proposed buildings (if applicable).
- 8.** North point, graphic scale, date of original plan along with date and description of revisions to the plan.
  - 9.** Base of benchmark for elevations on the plan.
  - 10.** Proposed use of property.
  - 11.** Number of required parking spaces (if applicable),
  - 12.** List of utility companies in accordance with Act 172, as amended, if project involves excavation.
  - 13.** Legend describing symbols used on plan
  - 14.** Location map showing the proposed subdivision or land development in relation to municipal boundaries, public roads, streams, and adjoining areas.
  - 15.** Signed, notarized statement by the owner certifying ownership of the property, acknowledging their intention to develop the property as depicted on the plans, and authorizing recording of said plan.
  - 16.** Signed statement by owner listing land or facilities to be offered for dedication to the municipality and acknowledging that the owner will be

responsible for maintenance of lands or facilities until they are completed and accepted by the municipality.

17. A place for the signatures of the Chairman and Secretary of the Township Board of Supervisors on each plan sheet and space to fill in date of approval.

(b) Topographic Mapping of the subject tract showing the following information:

1. Exterior boundary line of tract
2. Ground elevations indicated by contours at intervals of two (2) feet for land with an average natural slope of ten (10) percent or less and at five (5) foot intervals for land with an average natural slope greater than ten (10) percent and the location of benchmark and datum used.
3. The name and deed references of all owners of immediately adjacent land.
4. Existing streets on and adjacent to the tract; name, location of right-of-way, right-of-way widths, cart way widths, shoulder widths, type of surfacing, elevation of surfacing, driveway cuts, and approximate grades.
5. Existing easements, including location, width, and purpose
6. Existing utilities on and adjacent to the tract including location, type, size and invert elevation of sanitary and storm sewers, location and size of water mains and valves, fire hydrants, street lights, gas lines, oil and similar transmission lines, and power lines with utility poles, transformers, and related appurtenances. If any of the foregoing are not available at the site, indicate the distance to the nearest available utility and furnish a statement of availability.
7. Water courses, flood plains, wetlands, geologic features, tree masses, and other significant natural features.
8. Existing and manmade features railroads, bridges, and driveways including structures, railroads, bridges, and driveways.
9. Buffer areas required as a part of this or other relevant Ordinance.

(c) A Sewage Facility Planning Module (if applicable).

(d) If a preliminary plan is proposed to proceed to a final plan with the posting of financial security, the following shall be shown on the plans:

- 1.** A statement that approval of the preliminary plans does not authorize construction of facilities or the sales of lots depicted on plans.
- 2.** Location of proposed streets, including right-of-ways, right-of-way widths, cart way widths, shoulder widths, approximate grades, and the type and elevation of surfaces, ditches, etc.
- 3.** Schematic design of proposed sanitary sewage system (if applicable), showing approximate location of manholes, pump stations, treatment facilities, force mains, sizes of mains and any other information as required by the applicable municipal authority. If the subdivision or land development is to be served by a municipal authority, verification of the capacity to serve the proposed subdivision or land development must accompany the submission. If on-site sewage disposal is to be utilized, show soil types, location of soil probes and percolation test sites, a listing of the test areas, with a summary of the general suitability of each test area.
- 4.** Schematic design of proposed water distribution system (if applicable) showing approximate location of fire hydrants, pumping facilities, treatment facilities, storage tanks, sizes of mains and any other information as required by the applicable municipal authority. If the subdivision or land development is to be served by a water authority or agency, verification of the capacity to serve the proposed subdivision or land development must accompany the submission. In cases where an on-lot water supply is to be utilized, the location of areas for proposed well sites shall be-identified.
- 5.** Schematic design of proposed stormwater management system including inlets, culverts, swales, channels, and detention facilities.
- 6.** Proposed lot lines, lot numbers, area .of each lot, and proposed minimum front, side, and rear building setback lines.
- 7.** Areas to be reserved for parks, playgrounds or other public uses with statement of who will eventually assume ownership of such areas.
- 8.** If applicable, proposed buildings with ground floor area, gross square footage and height of each building, vehicular and pedestrian circulation systems, outdoor storage facilities including bulk trash containers and material storage.
- 9.** Proposed parking areas with handicap stalls, loading areas, driveways and driveway location at the street line accessing a proposed street for each lot, buffer and other landscape areas, and fire lanes.
- 10.** Phasing of project and tentative time table with proposed

sequence of the project (if applicable).

**11.** Proposed easements, including location, width, purpose, and information related to maintenance arrangements.

**(e)** If a preliminary plan is proposed to proceed to construction, with a final plan submitted for approval after completion of required improvements, the following shall be shown on the plans:

1. A statement that approval of preliminary plan authorizes construction of facilities depicted on plans, but does not authorize sales of lots or use of facilities.

2. That information required by Section 404.2 of this Ordinance

**(f)** Additional information, when required by the Township, in the case of special conditions that may include the following:

1. Profiles showing existing ground surface and proposed street grades, and typical cross sections of the roadways and driveways.

2. Areas to be reserved for schools, shopping, churches, industries, multi-family dwellings, or any other known public use exclusive of single-family dwellings.

3. A draft of protective covenants,

4. A water and sewerage feasibility report prepared by a registered professional engineer.

### **Section 404 Final Plan**

The "Final Plan" shall be accurately drawn to a scale of one (1) inch equals sixty (60) feet or larger [i.e. one (1) inch equals twenty (20) feet, fifty (50) feet, etc.]

**404.1 Required Information:** The "Final Plan" shall contain the following information:

**(a)** That information required by Section 403.1 (a), except that the plan shall be identified as a "Final Plan", and Section 403.1 (b) of this Ordinance.

**(b)** Boundary lines of each lot, or area to be dedicated or reserved for public or community use completely dimensioned in feet and hundredths of feet and bearing with degrees, minutes and seconds. The error of closure must not be more than one (1) foot in two thousand (2,000). All curves shall show radii, lengths of arcs, tangents, and chord bearings with distances.

(c) The location and material of all permanent monuments and lot markers.

(d) Lot numbers, area and setback lines on each lot.

(e) All proposed easements with dimensional information and purpose.

(f) Space on lower edge of final plan for acknowledgment of receipt and recording of plan by the Blair County Recorder of Deeds Office and Plat Book and Page Number.

(g) The following information regarding proposed improvements:

1. Design of proposed streets including a plan showing geometry and proposed contours, typical cross section and profiles. Details of swales, ditches, driveway pipe, sizes and materials, curbing, inlets or other facilities involved in street construction.
2. Design of stormwater management controls in accordance with any Township Stormwater Management Ordinance.
3. Design of sewage collection and treatment facilities (if applicable) including a plan showing location of facilities, profiles, and details, and other information required by the entity that will assume responsibility for the system upon completion.
4. If on lot sewage is to be utilized, show soil types, location of soil probes and percolation tests, one absorption bed area on each lot with provisions for its protection and reservation, and a summary of the general suitability of each test area. The following statement shall be placed on the plan: ***"This is not a guarantee that a sewage permit will or will not be issued for any lot or parcel. The Municipal Sewage Enforcement Officer (SEO) must be contacted to conduct any further tests, as necessary, to determine if a permit may be issued"***.
5. Design of water supply facilities (if applicable) including a plan showing location of facilities, profiles, details, and other information required by the entity that will assume responsibility for the system upon completion.
6. If applicable, proposed buildings with finished ground floor elevations, ground floor area, gross floor area and height listed.
7. If applicable, proposed pedestrian circulation systems including details of construction.
8. If applicable, outdoor storage facilities including bulk trash containers and material storage.

9. Proposed parking area showing parking stalls, handicap stalls, signage, loading areas, fire lanes and driveways, with dimensional information, and details of pavement construction.

10. If applicable, outdoor lighting showing type of fixtures and mountings.

11. Landscaping plan when required by Article VIII, Section 802, or when buffer plantings are required.

12. Grading plans with proposed contours.

13. Location and details of soil erosion and sedimentation controls.

14. Profile and detail of "typical" driveway showing materials, cross pipes, elevation, and connection with public street. Driveway cross pipe sizes must be provided for each lot.

15. Applicable block for approval signatures of the Township Supervisors.

**404.2 Supporting Documentation:** If relevant to the proposed subdivision or land development, the following documentation shall be required and submitted prior to "Final Plan" approval:

(a) A soil erosion and sedimentation control plan as required by Chapter 102 of the rules and regulations of the Department of Environmental Protection along with a letter from the Blair County Conservation District approving said plan, or the appropriate NPDES Permit for Stormwater Discharges from Construction Activities for sites involving more than five (5) acres.

(b) Applicable permits issued by the Department of Environmental Protection for waterway obstruction, stream or wetland encroachments, and community water systems.

(c) A Sewage Planning Module and letter of approval for such from the Department of Environmental Protection.

(d) A water quality management permit, NPDES permit, or other permits that may be required for sewage systems.

(d) Documents pertaining to homeowner associations, condominium declarations, and/or restrictive covenants.

(e) Approval by the U.S. Postal Service and/or emergency dispatching agencies of street names and individual lot addresses.

(f) A Highway Occupancy Permit issued by the Pennsylvania Department of Transportation, if the subdivision or land development proposes access to a State Road.

**404.3 Minor Subdivision Exclusions:** The following may be omitted from plans for subdivisions meeting the definition as Minor Subdivisions:

(a) Ground elevation information as otherwise required in Section 403.1 (b).-2. Topographic mapping on a base using USGS 7.5 minute mapping or better / may be substituted.

(b) Information on proposed streets as delineated in Section 404.1-7(g).

(c) Information on proposed sewage collection and treatment facilities, other than on-lot as delineated in Section 404.1-7(g), except when located within the future service area of a sanitary sewer system as per an approved Act 537 Plan.

**404.4 Non-Building Subdivision:** In subdivisions where no new construction is proposed, the plan requirements specified in the following Sections may be waived: 403.1.(a).6, 403.1.(a).9, 403.1.(a)11, 403.1.(a)12, 403.1.(a)16, 403.1.(b)2, 403.1.(b)6, 403:1.(b)7, 403.1.(b)9, 403.1.(d), 403.1.(e) 403.1.(f), 404.1(e) and 404.1.(g)0. A **Form B - Request for Non-Building Waiver** (to sewage planning requirements) **must be completed and approved** by the **Township** and the **Township Sewage Enforcement Officer (SEO)** prior to subdivision approval. This Form B may be substituted in place of the sewage facilities planning module required by Section 403.1.(c) only for side-lot additions to redraw lot boundary lines and not for the creation of separate lots.

## ARTICLE V

### DESIGN STANDARDS

#### Section 501 General Intent

In all land developments and subdivisions developed after the effective date of this Ordinance, certain improvements shall be installed in accordance with design specifications set forth herein. Whenever the Township standards, in applicable zoning ordinances, building codes, road ordinances, or other ordinances, resolutions, or regulations require standards that exceed these minimum standards, those Township standards shall apply. Whenever the standards of this subdivision ordinance exceed those of the other municipal ordinances, the standards of this ordinance shall apply.



## **Section 502 General Standards**

The following general standards shall apply to all types of development. The Township will study the following factors affecting the suitability of a proposed subdivision or land development:

**(a)** Land subject to flooding and land deemed by the Township to be uninhabitable for other reasons shall not be planned for residential occupancy, nor for such other uses as may increase danger to health, life, property, groundwater, or aggravate the flood hazard; but such land within a plan shall be set aside for such uses as will not be endangered by periodic or occasional inundation, or as will not endanger life, property, or further aggravate or increase the existing menace.

**(b)** At the discretion of the Board of Supervisors, areas characterized by steep slopes (slopes generally greater than twenty (20) percent) geologic formations, sink holes, wetlands, or other such features which restrict the useability of the land shall not be subdivided or developed.

**(c)** In determining the suitability of land for subdivision, the Township shall refer to applicable studies by the County Planning Commission, State, and Federal agencies including the soil survey prepared by the US Department of Agriculture, Natural Resources Conservation Service (NRCS).

**(d)** The layout or arrangement of the subdivision or land development shall conform to the Blair County Comprehensive Plan, and to any regulations or maps adopted in furtherance thereof; in addition, the layout or arrangement of the subdivision or land development shall conform to any "local level" Comprehensive Plan or other applicable Ordinances that may exist.

**(e)** Where evidence indicates that the minimum lot size requirements specified in other sections of this Ordinance or in any applicable zoning ordinance are not adequate to permit the installation of individual on-lot water and/or sewerage disposal facilities, the Township shall require that the Township Sewage Enforcement Officer (SEO) or the Department of Environmental Protection (DEP) make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the provisions of the Act, as amended, plus other applicable State or local regulations. The Township shall review and shall make a final determination on the adequacy of the proposed facility.

**(f)** No subdivision showing reserve strips controlling the access to public ways will be approved, except where the control and disposal of the land comprising such strips are definitely placed within the jurisdiction of the Township under agreement meeting the approval of the Township.

**(g)** Lot lines shall, where possible, follow Municipal and County

boundary lines rather than cross them.

### **Section 503 Streets**

The following general standards shall apply to all streets within a subdivision:

**(a)** The location and width of all streets shall conform to the County and "local level" Comprehensive Plans or to such parts thereof as may have been adopted by the County or Township.

**(b)** The proposed street system shall extend existing or recorded streets with the same width or larger but in no case less than the required minimum width.

**(c)** Where, in the opinion of the Township Supervisors, it is desirable to provide for street access to adjoining property, street right-of-way stubs shall be extended by dedication to the boundary of such property. In addition, at the discretion of the Board of Supervisors, at least two points of ingress and egress must be provided to the subdivision or land development. Typically, a second ingress/egress point will be required for all subdivisions of 20 lots or more. Streets terminating with a cul-de-sac are prohibited at the discretion of the Township.

**(d)** Where a subdivision abuts or contains an existing street of improper width or alignment, the Township may require the dedication of land sufficient to widen the street or correct the alignment.

**(e)** Private streets (streets not to be offered for dedication) are discouraged. Private streets shall not be approved for subdivisions of six (6) or more lots. For purposes of determining when the six (6) lot maximum criteria has been reached, all subdivisions of the parent tract approved since 15 May 1972 must be considered. Private streets may be approved for subdivisions of less than six (6) lots only if all of the following conditions are met.

1. The plot plan for the subdivision must clearly show that the streets will remain "private" streets and must clearly state that all private streets are not being proposed for public dedication..
2. The plot plan must provide for unrestricted access to all properties within the subdivision.
3. All streets designated as private streets in accordance with section 503(e) (1) of this Ordinance shall remain private unless the property owners in common, and at their own expense, bring said streets up to the standards prescribed for public streets by Catharine Township Ordinances and then petition the Township to take over said streets as public streets. All

potential purchasers of real estate within the subdivision must be informed of the provisions of this section in writing.

4. The maintenance responsibilities of private streets shall rest with the property owners within the subdivision.
5. The sub-divider shall meet the street naming and sign installation requirements of Sections 503.7 and 602.9.

(f) Street pavement design for all public streets shall conform with the following:

1. The road construction standards contained herein are minimum standards. In no case should a proposed design provide for less than these standards require. Design in excess of these standards may be required when conditions warrant. Design criteria to be used shall be Pennsylvania Department of Transportation Design Manual, Part 2 for Highway Design. Material and construction methods shall comply with the latest edition of PENNDOT Specifications, Publication 408, and "Standards for Roadway Construction", PENNDOT Publication 72.

2. The Township reserves the right to approve alternate designs for material type, depth, and width when sound engineering analysis proves the acceptability of the alternate. In no instance shall a proposed alternate design be less than the minimum requirements contained herein.

3. All pavements shall be designed for a twenty (20) year service life

4. All roadways must be improved and maintained in a mud-free and dust-free condition prior to and during public use.

5. In all residential subdivisions, the sub-base and base course must be constructed prior to occupancy of the first home in the subdivision.

6. Where it is proposed to use a road prior to the placement of the wearing course, the base course of the road must be structurally designed to support all anticipated loads.

7. Temporary turnarounds meeting the dimensional requirements contained herein for a cul-de-sac, shall be installed when streets are designed for future extension to adjoining properties or future extension to subsequent phases of a development. Temporary turnarounds shall be provided with an easement meeting the right-of-way requirements herein for cul-de-sacs. Temporary turnarounds shall be constructed of a minimum of 6" of well compacted sub-base material in accordance with the latest edition of PENNDOT Publication 408, Section 350.

**8.** A road that intersects the Township line shall have an additional area at or near the Township line to be used as a turn around area and this shall be a permanent right-of-way constructed the same as the integral right-of-way; the turn around area shall have a minimum right-of-way radius of fifty (50) feet, pavement radius of forty (40) feet, and the location of such area shall be as the Supervisors shall deem to be adequate.

**9.** All construction materials, equipment, procedures and methods shall conform to the requirements of the Pennsylvania Department of Transportation Specifications, Publication 408, Latest Edition, unless specifically stated otherwise in this Ordinance.

**10.** Sub-grade: In accordance with the latest edition of PENNDOT Publication 408, Section 210. The Township reserves the right to require compaction testing, with all costs paid by the Developer. The sub-grade shall be approved by the Township prior to placing of sub-base.

**11.** Geo-textile: Class 4 geo-textile material in accordance with the latest edition of PENNDOT Publication 408, Sections 735 and 212. Geo-textile must be approved by the Township prior to placement of Sub-base "A" material. Need for geo-textile material may be waived at the discretion of the Township.

**12.** Sub-base "A": Six (6) inches of AASHTO No.1 stone in accordance with the latest edition of PENNDOT Publication 408, Section 703. Sub-base "A" material must be approved by the Township prior to placement of Sub-base "B" material.

**13.** Sub-base "B": Four (4) inches of PENNDOT No. 2A stone in accordance with the latest edition of PENNDOT Publication 408, Section 350. Sub-base "B" material shall be approved by the Township prior to placement of the base course.

**14.** Bituminous concrete base course: In accordance with the latest edition of PENNDOT Publication 408, Section 305. The Township must approve a bituminous concrete base course prior to placement of the wearing course.

**15.** ID-2 bituminous wearing course: In accordance with the latest edition of PENNDOT Publication 408, Section 420. Material shall conform to the latest edition of PENNDOT Publication 408, Section 420.2. Skid resistance level shall be as required by the latest edition of PENNDOT Publication 242. A tack coat shall be applied to the surface of any pavement that has been in place for more than seven (7) days prior to placement of the wearing course.

**16.** Plain cement concrete curb (where required): In accordance with the latest edition of PENNDOT Publication 408, Section 630. Curbing shall be plain cement concrete curb as shown in PENNDOT standards for roadway construction, Publication 72, RC-64. Low profile curb may be allowed at the discretion of the Township. Details of low profile curb may be obtained from the Township Engineer.

**17.** Shoulders: In accordance with the latest edition of PENNDOT Publication 408, Section 653. Shall be Type 3 with full depth stone as shown in PENNDOT standards for roadway construction, Publication 72, RC-25, and as specified in PENNDOT Publication 408, except prime-coated bituminous surface treatment is not required. Shoulders less than 6' in width will not be required to use full depth asphalt.

**18.** Pavement structures as a minimum shall be as follows:

<u>COURSES</u> CLASSIFICATION OF STREET	<u>DEPTH OF</u>			
	Surface*	Base	Sub-Base A	Sub-BaseB***
Local (Minor) 6"	1 1/2"		4"	4"
Collector 6"	3 1/2" **		4"	4"
Arterial 4"                      6"		3 1/2"	4"	

\* - Wearing course need not be placed until at least 75 percent of the lots are built upon or within one (1) year, whichever comes first.

\*\* - Consists of a 1 1/2" wearing and a 2" binder course.

\*\*\* - Prior to placement of Sub-base "A" - Class 4 geo-textile must be placed on the prepared sub-grade. Need for geo-textile may be waived at the discretion of the Township.

**19.** Street cross slopes shall be at a rate of 0.02 feet per foot for tangent alignments and shall be sloped in accordance with the super-elevation requirements of the latest edition of the PENNDOT Design Manual, Part 2. Shoulder cross slopes shall be at a rate of 0.06 feet per foot.

(g) The cross pipes for private driveways shall not alter the grade or construction of the Township road and shall not allow drainage water to enter onto the Township road. Driveways shall be constructed so that no drainage shall endanger the roadway.

(h) Stormwater conveyance systems shall be designed in accordance with any Township Stormwater Management Ordinance subject to the acceptance of the Township Engineer. All stormwater conveyance systems within right-of-ways to be dedicated to the Township shall conform to the following:

1. End walls and inlets shall be as per the latest editions of the PENNDOT Publication 408, Section 605 and PENNDOT Publication 72, RC-31, R-33 and RC-34.

2. Pipe culverts shall be as per the latest edition of PENNDOT Publication 408, Sections 601, 602 and 603. Corrugated polyethylene culvert pipe is acceptable up to and including 48" O.D. The minimum size of culvert pipes shall be 15" O.D.

(i) Guide rail and median barrier requirements and design shall be as per PENNDOT Publication 13, Design Manual Part Two, Chapter 12. Material and construction shall be as specified in PENNDOT, Publication 408, Section 1109 and PENNDOT Publication 72, RC-50, 52,53,54, and 55.

(j) All street construction shall be inspected by the Township. Contractor shall notify Township at least ten (10) days prior to commencement of construction. The contractor may not under any circumstances proceed with subsequent stages until authorization to proceed is given by the Township. All drainage facilities and underground utilities within road right-of-ways are to be placed prior to approval of the sub-grade.

**503.1 Width:** Minimum street right-of-way, pavement and shoulder widths, minimum and maximum grades, and minimum and maximum street lengths, if not specified in the County or Local Level Comprehensive Plans, shall be as set forth in the following table:

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**GRADE** **STREET RIGHT-OF-WAY, PAVEMENT WIDTHS and REQUIREMENTS**

STREET TYPE	STREET WIDTH		OR	SHOULDER	
	MINIMUM	MAXIMUM		LENGTH	WIDTH
<b>Turnaround of Cul-De-Sac</b>					
Right-of-way (diameter)		100'			
Cart-way (diameter)		80'		4'	1%
Length (maximum)		800'			
Length (minimum)		250'			
<b>Local (Minor)</b>					
Right-of-way		50'			
Cart-way		20'		4'	1%
Grade					12%
<b>Collector</b>					
Right-of-way*		60'			
Cart-way*		24'		6'	1%
Grade					10%
<b>Arterial (Major)</b>					
Right-of-way*		80'			
Cart-way*		44'		10'	
Grade	5%				1%

\*NOTE: The Board of Supervisors reserves the option to allow the determination of right-of-way width, cart-way width, shoulder width and minimum and maximum grades, of Collector and Arterial Streets to be determined on the basis of a traffic study furnished by the Applicant, and reviewed and accepted by the Township Engineer.

**503.2 Alignment:** Minimum street alignment standards shall conform with the Horizontal Curvature requirements of the "Rural Design Criteria" as per the Design Manual Part 2 Highway Design, Publication 13, PENNDOT Bureau of Design, as updated. Proper sight distance shall be provided with respect to both horizontal and vertical alignment in accordance with the latest edition of A Policy on Geometric Design of Highways and Streets; AASHTO, Chapter IX.

**503.3 Horizontal Curves:** Minimum horizontal curves shall conform with the Horizontal Curvature requirements of the "Rural Design Criteria" as per the Design Manual Part 2 Highway Design, Publication 13, PENNDOT Bureau of Design, as updated.

**503.4 Vertical Curves:** Shall be provided at all changes in grade of sufficient length to provide the safe sight distance for the design speed in accordance with A Policy on Geometric Design of Highways and Streets; AASHTO, Chapter IX, latest

edition.

**503.5 Intersections** : The following standards shall apply to all street intersections:

- (a) Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle less than seventy-five (75) degrees or more than one-hundred five (105) degrees.
- (b) No more than two (2) streets shall intersect at the same point.
- (c) Streets intersecting another street shall either intersect directly opposite to each other or shall be separated by at least one-hundred twenty-five (125) feet between center lines measured along the centerline of the street being intersected.
- (d) Intersections with major streets shall be located not less than one- thousand (1,000) feet apart measured from centerline to centerline along the centerline of the major street.
- (e) The cart-way edge at intersections shall be rounded by a tangential arc with a minimum radius of:
  - 1. Twenty (20) feet for intersections involving only minor streets;
  - 2. Thirty (30) feet for all intersections involving a collector street; and
  - 3. Forty (40) feet for all intersections involving a major street.
- (f) Street right-of-way lines shall be parallel to (concentric with) cart-way arcs at intersections.
- (g) Clear sight triangles shall be provided at all street intersections. No buildings or obstructions are permitted in the area and such triangles shall be established from a distance of fifteen (15) feet behind the edge of pavement to the point:
  - 1. Seventy-five (75) feet from the intersection of centerline for minor streets; and
  - 2. One hundred fifty (150) feet from the intersection of centerline for all intersection with major streets.
- (h) Minimum sight distance shall be provided at all street intersection in accordance with Pennsylvania Code, Title 67, Chapter 441, Section 8 (h).
- (i) Leveling areas shall be provided at all street intersections having not greater than three (3) percent grades for a distance of fifty (50) feet measured from the nearest cart-way edge of the intersecting streets.



**503.6: Alleys:** Alleys shall not be permitted in residential subdivisions except in cases where other methods of entrance and exit are impractical. In other types of development, where permitted, the Township shall determine their design standards.

**503.7 Names:** The sub-divider may choose street names subject to the approval of the Township and emergency dispatching agencies. Proposed streets that in alignment with other already existing and named streets, shall be assigned the names of the existing streets. In no case shall the name of a proposed street duplicate or confuse an existing street name in the Township, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court, lane, etc.

### **Section 504 Blocks**

The length, width and shape of all blocks shall be determined with due regard to the following :

- (a) Provision of adequate sites for building of the type proposed;
- (b) Topography;
- (c) Requirements for safe and convenient vehicular and pedestrian circulation and:
- (d) Other site constraints

**504.1 Width:** Blocks subdivided into lots will be two (2) lot depths in width excepting lots along a major thoroughfare which fronts on an interior street, or are prevented by the site topographic conditions or other inherent conditions of the property in which case the Township may approve a single tier of lots.

**504.2 Length:** All blocks in a subdivision shall have a maximum length of 1,200 feet and a minimum length of 400 feet. Blocks over 600 feet in length shall require crosswalks wherever necessary to facilitate pedestrian circulation and to give access to community facilities. Such crosswalks shall have a width of not less than ten (10) feet and a stabilized walkway or not less than five (5) feet. In areas where crosswalks are not required, a suitable area shall be graded as if crosswalks were to be installed.

### **Section 505 Lots**

Within the Township, the width and area of lots shall be no less than provided in any application or ordinance. In so far as practical, side lot lines should be right angles to straight street lines or radial to curved street lines. Lot lines should tend to follow municipal boundaries rather than cross them in order to avoid inter- jurisdiction problems.

**505.1 Frontage:** All lots shall meet the following frontage requirements:

- (a) All lots in a subdivision shall have frontage upon a public street (existing or proposed) or upon an easement that provides for the unencumbered ingress, egress, or regress from the lot to a public street or road. This frontage must be at least fifty (50) feet in width to the public street or to the easement established for unencumbered ingress, egress, and regress for the lot to a public street or road.
- (b) Double or reverse frontage shall be avoided *except* where required to provide separation of residential development from major streets or to overcome specific topographic problems.

**505.2 Size:** All lots shall meet the following minimum requirements:

- (a) In all sections of the Township not served by public sanitary sewer nor public water facilities, each lot shall have a minimum width of one-hundred fifty (150) feet at the building line and a minimum area of 43,560 square feet.
- (b) In all sections of the Township served by either public water supply or public sewerage, each lot shall have a minimum width of one hundred (100) feet at the building line at least 21,780 square feet in area per single family dwelling; not less than 12,000 square feet in area per living unit for duplex dwellings with a width of not less than seventy-five (75) feet at the building line; and not less than 7,500 square feet in area per living unit for row houses and apartments.
- (c) In all sections of the Township served by both public water supply and public sewerage, each lot shall have a minimum width of seventy-five (75) feet at the building line and a minimum area of ten thousand (10,000) square feet.

**505.3 Width:** In no case shall the width of the lot at the building setback line be less than sixty (60) feet. Corner lots for residential use shall have a width of at least twenty (20) percent greater than the aforementioned required widths to permit appropriate building set back from and orientation to both streets, providing that corner lots need not exceed one-hundred (100) feet.

**505.4 Setback Lines:**

- (a) Structures shall be constructed no closer than thirty-five (35) feet from front, fifteen (15) feet from side, and twenty-five (25) feet from rear property lines. On a corner lot, the property owner shall determine which of the frontages shall be the front and which is a side.
- (b) On-lot water supply systems (wells) and on-lot sanitary sewage disposal systems shall be located at least twenty-five (25) feet from all property lines and shall be adequate to permit the proper installation and functioning of such systems.

## **Section 506 Easement**

The following shall apply to easements within all subdivisions:

(a) Easements with a minimum width of fifteen (15) feet shall be provided along all lot lines, interior and exterior for poles, wires, conduits, storm sewers, gas mains, and/or other utility lines intended to serve abutting lots. Easements for sanitary sewer and water systems shall be as prescribed by the applicable municipal authority. No structures or trees shall be placed within such easements.

(b) Emphasis shall be placed upon the location of easements centered on or adjacent to side and rear lot lines.

(c) Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such watercourse, drainage way, channel, or stream and of such widths as will be necessary to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, improving, or protecting such drainage facilities or for the purpose of installing a stormwater system.

(d) There shall be a minimum distance of one-hundred (100) feet, measured in the shortest distance between each proposed dwelling unit and any petroleum products or natural gas transmission, high pressure line, or high tension electric line which may traverse the sub-division.

## **Section 507 Community Facilities**

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. The reservation of land for community facilities will be requested when appropriate; therefore, the sub-divider shall give earnest consideration to reserving land for parks, playground, churches, schools, and other community facilities. If any group or agency in any area that is to be subdivided has planned a facility of this type, the sub-divider shall ascertain from such organization whether or not it plans to use the site. In lieu of the dedication of land, the Board of Supervisors, at their sole discretion, shall give earnest consideration to establish fees to be paid by the Developer to develop community facilities elsewhere within the Township.

## **Section 508 Public Utilities**

The following public utilities, when required, shall meet the indicated standards below:

**508.1 Water:** Where public water lines are required in a new subdivision, they shall be in conformity with the "Area Wide Water Plan" for Blair County and any applicable water plans developed for the entity providing the service in which the proposed subdivision is located. Whenever the entity providing the service has no

standards, or has standards below those of the Department of Environmental Protection, the Standards of the Department of Environmental Protection shall apply.

**508.2 Sanitary Sewer:** Where public sewer lines are required in a new subdivision, they shall be in conformity with the "Area Wide Sewer Plan" for Blair county and any applicable sewer plans developed for the municipality in which the proposed subdivision is located. The design specifications of all sewer lines installed shall meet the minimum standards set forth by the entity providing the service. Whenever the entity providing the service has no standards, or has standards below those of the Department of Environmental Protection, the Standards of the Department of Environmental Protection shall apply.

**508.3 On-lot Sewage Disposal:** Where it is found necessary and feasible to rely upon on-lot systems for sewage disposal, the on-lot sewage disposal system shall meet the minimum requirements and standards of the Pennsylvania Department of Environmental Protection. The Township's Sewage Enforcement Officer administers these provisions of Act 537.

**508.4 Storm Sewers:** Where storm sewer are required in a new subdivision, they shall be in conformity with any applicable stormwater management, or storm sewer plans developed for the Township and/or the minimum standards set forth by the Township Engineer.

### **Section 509 Stormwater Drainage**

Subdivision and Land Development Plans shall include measures that direct stormwater into the natural drainage system serving the area. The following standards shall apply to Stormwater Drainage within Catharine Township:

(a) Lots shall be laid out and graded to provide positive drainage away from buildings. The Township may require a Grading and Drainage Plan for individual lots indicating a buildable area within each lot, complying with the setback requirements, for which positive drainage is assured.

(b) No person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or water course without having obtained prior approval from Catharine Township or the Department of Environmental Protection, whichever is applicable.

(c) Where a subdivision or land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

(d) The Township will assure that all permanent streams, not under the

jurisdiction of other official agencies, are maintained open and free flowing.

**(e)** The sub-divider or developer, and each person, corporation, or other entity which makes any surface changes in excess of 5,000 square feet shall be required to prepare and submit a stormwater management plan for review and acceptance by the Township Engineer. The stormwater management plan shall be in accordance with any Township Stormwater Management Ordinance and contain provisions for the following:

1. Collecting on-site surface runoff and disposing of it to the point of discharge into the common natural watercourse of the drainage area;
2. Drainage facilities to handle runoff from upstream areas;
3. Drainage structures and facilities as are necessary to prevent erosion damage to the subdivision or land development, adjacent property and downstream property. Such structures and facilities shall satisfactorily convey surface waters to the nearest practical street, storm drain, detention pond, or natural watercourse.

**(f)** Storm sewers, culverts, and/or related installations shall be provided to permit unimpeded flow of natural water courses, to drain all low points along streets and to intercept stormwater runoff along streets-at intervals reasonably related to the extent and grade of the area drained.

**(g)** Storm sewers, when required, shall be placed in front of the curb or curb line when located in a street right-of-way. When located in undedicated land, they shall be placed within an easement not less than fifteen (15) feet wide, as accepted by the Township Engineer.

**(h)** Street drainage will not be permitted to cross intersections or the crown of the road.

1. Maximum spacing of street inlets shall not exceed six hundred (600) feet.
2. All street inlets shall be PENNDOT Type C or M. Inlet tops shall be cast in place reinforced concrete or pre-cast concrete.
3. All culvert ends shall be provided with either reinforced concrete headwalls or pipe end sections.
4. Minimum pipe size shall be fifteen (15) inch diameter.
5. When material for storm drain specifications is not specified,

PENNDOT specifications will govern.

**(i)** All springs and sump pump discharges shall be collected so as not to flow onto any cart-way.

**(j)** Stormwater roof drains shall not discharge water directly over a sidewalk.

**(k)** Stabilized outlets shall be provided for drains and downspouts.

**(l)** The Soil Cover Complex Method of the Natural Resources Conservation Service (NRCS) of the U.S. Department of Agriculture and the Rational Method are the acceptable means of estimating stormwater runoff and for designing or analyzing stormwater management facilities. The actual method for each subdivision and land development shall be determined and directed by the Township Engineer.

**(m)** Where the estimated runoff based upon the above methods is doubtful, several recognized methods should be studied and compared.

**(n)** The minimum design criteria for ditches, swales, driveway cross pipes and storm sewers shall be designed using the Rational Method and shall be sized to accommodate a 10-year, 5-minute design storm unless otherwise approved by the Township Engineer. Drainage ditches, swales, etc. shall be provided on both sides of the street and shall be of sufficient depth to accommodate driveway cross pipes and pipe culverts.

**(o)** Runoff calculations must include complete hydrologic analysis for pre- and post-development conditions and hydraulic design and analysis of all control Facilities. The Analysis shall be performed for 2-, 10-, 25-, and 100- year storm frequencies. This shall include, but not necessarily be limited to: rating curves, stage-storage and routing computations for stormwater management facilities.

**(p)** Control Facilities shall adhere to the following and/or any Township Stormwater Management Ordinance:

**1.** Permanent control measures/facilities shall be designed to assure that the maximum rate of stormwater runoff is not greater after development than prior to development. Detention and retention basins shall have a spillway to protect the berm by precluding overtopping. The spillway capacity shall, at a minimum, be capable of handling the 100-year storm while providing two (2) feet of freeboard. More stringent criteria may be required in sensitive areas where stormwater problems presently exist.

**2.** Control Facilities shall be designed to meet, at a minimum, the design standards and specifications of the "Erosion and Sedimentation Control

Handbook for Blair County."

**(1)** Detention ponds may not be required by the Township on the recommendation of the Township Engineer at sites in close proximity to the major streams providing that computations are prepared and submitted for review and comment. Said computations shall demonstrate that no increase in peak rates of runoff will result from the proposed activity for the specified storms.

**(2)** Detention ponds shall be prohibited in areas of known sinkholes unless the pond is lined. If a sinkhole should develop in a pond or channel before acceptance by the municipality, a lining shall be required.

**(3)** All detention ponds shall be provided with a fence of a type and height subject to the approval of the municipality, and shall be designed to assure access for maintenance.

**(4)** All detention ponds shall be provided with a suitable access road as approved by the Township.

**3.** On-lot subsurface detention facilities (seepage pits, etc.) may be allowed subject to the acceptance of the Township Engineer. Roof drain seepage pits must provide at least one (1) cubic foot of storage volume for every two (2) square feet of roof area. Roof drain seepage pits shall be located a minimum of ten (10) feet from any structure, have a maximum depth of four (4) feet and include provisions for emergency overflow to prevent property damage.

**4.** A maintenance program for control facilities must be included as part of the Stormwater Management Plan.

**(1)** Maintenance during development activities of a project shall be the responsibility of the contractor, developer, and owner.

**(2)** Arrangement for maintenance of permanent control facilities after completion of development activities shall be made before approval of final plans is given by the Board of Supervisors.

**a)** Generally, in major single-family residential subdivisions where the streets and drainage facilities are proposed to be dedicated to the Township, the stormwater management control facilities shall also be dedicated to the Township. In other types of subdivisions and land developments, the stormwater control facilities shall remain private. Permanent ownership and maintenance responsibilities shall be at the discretion of the Township.

**b)** In cases where permanent control facilities are owned by a private entity, it shall be the responsibility of that entity to maintain the control facilities (e.g., homeowner's association). In such cases a legally binding agreement between the owner and Catharine Township shall be made providing for maintenance of all permanent control facilities, including the inspection by the Board of Supervisors and/or a qualified individual as designated by the Supervisors.

### **Section 510 Lot Grading**

The following standards shall apply to lot grading for Subdivision and Land Developments:

**(a)** Blocks and lots shall be graded to provide proper drainage away from buildings and to prevent the collection of stormwater in pools. Minimum two percent (2%) slopes away from structures is recommended.

**(b)** A Grading and Drainage Plan shall be required for all subdivisions and land developments, except minor subdivisions. Lot grading shall be:

1. Designed as to carry surface waters to the nearest practical street, storm drain, or natural watercourse. Where drainage swales are used to deliver surface waters away from buildings, their grade shall not be less than one percent (1 %). These swales shall be sodded, planted or lined in accordance with the Pennsylvania Department of Environmental Protection Erosion and Sediment Control Program Manual, April 1990, as amended or superseded.

2. Proposed contouring shall be provided for all detention/retention areas. Other contouring shall be provided as necessary to depict the proposed grading where typical sections and standard details are inadequate. Lot grading shall be consistent with stormwater management controls contained in any local stormwater management ordinance.

**(c)** No final grading 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:

1. 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 slope stability, to that effect is submitted to and accepted by the Township. 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.

2. A retaining wall will be provided according to sound engineering



standards from which plans are submitted to Catharine Township for review and approval.

**(d)** No final grading shall be permitted which creates any fill surface steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions :

**1.** The fill is located so that settlement, sliding or erosion will not result in property damage or be hazardous to adjoining property, streets, alleys, or buildings.

**2.** A written statement from a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in slope stability, certifying that he has inspected the site and the proposed deviation from the slope specified above will not endanger any property or result in property damage, is submitted to and accepted by the Township.

**3.** A retaining wall will be provided according to sound engineering standards from which plans are submitted to Catharine Township for review and approval.

**(e)** 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, where walls or slopes are steeper than one (1) horizontal to one (1) vertical and five (5) feet or more in height shall be protected by a protective fence or suitable barrier no less than three (3) feet in height approved by the Township.

**(f)** All lots must be kept free of any debris or nuisances whatsoever.

### **Section 511 Erosion and Sediment Control**

The following standards shall apply to erosion and sediment control within Catharine Township:

**(a)** General Purpose.

The purpose of this section shall be to control accelerated erosion and the resulting sediment pollution to Waters of the Commonwealth that occur on earthmoving sites within Catharine Township.

**(b)** Scope.

**1.** It shall be unlawful for any person, landowner, business or corporation to undertake any earthmoving activity- without developing, implementing and maintaining erosion and sedimentation control measures

and facilities that effectively minimize accelerated erosion and prevent sediment pollution to waters of the Commonwealth. These controls shall be contained in an erosion and sedimentation control plan that meets the requirements of the Department of Environmental Resources' (Protection's) Chapter 102 Erosion Control regulations. A copy of the erosion and sedimentation control plan must be available at the earthmoving site at all times.

**2.** Prior to the approval of any subdivision or land development plan proposing any earthmoving activity in excess of 5,000 square feet by Catharine Township, an erosion and sedimentation control plan must be submitted to and approved by the Blair County Conservation District. The appropriate Department of Environmental Protection (DEP) permit authorizing earthmoving activities for sites involving five or more acres of land disturbance must also be obtained from the County Conservation District or Department of Environmental Protection (DEP).

**3.** Financial security for erosion controls must be included in the financial security for the project as required in Section 306 of this Ordinance.

**4.** Erosion and sedimentation control plans shall be developed in accordance with the DEP Chapter 102 regulations. A complete explanation of the regulations and recommendations for preparing plans is available in DEP publication, "Erosion and Sediment Pollution Control Program Manual". This manual is available through the offices of the County Conservation District,

**5.** Any fees for the review of the erosion and sedimentation control plan are to be paid directly to the Blair County Conservation District. Anyone requiring the complete explanation of district charges for plan reviews should contact the district for such information.

**6.** The municipality and Blair County Conservation District are hereby authorized and directed to conduct both routine and emergency site inspections of ongoing earthmoving operations, without prior notification, within the municipal boundaries of Catharine Township to establish compliance with the approved erosion and sedimentation control plan.

**7.** All violations of the ordinance requirements determined during a site inspection shall be listed on an inspection report that itemizes the following items for each violation:

**(1)** Specific type of violation, including location and scope.

**(2)** Provides a period of time during which the person(s) responsible for the earthmoving activity may correct the violations without the assessment of any penalties.

The inspection report shall be signed by the inspector and person responsible for the earthmoving activity (or a designated representative), and a copy provided to the latter party.

**Section 512 Flood Plain Area Regulations**

The following standards shall apply to flood plain areas within Catharine Township:

- (a)** All subdivision or development of land within any designated flood plain shall be in accordance with the Flood Plains requirements of the Building Permit Ordinance, as amended, in order to promote the general health, welfare, and safety of the community.
  
- (b)** In addition to meeting all requirements of the flood plains requirements, minimum first floor elevations shall be provided on the final plans for all lots within the flood plain.

## ARTICLE VI

### IMPROVEMENTS AND CONSTRUCTION REQUIREMENTS

#### Section 601 General Requirements

It is the purpose of this Article to set forth the required improvements in all subdivisions and land developments, and the construction standards required. Where not set forth, they shall be in accordance with the prevailing standards as established by the Township Engineer. Alternate improvement standards may be permitted if the Township Supervisors deems them equal or superior in performance characteristics to the standards specified herein. Additional or higher type improvements may be required in specific cases where the Township believes it necessary to create conditions essential to the health, safety, morals, and general welfare of the citizenry of the Township.

Any or all of the following improvements as may be required by the Township Supervisors, pursuant to the authority granted in the municipal code, considering the needs of the area in which the proposed subdivision is located, must have been completed in accordance with the requirements established by this Ordinance as well as in accordance with the requirements of the responsible public authority affected, public officials, or Township Engineer for that portion included in the final plat. If the improvements are not completed, then satisfactory arrangements must have been made with the Township Supervisors to the satisfaction of all public authorities concerned regarding proper completion of such improvements prior to the consideration of a final plat.

The sub-divider shall install the improvements described in this Section of the Ordinance. The final plan shall not be approved until final detailed design of the improvements is approved and the improvements are installed or financial security has been established with the Township.

#### Section 602 Required Improvements

**602.1 Monumentation:** Monuments shall consist of iron or steel bars, and shall be a minimum size of 5/8 inch diameter, and 36 inches long.

- (a) Monuments shall be set at all points of curve tangency on all street right-of-way and property lines;
- (b) Monuments shall be set at all points where lot lines intersect curves, either front or rear;
- (c) Monuments shall be set at all of the property corners of lots;
- (d) Monuments shall be set so that the top of the monument is level with the top of the surrounding ground; and
- (e) Monuments shall be set under the direct supervision of a

Registered Surveyor; and

(f) Monuments shall be set after street grading activities have taken place.

**602.2 Streets:** All streets shall be graded to the full width of the right-of-way, surfaced and improved to grades and dimensions shown on the plans, profiles, and cross-sections submitted by the sub-divider and accepted by the Township. In subdivisions where sidewalks are not required, the Township Supervisors reserve the right to require the sidewalk areas to be graded in the same manner as if sidewalks were to be constructed.

(a) Streets shall be graded, surfaced, and improved to the dimensions required by the cross-sections. Pavement base and wearing course shall be constructed according to the specifications as contained in Section 503 of this Ordinance.

(b) Prior to placing street sub-base, the sub-divider shall provide adequate subsurface drainage for the streets and all utilities under the streets. Upon the completion of the street improvements, respective as-built plans and profiles shall be filed with the Township.

**602.3 Curbs:** Curbs shall be required on new streets in subdivisions which have a typical lot width of interior lots at the building setback lines of less than one-hundred (100) feet, in all High Density Subdivisions, and for all Subdivisions and Land Developments which are not single family residential subdivisions. In such cases, curbs or other drainage controls shall be installed to properly control surface damage and protect the streets from erosion. The curbing requirements may be waived at the discretion of the Township, upon the request and justification by the Applicant. When the requirement is waived, grass lined swales or rock-lined ditches shall be required. Curbs shall be as specified in Section 503 of this Ordinance. All curbs shall be depressed at intersections to sufficient width to accommodate the requirements of the handicapped. The depression shall be in line with sidewalks where provided.

**602.4 Sidewalks:** Sidewalks shall be provided where streets of a proposed subdivision are extensions of existing streets having a sidewalk on one (1) or both sides. Sidewalks shall also be provided when considered necessary by the Township Supervisors for the protection of the public or whenever it is determined that the potential volume of pedestrian traffic or safety conditions creates the need for them. Sidewalks shall be provided on all streets and parking areas located within multi-family and apartment developments, and for Land Developments as noted in Section 803 (d) (3).

When sidewalks are required, they shall meet the following standards :

(a) Sidewalks shall be located within the street right-of-way, one (1) foot from the right-of-way line, and shall be a minimum of four (4) feet wide, except along collector and arterial streets, and in the vicinity of shopping centers, schools, recreation areas, and other community facilities, where they shall be a minimum of five (5) feet wide.

(b) Generally, a grass planting strip should be provided between the curb and sidewalk.

(c) Sidewalks shall be at least four (4) inches thick, and shall be made of Class A concrete as specified in PENNDOT, Publication 408, Section 704 and installed in accordance with PENNDOT Publication 408, Section 676, except that aggregate for bedding shall be at least four (4) inches deep, and concrete shall be broom finished.

(d) Where unusual or peculiar conditions prevail with respect to prospective traffic and/or safety of pedestrians, the Township Supervisors may require different standards of improvements than those set forth in the previous paragraphs. Crosswalks may be required when deemed necessary by the Township Supervisors, and as noted in Section 504.2.

(e) Handicap-accessible ramps shall be provided on all sidewalks at street intersections. Maximum gradient of an accessible ramp shall be 12:1 (8.33%). Depressed curb shall be installed at ramps so as to create a lip of no greater than one-half (1/2) inch. Ramps shall be concrete as specified in Section 602.4 (c) of this Ordinance with a non-slip finish.

In areas where sidewalks are not required, a suitable area shall be graded as if sidewalks were to be installed.

**602.5 Sanitary Sewers:** The Township shall determine the method of sanitary waste disposal in a proposed subdivision. Generally, where a public sanitary sewer system is within one thousand (1,000) feet of, or where plans approved by the governing bodies provide for the installation of such public sanitary sewer facilities to within one thousand (1,000) feet of the proposed subdivision, and the capacity exists to serve the proposed subdivision, the sub-divider shall provide the subdivision with a complete sanitary sewerage system to be connected to the existing or proposed public sanitary sewerage system. The system shall be designed by a registered professional engineer and meet the requirements of the Pennsylvania Department of Environmental Protection and the respective municipal authority.

To aid the Township Supervisors in making their decision upon the best method of sanitary waste disposal within a proposed subdivision, the sub-divider shall submit (when applicable), accompanying the "Preliminary Plan Application, four (4) copies of the "Sewage Planning Module" and a copy of the transmittal letter to DEP which accompanied the Planning Module Submission.

In cases where no municipal sewer system is available under the conditions stated previously, a decision shall be made as to which of the following methods of sewage disposal best meets the needs of the proposed subdivision: a community disposal system; an interim treatment plant; individual on-lot septic systems or other satisfactory methods of sewage waste disposal. The Township shall recommend the most suitable type of sewage disposal in consideration of the results of the Sewage Planning Module, the individual site characteristics of the proposed subdivision, and both the short-range (5 to 10 years) water and sewer program and the long-range (20 years) water and sewer plan for the Township. Regardless of the method of sewage disposal chosen, the system must meet the requirements of the Pennsylvania Sewage Facilities Act 537, as amended, and other applicable local, state and federal regulations. Where required, a DEP Sewage Planning Module approval shall be obtained prior to Township plan approval authorizing construction.

The plans for installation of a sanitary sewer system shall be prepared for the subdivision with the cooperation of the applicable municipal authority and accepted by its engineer. A statement of approval from the municipal authority, to which the subdivision will be connected, shall be submitted to the Township. Upon completion of the sanitary sewer system, community disposal system, and/or interim treatment plant, one (1) copy of as-built drawings shall be filed with the Township, and one (1) copy shall be filed with the respective municipal authority.

**602.6 Water:** Where a municipal water system is within one thousand (1,000) feet of, or where plans approved by the governing body or municipal authority provide for the installation of municipal water supply facilities to within one thousand (1,000) feet of the proposed subdivision, and the capacity exists to serve the proposed subdivision, the subdivision shall be provided with a complete water main supply system which shall be connected to the municipal water supply. A registered professional engineer shall design the system. The municipal authority or entity providing service shall approve the system design. Evidence of issuance of permits from the Pennsylvania Department of Environmental Protection, when such permits are required, shall be presented to the Township Supervisors prior to approval of plans authorizing construction.

If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence that the subdivision or development is to be supplied by a certified public utility, a bona-fide cooperative association of lot owners, or by a municipal corporation, authority, or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. In cases where no municipal or community water supply system is available, each lot in a subdivision shall be provided with an individual water supply system in accordance with the minimum standards of the Pennsylvania Department of Environmental

Protection.

The plans for installation of a water supply system shall be prepared for the subdivision with the cooperation of the applicable water supply agency, and accepted by its engineer. A statement of approval from the water supply agency, to which the subdivision will be connected, shall be submitted to the Township. Upon the completion of the water supply system, one (1) copy each of the as-built plans for such system shall be filed with the Township, and the water supply agency.

**602.7 Stormwater Management Control:** Lots shall be laid out, designed, and graded in such a manner as to provide for drainage of surface runoff away from buildings and into the natural drainage system of the area. Stormwater management control improvements, as required shall be installed and maintained in accordance with the plans submitted by the sub-divider or developer and accepted by the Township Engineer. The improvements shall be designed and constructed to the standards set forth in Section 509 of this Ordinance and/or any Township Stormwater Management Ordinance. One (1) copy of as-built drawings of stormwater management control system shall be filed with the Township. Under no circumstances shall storm sewers be connected with sanitary sewers.

**602.8 Off-Street Parking:** Off-street parking shall meet the following standards:

(a) Each proposed dwelling unit in a subdivision or land development shall be provided with three (3) off-street parking spaces. Such off-street parking spaces may be provided as an individual garage, carport, and/or driveway, preferably located behind the building line, or in a parking compound adjacent or near the dwelling units it serves. Each exterior parking space shall contain at least one-hundred sixty two (162) square feet or nine (9) feet by eighteen (18) feet..

(b) Non-residential subdivisions and land developments within the scope of this Ordinance shall provide paved parking areas in conformance with Article VIII, Section 803 of this Ordinance.

**602.9 Stop Signs and Street Name Signs:** Stop signs and street name signs with names approved in accordance with Section 503.7, shall be placed at all intersections in conformance with PENNDOT and Township specifications. They shall be paid for and installed by the sub-divider.

**602.10 Buffer Areas:** All non-residential subdivisions and land developments shall include a landscaped buffer area of at least six (6) feet in width along all public roadways, and ten (10) feet in width along property lines abutting existing homes and/or homes under construction. In cases where the buffer area abuts homes, at least fifty (50) percent of the trees and shrubs shall consist of



evergreens. Landscaping shall be at least three (3) feet in height and spaced no further than three (3) feet apart, at the time of planting, unless an alternate planting plan by a landscape professional is approved by the Board of Supervisors.

**602.11 Street Lights:** At the discretion of the Township Supervisors, streetlights may be required to be installed by the sub-divider. The sub-divider shall be responsible for making the necessary arrangements with the applicable agencies, and whether or not street lights are initially installed, the sub-divider shall be responsible for providing utility easements for future street lighting installations.

**602.12 Shade Trees:** All possible efforts should be made by the sub-divider to preserve existing shade trees. When provided, shade trees of deciduous hardwood type with a minimum caliper of two (2) inches shall be planted between the sidewalk and the building line at least five (5) feet from the sidewalk, or between the curb and sidewalk provided the planting strip is a minimum of six (6) feet wide. Preserved shade trees may be included in the buffer areas required under section 602.10.

**602.13 Fire Hydrants:** Fire hydrants shall be provided as an integral part of any water supply system and shall be in accordance with the specifications set forth by the National Fire Protection Association, the local water supply agency, and as approved by the respective local fire company.

**602.14 Underground Wiring:** All electric, telephone, and television cable lines shall be placed underground. Electric, telephone, and television cables and appurtenances shall be constructed in accordance with the rules, regulations, and specifications of the respective utility providers.

## ARTICLE VII

### MANUFACTURED/MOBILE HOME PARK DESIGN

#### STANDARDS

##### Section 701 General Requirements

The submission and review procedures contained in Articles III and IV, the general design standards and required improvements of Articles V and VI and residential design standards shall apply to manufactured/mobile home park subdivisions or developments even though streets may not be submitted for dedication. The following additional standards shall also apply to manufactured/mobile home developments.

##### Section 702 Specific Design Standards

**(a) Site Location:** A manufactured/mobile home park shall be located on land having a reasonably flat terrain (having an average slope of eight percent [8%] or less). The land area shall be free from swamps, marshes, garbage, excessive noise, smoke, or other elements generally considered detrimental to residential development. The location shall be free from flooding by a one hundred (100) year flood and shall have access to public roads.

**(b) Placement of Manufactured/Mobile Homes:** Each manufactured/mobile home site shall be provided with a stand or pad to accommodate the axles of the mobile home. Each site shall also be provided with a poured concrete outdoor patio one (1) foot deep and at least one-hundred eighty (180) square feet in area at the main entrance to the mobile home. The manufactured/mobile home shall be required to be provided with anchors and tie-downs that are able to sustain a total tensile load equal to four times the weight of the particular mobile home. Each manufactured/mobile home shall have skirting around the base between the bottom of the exterior and the ground. The length of each unit shall be parallel with the contour of the land so that no end of the unit is elevated higher than the other from the ground. The minimum size requirement for a mobile home park shall be three (3) acres.

**(c) Manufactured/Mobile Home Lot Requirements:** Lot area, dimensions, setbacks, and coverage shall meet with the approval of the Township Supervisors and meet the following minimal requirements:

1. Minimum lot area -5,200 square *feet* per lot
2. Minimum lot width -45 *feet*
3. Minimum setback from other homes and buildings -30 *feet*
4. Minimum setback from streets, paved areas, and common areas - 30 *feet*
- 5 Maximum lot coverage by buildings/structures -25%

**(d) Buffer Areas:** All manufactured/mobile home parks projected to contain ten (10) or more units at full build-out shall be bounded by a buffer area with a minimum of thirty-five (35) feet depth as measured at right angles to the tract boundary lines. This space shall be used for no other purpose but landscaping, except where access road cross it. A buffer area with a minimum of ten (10) feet in depth as measured at right angles to the tract boundary lines shall bound all manufactured/mobile home parks projected to contain less than ten (10) units at full build-out. This space shall be used for no other purpose but landscaping, except where access roads cross it. Buffer areas shall be landscaped and consist of at least 50% evergreens. All landscaping shall be at least three (3) feet in height and spaced no further than five (5) feet apart at the time of planting.

**(e) Recreation Areas:** A manufactured/mobile home park shall be provided with a recreation area for mobile home residents. The recreation area shall be no less than five percent (5%) of the total area of the park. Such an area shall be appropriately developed with recreation facilities and easily accessible to all homes in the park.

**(f) Utilities:** All utilities serving manufactured/mobile home lots shall be placed underground in accordance with the requirements of the respective utility companies. Each manufactured/mobile home in the park shall be served by public water and sewerage or approved central water and sewerage systems as well as with electric and other utilities.

**(g) Drainage:** Storm drainage from roofs and paved areas shall be channeled to natural drainage courses and away from adjoining properties and public roads. Trees and shrubbery shall be maintained on the property of the manufactured/mobile home park and on every lot within the park for absorption of water runoff and hence for flood protection. Storm drainage shall also be handled according to the requirements prescribed by the Township Engineer and/or in any Township Stormwater Management Ordinance.

**(h) Refuse Storage:** Each manufactured/mobile home shall provide its own garbage and refuse containers in accordance with any Township regulations pertaining to garbage and other solid wastes, or the mobile home park shall provide a dumpster and private hauling service where individual manufactured/mobile homes cannot be served.

**(i) Sewerage Systems:** Sanitary sewage systems serving manufactured/mobile home parks shall be in accordance with the applicable municipal authority's requirements. Each manufactured/mobile home lot shall be provided with at least a four (4) inch diameter vertical riser pipe that connects the manufactured/mobile home sewage drain outlet to the sewer line. Provisions shall be made for plugging the sewer riser pipe when a manufactured/mobile home does not occupy the lot. Surface drainage shall be directed away from the riser. The rim

of the riser pipe shall extend at least six (6) inches above ground elevation.

**(j) Water Systems:** Water systems serving manufactured/mobile home parks shall be in accordance with the applicable municipal authority's requirements. Each manufactured/mobile home lot shall have a water riser pipe with a minimum inside diameter of 3/4-inch that connects the manufactured/mobile home water supply to the central water system. An outside hose bib shall be supplied for each manufactured/mobile home. Adequate provisions shall be made to protect water service lines from damage, including a shut-off valve below the frost line for each manufactured/mobile home lot.

**(k) Sidewalks:** All manufactured/mobile home parks shall be provided with safe, convenient, all-season pedestrian walks of 1D-2 bituminous concrete or Portland Cement Concrete to a depth and width approved by the Township Engineer between individual manufactured/mobile homes and streets and to all park facilities provided for the residents. Walkways serving park facilities shall have a minimum width of four (4) feet.

**(l) Parking Areas:** Three off-street parking spaces shall be provided for each manufactured/mobile home. All parking spaces for manufactured/mobile home lots shall be provided with a minimum of a tar and chip surface.

**(m) Ingress and Egress:** Streets within the manufactured/mobile home park whether or not they are to be offered for municipal dedication shall be constructed to Township specifications as described in Article V and if not dedicated to the Township, shall be maintained and upgraded, as needed, by the owner of the Manufactured/Mobile Home Park. All streets within manufactured/mobile home parks, whether offered for municipal dedication or not, shall conform to the following.

1. General Requirements - a safe and convenient vehicular access shall be provided from abutting public streets or roads.

2. Access - the entrance road connecting the park streets with a public street or road shall have a minimum cart way width of twenty-four (24) feet. Wherever a street intersects a public street, a stop sign shall be installed and maintained in accordance with Township regulations.

3. Illumination - at the discretion of the Township Supervisors, street lights may be required to be installed within mobile home parks by the developer. The developer shall be responsible for making the necessary arrangements with the applicable agencies, and whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installations.

**(n) Stop Signs and Street Signs:** Stop signs and street name signs that meet

PENNDOT and Township specifications and with street names approved in accordance with Section 503.7, shall be provided for all streets at every intersection in the manufactured/mobile home park. Such signs shall be purchased and installed by the developer.

## ARTICLE VIII

### SUPPLEMENTARY LAND DEVELOPMENT REQUIREMENTS

#### Section 801 General Requirements and Intent

In accordance with the definition of this Ordinance, as per the Act, Land Development may include various types of development and subdivision of land. In this regard, Articles V and VI delineate design standards and construction requirements which are intended to apply to all types of development, while Article VII applies standards to the design of Mobile Home Parks. It is recognized by the Board of Supervisors that certain types of Land Development may have needs and requirements unmet by these articles alone. This Article provides such supplementary standards for various forms of non-residential development such as commercial, retail, professional offices, and manufacturing uses. It is the intent of this Article to supplement and not replace any of the standards and requirements of the above referenced previous Articles.

#### Section 802 Submission Review Procedures and Plan Requirements

The submission and review procedures contained in Article III and Article IV shall be required for all Land Development proposals, as noted in each applicable Section of the above referenced Articles. In addition, the following shall be required for all proposals for Commercial, Retail and Professional Office development in excess of five-thousand (5,000) square feet of floor space and for all proposals for manufacturing uses:

- (a) A traffic study analyzing the capacity of area streets, roads, and intersections abutting the development, as determined by the Board of Supervisors. The study shall include, at a minimum, an analysis of the system before development, at each phase of development (if applicable), and at full build-out. The study shall include an analysis of capacities, levels of service, and improvements required to maintain acceptable levels of service.
  
- (b) A landscape plan for the site prepared by a landscape design or site planning professional.

#### Section 803 Parking Requirements

Non-residential development shall be designed in a manner that maximizes benefits and minimizes conflicts in relation to parking and traffic safety. Specific supplementary requirements are as follows:

- (a) All non-residential proposals shall meet the following
  - 1. In cases where more than a single row of parking spaces are required due to projected parking demand and/or site conditions, the following design configurations shall be followed :

A minimum parking bay width of fifty-one (51) feet shall be provided for forty-five (45) degree (diagonal) parking, with a one-way thru lane having a minimum width of fifteen (15) feet.

A minimum parking bay width of 60 feet shall be provided for ninety (90) degree (head-in) parking with a two-way thru lane having a minimum width of twenty-four (24) feet.

2. All parking areas shall be paved with a bituminous surface or with concrete, and include adequate drainage control as accepted by the Township Engineer and/or in accordance with any Township Stormwater Management Ordinance.

3. Parking areas shall be designed so that vehicles need not back out onto a public right-of-way.

**(b)** Commercial land developments within the scope of these regulations shall provide paved parking areas. The minimum number of nine (9) foot x eighteen (18)-foot parking spaces to be provided will vary depending upon use and/or interior and/or gross square footage area as summarized below:

- Assembly/Finishing Operations - 1 per 800 sq. ft. GFA
- Bar - 1 per 2 seats
- Bowling Alley - 4 per alley
- Car Wash - 4 per washing stall
- Church/Synagogue - 1 per 3 seats
- Convenience Stores - 1 per 200 sq. ft. GFA
- Fiduciary Institutions - 1 per 300 sq. ft. GFA
- Hotel/Motel - 1.5 per per room
- Industrial/Manufacturing - 1 per 800 sq. ft. GFA
- Library - 1 per 300 sq. ft. GFA
- Medical Center - 1 per 250 sq. ft. GFA
- Nursing/Personal Care Home - 1 per 3 rooming units
- Offices:
  - Under 49,999 sq. ft. GFA - 4.5 per 1,000 sq. ft. GFA
  - 50,000- 99,999 sq. ft. GFA - 4 per 1,000 sq. ft. GFA
  - 100,000+ sq. ft. GFA - 3.5 per 1,000 sq. ft. GFA
- Receiving/Shipping - 1 per 5,000 sq. ft.
- Restaurant - GFA - 1 per 3 seats
- Quick-Food Establishments - 1 per 50 sq. ft. GFA
- Retail Store - 1 per 200 sq. ft. GFA
- Schools :
  - Elementary - 2 per classroom; but not less than 1 per teacher & staff
  - Intermediate - 1.5 per classroom; but not less than 1 per teacher

& staff

Secondary - 2.5 per classroom; but not less than 1 per teacher &

staff

Service Station - 4 per bay & work area

Shopping Center - 1 per 250 sq. ft. GFA

Supermarket/Grocery - 1 per 250 sq. ft. GFA

Storage Areas - 1 per 5,000 sq. ft. GLA

Theater - 1 per 3 seats

In Shopping Center - 1 per 4 seats

Warehouse - 1 per 5,000 sq. ft. GFA

GFA = Gross Floor Area

GLA = Gross Leasable Area

For uses not classified above, the minimum number of parking stalls shall be as determined by parking study prepared by a Registered Professional Engineer and accepted by the Township Engineer.

In addition, truck loading, unloading and maneuvering shall be accommodated within the paved areas outside public right-of-ways.

**(c)** Industrial developments within the scope of these regulations shall provide a minimum of paved off-street parking in the ratio of one (1) parking space for every employee anticipated during the peak work shift. In addition, paved truck loading areas shall be provided such that all truck loading, unloading, and maneuvering can be accommodated within the property lines.

**(d)** In addition to the requirements for commercial and industrial parking areas noted in (b) and (c) above, parking facilities provided shall also include the following:

**1. Illumination:** All parking areas shall be illuminated by light standards with a maximum height of forty (40) feet, with sharp cut-off shields on the fixtures to allow the direction of lighting on the lot and to avoid glare above the lot and on adjacent properties.

**2. Interior Landscaping:** All parking areas shall include interior landscaping of at least ten (10) percent of the area of the parking lot, exclusive of any buffer areas provided under Article VI, Section 602.10. The interior of the parking area includes that area between the frontage or buffer yard and any paved walkways or the structure, when a walkway is not necessary.

**3. Sidewalks:** The principal access point for commercial, service, and industrial establishments abutting the parking lot shall have a paved walkway with a minimum width of five (5) feet.



4. Access Drives: Each parking area shall include adequately sized access drives having a minimum width of twelve (12) feet when separate exit and entrance lanes are provided, and twenty (20) feet when combined exit and entrance lanes are provided.

5. Special Access Designation: Fire lanes and handicap parking stalls appropriately located in relation to the structure shall be designated by signage and pavement markings.

#### **Section 804 Supplementary Requirements**

Non-residential development shall be designed in a manner that maximizes benefits and minimizes conflicts in relation with public safety. Specific supplementary requirements are as follows:

(a) Proposed developments with drive-in facilities shall meet the following standards:

1. No more than two (2) driveways shall be provided to anyone property from a public right-of-way.
2. No portion of any driveway access shall be located outside the property frontage boundary (side property) line.
3. The maximum width of driveways shall be as specified by PENNDOT Title 67, Chapter 441.
4. The intersection of any private drive and a public right-of-way shall provide for proper sight distance visibility.
5. A State Highway Occupancy Permit shall be required from the Pennsylvania Department of Transportation for any driveway access to a State Highway, and a Township Highway Occupancy Permit shall be required from the Catharine Township Board of Supervisors for any driveway access to a Township Road prior to plan approval.
6. Gasoline or other fuel pumps shall be no closer than twenty-five (25) feet to any public right-of-way.

(b) All proposed structures and buildings shall be no closer than fifty (50) feet to any right-of-way line.

(c) Proposals for industrial and/or commerce parks and shopping centers shall meet the following requirements:

1. A fifty (50) foot buffer shall be provided around the proposed Park.

2. Any internal illumination shall be of the sharp cut-off variety-avoiding glare above and onto adjacent properties.

3. An internal street or traffic circulation system shall be provided.

4. All plans for individual structures or buildings shall be subject to review under the requirements of this Ordinance.

**(d)** Proposals for industrial facilities shall meet the following requirements:

1. All outdoor storage areas shall be buffered by landscaping or an opaque fence.

2. Manufacturing buildings may not cover more than twenty-five percent (25%) of the lot.

## ARTICLE IX

### RECREATIONAL AND SEASONAL LAND DEVELOPMENT STANDARDS

#### Section 901 General Requirements

A Recreation and Seasonal Land Development includes the improvement and development of land for seasonal and/or leisure time activities. Such developments are for temporary occupancy and are not intended now or in the future for year-round dwelling purposes, and may include travel trailers, motor homes, campers, lots intended for tents, and land intended for various other outdoor recreation activities such as hunting and fishing. However, development comprised of cottages, cabins, second homes, other permanent and fixed dwelling structures, and any recreational and seasonal lots for sale are excluded from this Article and are viewed as residential subdivisions in relation to this Ordinance. The placement of an On-Site Recreational Vehicle (see definitions) on any lot shall be considered as a residence and shall be subject to the applicable provisions of the Pennsylvania Sewage Facilities Act 537. The submission and review procedures of Article III and plan requirements of Article IV shall apply to Recreational and Seasonal Land Developments. Prior to the review and approval of the Preliminary Plan, the applicant must make application and meet all requirements of the Pennsylvania Department of Environmental Protection Regulations Title 25, Chapter 191, regarding Organized Camps and Campgrounds, as well as any other State Government regulations that may apply.

#### Section 902 Design Standards

Recreational and Seasonal Land Developments shall be designed pursuant to the applicable standards and requirements contained in Article V and Article VI in this Ordinance, except for the following:

- (a) Sections 503 and 602.2
- (b) Section 504 - Blocks
- (c) Section 505 - Lots
- (d) Section 602.3 - Curbs
- (e) Section 602.4 - Sidewalks
- (f) Section 602.8 - Off-Street Parking

The following design standards apply to Recreational and Seasonal Land Developments not covered elsewhere in this Ordinance.

**902.1 Streets:** The Land Development shall be designed to provide an access and internal traffic circulation system adequate to accommodate the type and volume of traffic to be generated, and shall be constructed to provide a sound, all-weather driving surface, reasonably smooth, free of mud, dust, and/or standing water. All private streets shall be considered to be required improvements. The following minimum standards apply to all private streets:

(a) Right-of-Way Width – forty (40) feet.

(b) Cart way Width – sixteen (16) feet for two-way roads, ten (10) feet for one-way roads.

(c) Cart way Construction - Six (6) inches of suitable, compacted and graded stone base material to provide a permanent and all-weather surface that will facilitate storm drainage management.

(d) Maximum Allowable Grade - The maximum allowable grade for private roads shall be a fourteen (14) percent slope for distances of no more than five-hundred (500) feet. However, special drainage measures and consideration will be required on grades exceeding a six (6) percent slope, including special roadway cross sections, grading, shoulder construction and stabilization, cross drainage structures, and cut- and-fill slopes, as recommended and/or accepted by the Township Engineer.

(e) Cul-de-Sac Minimum Standards -While there are no minimum or maximum length requirements, excessively long segments are discouraged due to emergency vehicle access considerations. A turn-around area shall be provided at the terminus of all dead-end and/or cul-de-sac segments having an unobstructed maneuvering area equal to a fifty (50) feet turning radius.

The internal street and roadway system shall be privately owned and appropriately noted on the Final Plan, and provide safe and convenient access to all campsites and facilities. The alignment and gradients of all internal streets and roadways shall be properly adapted to the topography, to the types of anticipated traffic, and to the satisfactory control of surface water. Points of connection between the private street and roadway system and the exiting public street system shall be designed to avoid congestion and hazardous intersection, in accordance with Section 503.5 Intersections.

**902.2 Lots:** Individual campsites shall be comprised of a minimum area of at least 1,500 square feet, with no more than a total of fifteen (15) individual campsites per acre. Each campsite shall be accessible from the private street/roadway system without the necessity to cross any other campsite. In addition, Recreation Vehicle campsites shall have a minimum width of forty (40) feet, and a minimum depth of fifty (50) feet or thirty percent (30%) longer than the maximum length of the recreation vehicle anticipated to occupy the space.

**902.3 Parking:** Parking spaces shall be provided to accommodate the number and size of vehicles anticipated. Parking spaces for all campsite users shall be on the campsite lot. In addition, a minimum of one (1) parking space for every two (2) campsites shall be provided for visitors. Parking spaces for visitors may be on a common parking area. The parking spaces shall be of a compacted and graded stone base material to provide a permanent and all-weather surface, and support the

types, lengths, and weights of vehicles anticipated to use the facility.

**902.4 Campsites:** Individual campsites and accessory buildings shall be designed to be at least fifty (50) feet from any arterial highway, or thirty-five (35) feet from any other type of public right-of-way. Recreational vehicle campsites for trailers, campers, and/or motor homes shall contain a stabilized vehicular parking pad of shale, gravel, stone, paving, or other suitable material, and shall be dimensioned that when any space is occupied, no portion of any camping unit shall be within ten (10) feet of any portion of any other camping unit or accessory building, and at least fifteen (15) feet from any internal private roadway.

**902.5 Relationship with Adjoining Properties:** The design of proposed land developments governed by this Section shall take into account potential effects and impacts on adjacent properties. A landscaped buffer strip having a minimum width of one-hundred (100) feet shall be provided along the perimeter of the land development, within which no campsites shall be located.

**902.6 Minimum Acreage:** The minimum size for a Recreation Vehicle Park is five (5) acres, of which ten percent (10%) shall be set aside and developed as common use areas for open and unenclosed recreation facilities, which may include any required buffer areas.

### **Section 903 Improvements**

Where appropriate the Applicant of any Land Development shall be required to provide the following improvements, or a suitable guarantee pursuant to Section 306, and address at least the following:

- (a) Streets and access roads, including where applicable parking areas, driveways, curb cuts, and traffic control devices.
- (b) Utilities including, where applicable, stormwater management facilities, sanitary sewer facilities, water facilities, pumping facilities, gas lines, electrical facilities, telephone, and other utility facilities.
- (c) Any proposed amenities including recreational facilities, meeting facilities, and screening and landscaping.
- (d) Any other improvements that may be required for approval.
- (e) Procedures and mechanisms guaranteeing the perpetual private maintenance of all improvements by the owner and/or operator of the facility.

### **Section 904 Minimum Facilities**

At a minimum, Land Developments proposed under this Article shall include certain

facilities, depending upon the type of camping area planned.

**(a)** Camping areas intended to primarily serve the needs of overnight tenting campers shall include toilet facilities.

**(b)** Camping areas intended to primarily serve the need of overnight campers, trailers and motor home users shall include the availability of electric service to individual campsites, central travel trailer sanitary and water stations, and toilet facilities.

**(c)** Camping areas intended to serve as longer-term destinations, shall include back-in parking at campsites, individual electric and water connections, central travel trailer sanitation stations, and central toilet and shower facilities.

The above are minimal requirements, subject to more stringent requirements imposed by the regulations of Title 25, Chapter 191 of the Pennsylvania Department of Environmental Protection. The applicant may provide enhanced facilities such as laundry, picnic, swimming and other facilities. The applicant shall specify the manner in which all facilities are to be privately maintained.

## ARTICLE X

### FEES

#### Section 1001 Fees to be Paid

The Applicant, Developer, Sub-divider or his/her Authorized Agent shall pay the following fees to the Township of Catharine by separate check or money order, or other acceptable means.

- (a) A plan filing fee. The filing fee shall be as established by Resolution by the Board of Supervisors.
- (b) A financial security for the required improvements if the completion of such improvements is to be delayed as a condition of final approval. (See Article III.)
- (c) A financial security for the maintenance of improvements for no more than eighteen (18) months from the date of their acceptance of dedication and not to exceed 15% of their actual cost of installation. (See Article III.)
- (d) An engineering review fee based on the actual cost of the review of the required improvements by the Township Engineer. If the fee collected initially does not cover the full engineering review costs, the Applicant, Developer, Sub-divider or his/her Authorized Agent must reimburse the Township for such costs before the Section 305 review results are released.
- (e) A fee established by resolution shall be assessed to provide copies of the Subdivision and Land Development Ordinance.
- (f) A fee as established by the Blair County Sanitary Administrative Committee for the review of sub-division modules involving Act 537 issues.
- (g) A fee as established by the Pennsylvania Department of Environmental Protection for the review of sub-division modules involving Acts 247 or 537 issues.
- (h) Any disputes regarding the amount of fees shall be resolved in the manner prescribed by the Act.

**ARTICLE XI**  
**RELIEF FROM REQUIREMENTS**

**Section 1101 General Provisions**

From time to time a situation may arise where the standards of the subdivision and land development ordinance cause an undue hardship or prove unreasonable in application. Faced with this situation, a modification or alteration of requirements can be granted from the literal application of the standards. However, modifications cannot be contrary to the public interest and must observe the basic purpose and intent of the ordinance.

Assurance must be provided that any modification is absolutely necessary and represents the minimum possible modification. Unusual physical circumstances may involve minor adjustments in curve radii, street grade or slope, cul-de-sac length, or problems over the width of an existing right-of-way. In most cases, minor design modifications will not jeopardize public safety.

Any request must be submitted in writing, citing the specific provisions or standards from which relief is requested, and should be part of the preliminary or final plan submission. A request states in full the grounds and facts of unreasonableness or hardship upon which the request is based, the provisions or the Ordinance involved, and the exact alteration or modification necessary. A record of the request should appear in the official minutes of the Catharine Township Board of Supervisors. This record documents the reasons for the request, facts of unreasonableness, and any action taken on the request. Any relief approved should represent the minimum or least possible modification of the standard.



## ARTICLE XII

### ADMINISTRATION. AMENDMENT. AND ENFORCEMENT

#### Section 1201 Revision and Amendment

The Catharine Township Board of Supervisors may revise or amend in whole or in part these regulations, provided however, that the amendment thereof shall be accomplished in accordance with the provisions of Section 505 of the Act of July 31, 1968, P.I. 247, (53 P.S. 10505) as supplemented and amended.

#### Section 1202 Modification of Requirements

**1202.1 Modified Standards:** The provisions of these regulations are the minimum standards for the protection of the public welfare. The Catharine Township Board of Supervisors reserves the right to modify or to extend these regulations as may be necessary in the public interest.

**1202.2 Waiver:** If a majority of the Township Board of Supervisors feels that this Ordinance causes undue hardship upon a particular subdivision, they may grant a waiver providing it does not nullify the intent and purpose of this Ordinance. In granting waivers, the Board of Supervisors may impose such conditions as will, in its judgment, advance the achievement of the intent of this Ordinance. The standards and requirements of these regulations may be modified by the Township Board of Supervisors in the case of a plan or program for complete community, new town, neighborhood, cluster subdivision, or mobile home park which in the judgment of the Board of Supervisors provides adequate open and public spaces and improvements for circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions which will assure conformity to and achievement of the development goals of the Township.

#### Section 1203 Reconsideration and Appeal

**1203.1** Any sub-divider aggrieved by a finding, decision, or recommendation of the Catharine Township Board of Supervisors may request and shall receive another opportunity to appear before the Board of Supervisors to present additional relevant information. This request shall be in writing within thirty (30) days after the original date of action by the Board of Supervisors.

**1203.2** Upon receipt of such appeal, the Township Board of Supervisors shall hold a hearing after proper notification of all parties concerned and in a manner prescribed by law.

**1203.3** After such hearing, the Township Board of Supervisors may affirm or reverse the original action of the Township Board of Supervisors by a recorded vote

and in the manner prescribed by law. The findings and reasons for the disposition of the appeal shall be stated on the records of the Township Board of Supervisors. Affirmative action shall authorize the sub-divider to continue application from the point at which it was interrupted.

**1203.4** Any person aggrieved by action of the Board of Supervisors may appeal within thirty (30) days directly to the Court of Common Pleas of Blair County in accordance with and in a manner prescribed by law.

#### **Section 1204 Keeping of Records**

The Township Board of Supervisors shall maintain a record of their findings, decisions, and recommendations relative to all subdivision plans filed for review. Such records shall be made available to the public.

#### **Section 1205 Penalties**

Any person, partnership or corporation who has violated or permitted the violation of the provisions of this Ordinance and the Act under which they have been adopted shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five-hundred (\$500) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. If the defendant neither pays nor timely appeals the judgment, the municipality 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.

The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

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

#### **Section 1206 Preventive Remedies**

**1206.1** In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violation, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building or premises.

**1206.2** In accordance with the Act, the Township may refuse to issue any

permit or grant approval to further improve or develop any property that has been developed in violation of this Chapter.

**1206.3** In order to perform the functions of this Ordinance, the Township Representative shall have the authority to enter any building, structure, premises, property or development in the Township upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Ordinance. During the construction and/or development period, the Township representative may inspect the premises to determine that the work is progressing in compliance with the information provided on the plans, and this Ordinance.

### **Section 1207 Severability**

Should any article, section, subsection, paragraph, sentence, clause, phrase, word or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of this Ordinance as a whole or any part or provisions thereof other than the part so declared invalid or unconstitutional.

### **Section 1208 Repeal of Conflicting Ordinances**

All other ordinance or parts of ordinances that are contrary to conflict with the provisions of this Chapter are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 1209 Effective Date**

**This Ordinance shall become effective five (5) days after the date of final approval by the Catharine Township Board of Supervisors.**

**Duly elected and ordained by the Catharine Township Board of Supervisors, Blair County, Pennsylvania, this 7th day of July, 2003.**

**Township Board of  
Supervisors**

**Catharine**

**ATTEST:**

\_\_\_\_\_

**Chairman**

\_\_\_\_\_  
**Secretary**

\_\_\_\_\_

\_\_\_\_\_

(Seal)

**7 July 2003**

**I, David C. Imler, do hereby certify that the foregoing is a true copy of an Ordinance adopted by the Board of Supervisors of Catharine Township, Blair County, Pennsylvania on 7 July 2003.**

\_\_\_\_\_, Township Secretary