

ORDINANCE

AN ORDINANCE OF FRANKLIN TOWNSHIP DEFINING AND REGULATING THE SUBDIVISION OF LAND AND THE DEVELOPMENT THEREOF; ESTABLISHING PROCEDURES FOR THE CONSIDERATION OF SUBDIVISIONS AND LAND DEVELOPMENTS; REQUIRING THE PREPARATION OF SKETCH, PRELIMINARY, FINAL AND AS-BUILT PLANS; REQUIRING CERTAIN ON-SITE IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER OR DEVELOPER AND ESTABLISHING DESIGN STANDARDS FOR IMPROVEMENTS; REGULATING SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, SEWERS AND STORM SEWERS, OTHER FACILITIES AND PUBLIC IMPROVEMENTS; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Board of Franklin Township Supervisors hereby ordains:

PART 1

GENERAL PROVISIONS

SECTION 101 SHORT TITLE

This Ordinance shall be known as the Franklin Township Subdivision and Land Development Ordinance.

SECTION 102 PURPOSE

- A. These regulations are adopted for the following purposes:
1. To protect and provide for the public health, safety, and general welfare of the Municipality.
 2. To guide the future growth and development of the Municipality in accordance with the Comprehensive Plan of Franklin Township.
 3. To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other danger; and to prevent overcrowding of the land and undue congestion of population.
 4. To protect the character and social and economic stability of the Municipality and to encourage the orderly and beneficial development of the Municipality.
 5. To protect and conserve the value of land throughout the Municipality, and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.

6. To guide 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.
7. To provide the most beneficial relationship between the use of land and buildings and the circulation of traffic within the Municipality having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivision and re-subdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.
9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the community and value of the land.
11. To control storm water in a manner consistent with the recommendations of the Franklin Township Engineer.
12. To regulate the subdivision and/or development of land within any designated floodplain district in order to promote the general health, welfare, and safety of the community.
13. To require that each subdivision lot in flood-prone areas include a safe building site with adequate access; and that public facilities which serve such uses be designed and installed to minimize flood damage.
14. To protect individuals from buying land which is unsuitable for use because of flooding by prohibiting the improper subdivision and/or development of unprotected lands within the designated floodplain districts.
15. To preserve the natural beauty and topography of the Municipality and to ensure appropriate development with regard to these natural features.
16. To provide for open spaces through efficient design and layout of the land.
17. And finally, to ensure that documents prepared as part of a land ownership transfer fully and accurately described the parcel of land being subdivided, and the new parcels thus created.

SECTION 103 AUTHORITY

- A. Authority of the Board of Supervisors. The Board of Supervisors of Franklin Township is vested by law with the control of the land and subdivision of land and land development within the Municipality by 53 P.S. 10101 et seq., the Pennsylvania Municipalities Planning Code. The Board shall retain the authority to approve all subdivision plans and land development plans as required herein.
- B. Authority of the Franklin Township Planning Commission. The Franklin

Township Planning Commission is hereby designated by the Board of Supervisors as an agency which shall review and make recommendations on preliminary and final subdivision and land development plans as required herein, prior to action by the Board of Supervisors, and when provided by Ordinance, make other recommendations.

SECTION 104 APPLICATION OF REGULATIONS

A. Subdivision Control

1. No subdivision, as herein defined of any lot, tract or parcel of land shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith, shall be laid out, constructed, open or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Ordinance. No lot in any subdivision may be sold, and no permit to erect or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision, unless and until a subdivision plan has been approved and recorded and until the improvements required by the Board of Supervisors in connection therewith have either been constructed or guaranteed as herein provided in Section 612.

B. Land Development Control

1. Land Development, as herein defined, must comply with the regulations contained herein. Such compliance shall include, but not be limited to the filing of preliminary and final plats, the dedication and improvement of right-of-way, streets and roads, and the payment of fees and charges as established by Resolution of the Board of Supervisors.
2. 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 right-of-way. Developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features, and the same shall be indicated on the land development plan.

SECTION 105 INTERPRETATION AND CONFLICTS

A. Interpretation

1. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare.

B. Conflict with Public and Private Provisions

1. Public Provisions: Where any provision of this Ordinance imposes restrictions different from those imposed by any other provision of this Ordinance or any other Ordinance, rule, or regulation, or other provision of law, whichever provisions are more restrictive or imposes higher standards shall control.
2. The Greene County Subdivision and Land Development Ordinance: This Ordinance shall act as a repeal protanto of the Greene County Subdivision and Land Development Ordinance with Franklin Township.

3. **Private Provisions:** This Ordinance is not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of this Ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this Ordinance shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations or the determinations of the Board of Supervisors in approving a subdivision or in enforcing this Ordinance, and such private provisions are not inconsistent with this Ordinance or determinations there under, then such private provisions shall be operative and supplemental to these regulations and determinations made there under.
- C. **Municipal Liability:** The granting of a permit or approval of a plan for any proposed subdivision and/or land development to be located within any identified floodplain area or district shall not constitute a representation, guarantee, or warranty of any kind by the Municipality or by any official or employee thereof the practicability or safety of the proposed use, and shall create no liability upon the Municipality, its officials or employees.

SECTION 106 MODIFICATIONS

- A. The Board of Supervisors may grant a modification of the requirements of one (1) or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.
- B. All requests for modification shall be in writing and shall accompany and be part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Ordinance involved and the minimum modification necessary.
- C. The request for modification shall be referred to the Franklin Township Planning Commission for advisory comments.
- D. The Board of Supervisors shall keep a written record of all actions on all requests for modifications.

SECTION 107 PREVENTATIVE REMEDIES

- A. In addition to other remedies, the Municipality may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- B. The Municipality may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applications:
 1. The owner of record at the time of such violation.

2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- C. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owners, vendee or lessee for the development of any such real property, the Municipality may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

SECTION 108 ENFORCEMENT REMEDIES

- A. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Municipality, pay a judgment of not more than five hundred (\$500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. 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 determines that there has been a violation further determining that there was a good faith basis for the person, partnership, or corporation violating this 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 (5th) day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.
- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending the final adjudication of the violation and judgment.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Municipality the right to commence any action for enforcement pursuant to this Section.
- D. District Justices shall have initial jurisdiction in proceedings brought under this Section.

SECTION 109 REPEALER

All Ordinances or part of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 110 SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Supervisors of the Municipality that this Ordinance would have been adopted had

such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 111 EFFECTIVE DATE

This Ordinance shall become effective upon adoption.

PART 2

DEFINITIONS

SECTION 201 CONSTRUCTION

Unless otherwise expressly stated, the following words shall for the purpose of this Ordinance, have the meaning herein indicated. The present tense shall include the future; the singular number shall include the plural; words used in the masculine gender shall include the feminine and the neuter; the word “shall” is always mandatory; the word “may” is always permissive.

SECTION 202 TERMINOLOGY

ACCELERATED EROSION – the removal of the surface of the land through the combined action of man’s activities and natural processes at a rate greater than would occur because of the natural processes alone.

ACCESSORY BUILDING – a building which is not for the same use as, or part of the use of the principal building, but which is for a use subordinate to, or supplementary to that of the principal building. Example: Residential; garage, lawn and garden tool shed, children’s play house. Commercial/Industrial; garage for company car, guardhouse, scale house.

ALLEY – a public or private right-of-way width of twenty feet (20’) or less, which affords secondary means of access to the rear or side of abutting property and is not intended for general traffic circulation. Regardless of whether an alley is given a street name, no main building shall have its frontage on an alley. An alley may also be known as a court, place, or lane.

APPLICANT – a land owner, or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT – every application, whether preliminary, tentative or final required to be filed and approved prior to 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.

BLOCK – a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines or waterways.

BUILDING – any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals or chattels, and including manufactured/mobile homes to be used for human habitation.

CARTWAY OR ROADWAY – the portion of a street right-of-way designed or intended for vehicle use.

CLEAR SIGHT TRIANGLE – a triangle area of unobstructed vision at street intersections, having as its sides two (2) perpendicular street lines, and a line established between a point on each street line a given distance from the intersection.

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

COMPLETELY DRY SPACE – a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

CONDOMINIUM AND COOPERATIVE – (*an ownership arrangement and not a land use*) a method of ownership which, when applied to a multi-family dwelling, provides for separate ownership for each unit, title of which shall consist of ownership of the unit together with an undivided interest in the common elements.

CONSERVATION DISTRICT – the Conservation District serving Greene County.

CONSTRUCTION – the construction, reconstruction, renovations, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of manufactured/mobile homes.

COUNTY – the County of Greene, Pennsylvania.

COUNTY PLANNING COMMISSION – the Planning Commission of the County of Greene.

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.

DEPARTMENT – the Department of Community and Economic Development of the Commonwealth.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) - the Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such department or departments as may in the future succeed it.

DESIGNATED FLOODPLAIN AREAS – a relatively flat or low area adjoining a river, stream, or watercourse which is subject to partial or complete inundation in a 100-year flood as designated in the Franklin Township Floodplain Ordinance as amended.

DETENTION POND – an area in which surface water runoff is temporarily stored pending its release at a controlled rate.

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

DEVELOPMENT – any man-made change to improved or unimproved real estate including, but not limited to, the construction or placement of buildings or other structures, mobile homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation, or drilling operations, and the subdivision of land.

DEVELOPMENT PLAN – the provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development streets, ways and parking facilities, common open space and public facilities. The phrase “provisions of 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 water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DRIVEWAY – a private vehicular passageway providing access between a street and a private parking area or private garage.

DWELLING – a structure or portion thereof which is used exclusively for human habitation.

EASEMENT – a grant for the use of a parcel of land by the public, a corporation, or a person, for a specified purpose.

ENGINEER – a registered professional engineer in Pennsylvania designated by the Municipality.

ENGINEERING SPECIFICATIONS – the engineering criteria of the Municipality regulating the installation of any improvement or facility.

EROSION – the process by which the land surface and/or sub-surface is worn away by the action of natural elements.

ESSENTIALLY DRY SPACE – a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

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

FILL – any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting there from; the difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

FLOOD – a temporary inundation of normally dry land areas.

FLOODPLAIN – a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOOD-PROOFING – any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities; structures, and their contents.

FLOODWAY – the designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

GOVERNING BODY – the Board of Supervisors of Franklin Township, Greene County, Pennsylvania.

GRADING AND DRAINAGE PLAN – feature and proposed grading including existing and proposed surface and subsurface drainage facilities, described by grades, contours, and topography.

IDENTIFIED FLOODPLAIN AREA – the floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood. Included would be areas identified as Floodway (FW), Flood-Fringe (FF) and General Floodplain (FA).

IMPERVIOUS SURFACE – a surface which prevents the penetration of water into the ground.

IMPROVEMENTS – those physical additions, installations, and changes required to render land suitable for the use intended, including but not limited to grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, cross-walks, driveway culverts, and street shade trees.

INTERIOR WALK – a right-of-way or easement for pedestrian use, extending from a street into a block or across a block to another street.

LAND DISTURBANCE – any activity involving grading, tilling, digging or filling of ground, or stripping of vegetation, or any other activity which causes land to be exposed to the danger of erosion.

LAND DEVELOPMENT – any of the following activities:

1. The improvement of one (1) lot or two (2) tracts or parcels of land for any purpose involving:
 - A. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
 - B. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
2. A subdivision of land.
3. “Land development” does not include development which involves:
 - A. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three (3) residential units; unless such units are intended to be a condominium;
 - B. The addition of an accessory building, on a lot or lots subordinate to an existing principal building; or
 - C. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purpose of this subsection, an amusement park is defined as a tract or area used principally, as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

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.

1. **LOT, CORNER** – a lot which has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersects at an angle of less than one hundred and thirty-five (135) degrees.
2. **LOT DEPTH** – the mean distance from the right-of-way line of the lot to its opposite rear line measured in a direction parallel to the side lines of the lot. Lot depth for triangular lots shall be the mean distance from the street line to the point of intersection of the side yards.
3. **LOT, FLAG** – a lot which has less than the minimum required lot width at the public street frontage, but which provides the minimum required lot width at a distance from the lot frontage, usually in excess of the minimum required setback, and which lot includes a strip of land in fee simple ownership for access to the public street to the build able area of the lot which lies behind another property which fronts on the public street. Flag lots shall have a minimum frontage on a public street of fifty (50’) feet.
4. **LOT OF RECORD** – a lot which has been recorded in the Office of the Recorder of Deeds.
5. **LOT, INTERIOR** – a lot, the side lot lines of which do not abut on a street.
6. **LOT, MINIMUM WIDTH** – the minimum lot width at the building setback line.

7. **LOT, NON-CONFORMING** – a lot, the area or dimension of, which was lawful prior to the adoption or amendment of this Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.
8. **LOT, REVERSE FRONTAGE** – a lot which abuts upon both a street and either an arterial or a collector street, with vehicular access solely from the former.
9. **LOT, THROUGH** – an interior lot having frontage on two (2) parallel or approximately parallel streets.
10. **LOT, TRIANGULAR** – a lot having three (3) lot lines, but which does not qualify as a corner lot.
11. **LOT WIDTH** – the distance measured between the side lot lines, at the required building setback line. In a case where there is only one side lot line, lot width shall be measured between such side lot line and opposite rear lot line or street line.

LOT SPLIT – the subdivision of one (1) lot or parcel into no more than two (2) lots or parcels where no new streets are proposed to be constructed and where both lots have frontage on an existing public street.

MAINTENANCE GUARANTEE – any security, other than cash, which may be accepted by the Municipality for the maintenance of any improvements required by this Ordinance.

MAJOR REPAIR – the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements; major repairs shall include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

MANUFACTURED/MOBILE HOME – a transportable structure, single-family dwelling, contained in one (1) unit or in two (2) or more units, which is built on a permanent metal chassis and is designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used with or without a permanent foundation. A manufactured/mobile home is a home that meets the 1976 Federal & National Manufactured Home Construction and Safety Standards (HUD).

MANUFACTURED/MOBILE HOME PARK – a parcel or contiguous parcels of land which has been so designed and improved that it contains three (3) or more manufactured/mobile home lots for the placement of manufactured/mobile homes.

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

MARKER – a wood or 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.

MINOR REPAIR – the replacement of existing work with equivalent material for the purpose of its routine maintenance and upkeep.

MONUMENT – a concrete, stone, or other permanent object placed to designate boundary lines, corners of property, and right-of-way or street and utilities, for the purpose of reference in land and property survey.

MUNICIPALITY – the Franklin Township, Greene County, Pennsylvania.

MUNICIPAL AUTHORITY – a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. No. 164), known as the “Municipalities Authority Act of 1945”.

MUNICIPALITIES PLANNING CODE – Act of Assembly of July 31, 1968, P.L. 805, as amended.

ONE HUNDRED YEAR FLOOD – a flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one percent (1%) chance of occurring each year, although the flood may occur in any year).

ON-SITE IMPROVEMENTS – all improvements constructed on the applicant’s property, or the improvements constructed on the property abutting the applicant’s property necessary for the ingress or egress to the applicant’s property, and required to be constructed by the applicant pursuant to any Municipal Ordinance, including, but not limited to, the Municipal Building Code, Subdivision and Land Development Ordinance, PRD Regulations and Zoning Ordinance.

OWNER – 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 owner, or other persons having proprietary interest in the land, shall be deemed to be an owner for the purpose of this Ordinance.

PERFORMANCE GUARANTEE – any security which may be in lieu of a requirement that certain improvements be made before the Township Supervisors approves a final subdivision or land development plan, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

PERSON – an individual, partnership, public or private association or corporation, firm, trust, estate, Municipality, government unit, public utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

PLAN, FINAL – a complete and exact subdivision plan or land development plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY – a tentative subdivision plan or land development plan, in lesser detail than a final plan, showing approximate proposed streets and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN, SKETCH – an informal plan, subdivision or land development plan, not necessarily to scale, indicating salient existing features or a tract and its surroundings and the general layout of the proposed subdivision.

PLAN, SOIL EROSION & SEDIMENTATION CONTROL – a plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization.

PLANNING COMMISSION – the Planning Commission of Franklin Township, Greene County, Pennsylvania.

PLAT – a map or plan of a subdivision or land development whether sketch, preliminary or final.

PRIVATE IMPROVEMENTS – all roads, streets, walkways, gutters, storm water management facilities, curbs, sewers and other facilities to be owned, maintained or operated by a private entity such as an individual, corporation or Homeowner’s Association and constructed in accordance with the Construction Standards of the Municipality and this Ordinance and any other applicable municipal or private authority.

PUBLIC GROUNDS – includes:

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; and Publicly owned or operated scenic and historic sites.

PUBLIC HEARING – a formal meeting held pursuant to public notice by the Board of Supervisors or Franklin Township Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

PUBLIC IMPROVEMENTS – all roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers and other facilities to be dedicated to or maintained by the Municipality for which plans and specifications shall comply with the Construction Standards of the Municipality in which the improvements are located.

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”, 53 P.S. 271 et seq.

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

REGULATORY FLOOD ELEVATION – the 100 year flood elevation plus a freeboard safety factor of one and one half (1 ½) feet.

RESERVE STRIP – a narrow parcel of ground having inadequate area for building purposes separating a street or a proposed street from other adjacent properties.

RESIDENT PROPERTY OWNER – any individual maintaining a voting address in the Municipality, within one thousand (1,000’) feet of the proposed subdivision, owning real estate in his own or joint names.

RE-SUBDIVISION – any subdivision or transfer of land, laid out on a plan which has been approved by the Board of Supervisors which changes or proposes to change property lines and/or public right-of-way not in strict accordance with the approved plan.

RIGHT-OF-WAY – a corridor of land set aside for use, in whole or in part, by a street.

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; that part of precipitation which flows over the land.

SEDIMENT – solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

SEDIMENTATION – the process by which mineral or organic matter is accumulated or deposited by the movement of wind and water, or by gravity. Once this matter is deposited, or remains suspended in water, it is usually referred to as “sediment”.

SEPTIC TANK – a watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.

SETBACK (BUILDING SETBACK LINE) – the minimum distance that a building must be held back from an adjacent lot line, depending on the zoning district in which the lot is located.

SEWER, COMMUNITY – a system, whether publicly or privately owned, for the collection of sewage or industrial waste of a liquid nature from two or more lots, and for the treatment or disposal of the sewage or industrial waste on one (1) or more of the lots at any other site.

SEWER, INDIVIDUAL – a system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into waters of the Commonwealth or by means of conveyance to another site for final disposal.

SHOULDER – the portion of a roadway (cart way) between the curb or gutter and the travel way intended for emergency and parking use.

SIGHT DISTANCE – the unimpeded view a vehicle operator has along the street he is traveling or the street he is entering or crossing, such distance related to driver reaction time and posted speed limits and assuming the operator's eye level is between two feet, six inches (2'6") and eight feet (8') above the pavement.

SLOPE – the face of an embankment of cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

SOIL PERCOLATION TEST – a field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-site sewage disposal.

SPECIAL PERMIT – a special approval which is required for hospitals, nursing homes, jails, and new manufactured/mobile home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

STREET, ROAD OR HIGHWAY – includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private, which are identified on the legally adopted Township street or highway plan or the official map together with all necessary appurtenances, including bridges, right-of-way and traffic control improvements. The term shall not include the interstate highway system.

1. **LOCAL ACCESS STREET** – are those used primarily to provide access to abutting properties.
2. **COLLECTOR STREETS** – are streets which give minimal emphasis to travel mobility, which is characterized by low travel speeds, full land access, neighborhood penetration, and which serves minor traffic generators such as local elementary schools, small individual industrial plants, offices, commercial facilities and warehouses not served by principle or minor arterials.
3. **ARTERIAL STREETS** – are those serving large volumes of comparatively high-speed and long-distance traffic, and include facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.
4. **MARGINAL ACCESS STREETS** – are minor streets, parallel and adjacent to arterial streets, providing access to abutting properties and control of intersections with the arterial street.
5. **HALF OR PARTIAL STREETS** – is a street generally parallel and adjacent to a property line having a lesser right-of-way width than normally required for satisfactory improvements and use of the street.
6. **CUL-DE-SAC** – is a minor street intersecting another street at one end and terminated at the other by a vehicular turnaround.

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

SUBDIVISION – the division or re-division of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by 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 (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBSTANTIAL IMPROVEMENT – any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either, (a) before the improvement or the repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred.

SUBSTANTIALLY COMPLETED – where in the judgment of the Municipal Engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Ordinance) 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.

SURVEYOR – a licensed surveyor registered by the Commonwealth of Pennsylvania.

SWALE – a low-lying stretch of land characterized as a depression used to carry surface water run-off.

TOPSOIL – surface soils and subsurface soils which normally are fertile soils and soil material, ordinarily rich in organic matter or human debris. Topsoil is usually found in the uppermost soil layer called the “A” Horizon.

UNDEVELOPED LAND – any lot, tract or parcel of land which has not been graded or in any other manner improved.

UNIT – a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way, or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

WATER FACILITY – any water works, water supply works, water distribution system or part thereof, designed intended or constructed to provide or distribute potable water.

WATER SURVEY – an inventory of the source, quantity, yield and use of groundwater and surface resources within the Municipality.

WATERCOURSE – a stream of water, river, brook, creek; a channel or ditch for water, whether natural or man-made.

WETLANDS – those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and a wetland area designated by a River Basin Commission.

PART 3

PROCEDURES

SECTION 301 GENERAL PROCEDURES

- A. 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 authorized 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.
- B. Pre-Application Consultation. Prior to filing an application for approval of a subdivision or land development within the Municipality, the owner or his authorized agent shall meet with the Township Zoning/Codes Enforcement Officer for an official classification of his proposed subdivision or land development. The Township Zoning/Codes Enforcement Officer shall determine whether the proposal shall be classified as a lot split, a subdivision of land, located on an existing improved public street and not involving the

dedication or construction of any new public street(s) or private road(s) and not involving the extension or creation of any public improvements, or any other subdivision or land development. At this time, the Township Zoning/Codes Enforcement Officer shall advise the owner or his authorized agent as to which of the procedures contained herein must be followed.

- C. Pre-Application DEP Consultation. Prior to the preparation of any plans, it is suggested that prospective developers consult with the Pennsylvania Department of Environmental Protection concerning soil suitability when on-site sewage disposal facilities are proposed.
- D. Pre-Application Conservation District Consultation. Prospective developers should consult with the Greene County Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development.
- E. Pre-Application Research. Prospective developers should check the provisions contained in Franklin Township Zoning Ordinance and Building Code.
- F. Greene County Planning Commission Review. All plans shall be submitted to and reviewed by the Greene County Planning Commission in accordance with its then prevailing rules and regulations. The Municipality shall forward to the sub divider a copy of any report of the Greene County Planning Commission.

SECTION 302 FEE SCHEDULE

- A. All filing, inspection and engineering fees shall be submitted to the Municipality.
- B. Plan Filing Fee.
 - 1. A filing fee shall accompany the application and plan. No application shall be accepted or acted upon unless payment is made to the Municipality.
 - 2. The Board of Supervisors shall create by resolution a schedule of fees to be paid by the sub divider or land developer to defray the cost of administering and processing plans. The schedule of fees may be changed from time to time by resolution of the Board of Supervisors.
- C. Review Fees.
 - 1. Review fees shall include the reasonable and necessary charges by the Municipality's professional consultants or engineer for review and report to the Municipality and shall be set by resolution. Such review fees shall be reasonable and in accordance with the Ordinance with the ordinary and customary charges by the Municipal Engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Municipal Engineer or consultant to the Municipality when fees are not reimbursed or otherwise imposed on applicants.

2. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Municipality that such fees are disputed, in which case the Municipality shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.
3. In the event that the Municipality and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and re-certified 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 chosen, fees for the services of said engineer shall be paid equally by the Municipality and the applicant or developer.
4. An applicant shall, by filing a plan, be then obligated to pay the fees herein provided. The engineering fees required to be paid by this Section shall be promptly submitted to the Municipality by the applicant upon the submission of bills therefore to the applicant from time to time by the Board of Supervisors of Franklin Township.

SECTION 303 LOT SPLIT PROCEDURES

A. Applicability.

1. This Section shall apply only to the subdivision of one (1) lot or parcel into no more than two (2) lots or parcels where no new streets are proposed to be constructed and where both lots or parcels have frontage on an existing public street.

B. Application Submission.

1. The applicant shall file one (1) copy of an application for approval required by Section 303 to the Township Zoning/Codes Enforcement Officer at least thirty (30) working days prior to the regular meeting of the Municipality. If the thirtieth (30) day falls on a Saturday, Sunday or holiday, the application shall be filed by the close of business on the preceding working day immediately preceding.
2. The application shall not be considered to be complete and properly filed unless and until all items required by Section 303 of this Ordinance, including the filing fee, have been received.
3. Upon receipt, the application shall be stamped with the date of receipt by the Township Zoning/Codes Enforcement Officer.
4. In all cases, the official date of filing of the application shall be the date of the Municipality meeting at which the Municipality accepts the application as complete in content and properly filed, subject to the Municipality's review.

C. Application Content.

1. All submissions for Preliminary and Final Approval of a Lot Split, shall be submitted in accordance with Section 303 of this Ordinance, and shall include the following information:
 - A. One (1) copy of the completed application form supplied by the Municipality and the filing fee, as required by Section 302 of this Ordinance.
 - B. A plat on an 8 1/2" X 11" sheet prepared by a registered professional land surveyor showing a scale; tract boundary lines; right-of-way lines of streets, street names, easements and other right-of-way; land reserved or dedicated to public use; all lot lines and other boundary lines with accurate dimensions, bearing or deflection angles and radii, arcs and central angles of all curves; and the area of each lot.
 - C. A copy of the deed.
 - D. If a lot which is not build able, as defined by this Ordinance, is created, a restriction in the deed for the lot indicating that it cannot be conveyed separately for building purposes.
 - E. A location map showing:
 1. The location, existing streams and existing streets within two hundred (200) feet of the site, including the distance there from; title, scale and North point.
 2. Plan name; name and address of record owner; name and address of the applicant; name, address, license number and seal of the surveyor who prepared the plan, bar scale and North point.
 3. Minimum building setback lines on all lots or parcels.
 4. Location and description of all monuments, including any to be reset.
 5. Names of owners of adjoining unsplit land.
 - F. Letter from the Electric Company indicating that this utility is available or will be made available, if the lot is to be built upon.
 - G. Letters from Water and Sewer Authorities indicating that these utilities are available, if the lot is to be built upon. If public sewers are available, the appropriate DEP application must be submitted and approved.
 - H. If public water is not available, a statement by the seller indicating that public water is not available and that it will be the responsibility of the purchaser to provide a potable water supply.
 - I. If public sewers are not available, a completed Department of Environmental Protection application. (Form "B" or "C" for a non-building lot or Component #1 when an on-lot system is to be installed).

D. Criteria for Approval.

1. The following criteria shall be met by all applications for approval of a Lot Split.
 - A. In the event that the lot or parcel created from the original parcel is intended for building purposes, a minimum of sixty (60') feet of frontage on a public street shall be provided.
 - B. In the event that the lot or parcel created from the original parcel is proposed for conveyance only from one (1) landowner to a landowner adjoining the parcel to be conveyed and is not build able, frontage on a public street shall not be required.
 - C. In the event that the lot or parcel created from the original parcel is proposed for conveyance only from one (1) landowner to another and is not proposed for construction either now or in the future, a notation shall be placed on the plat and/or in the deed that the lot or parcel is not build able under the current requirements of this Ordinance and that the lot or parcel can be conveyed only with a statement in the deed that the lot or parcel can only be conveyed with an adjoining parcel which has frontage on a public street. The deed for the lot or parcel shall make reference to these restrictions on the use and conveyance of the lot or parcel.
 - D. In the event that a previous Lot Split from the original parcel has been approved by the Municipality, another Lot Split shall not be considered for approval unless and until the recorded deed and survey for the previously approved Lot Split or a certificate from the Recorder of Deeds Office are submitted with the application.
 - E. In reviewing an application for approval of a Lot Split, the Municipality shall consider whether the Lot Split proposed, when considered with any previous Lot Splits and the characteristics and development potential of surrounding properties will contribute to harmonious development of the area. If the Municipality determines that the proposed Lot Split will not contribute to harmonious development of the area, the application for approval will be denied.
- E. Approval of a Lot Split.
 1. Procedure for Review and Approval
 - A. Within ninety (90) days of the date of submission of a complete and properly filed application for approval of a Lot Split, the Board of Supervisors shall either approve or disapprove the application. Prior to a public meeting, the Board of Supervisors may approve or disapprove the application with reflection of said action being taken at the next public meeting.
 - B. Any Lot Split which requires a modification under Section 106 of this Ordinance shall be referred to the Board of Supervisors for final action on the application.
 - C. Any application for approval of a Lot Split which is presented to the Municipality for action shall be accompanied by written report from the Township Zoning/Codes Enforcement Officer containing his/her review comments and copies of comments received from other review agencies, if any.

- D. Upon approval by the Board of Supervisors, the application for Approval including the plat, shall be stamped “Approved by the Board of Supervisors of Franklin Township, Greene County” including the date of the approval.

F. Recording the Lot Split

1. Upon approval by the Board of Supervisors, the deed, with a copy of the approved survey attached, shall be recorded in the Office of the Greene County Recorder of Deeds. One (1) copy of the recorded documents shall be returned to the Municipality by the applicant or his representative.
2. In the event that the plan has not been recorded within ninety (90) days, the Township Zoning/Codes Enforcement Officer is authorized to reinstate the signatures of the proper officers of the Municipality indicating approval, provided there is no changes in the Lot Split previously granted approval and further, provided the plan is submitted for reinstatement of approval within one hundred eighty (180) days following the date of approval.

Any request for reinstatement of approval which is submitted after one hundred eighty (180) days from the date of the original granting of approval shall be required to submit an application for approval in conformance with the requirements of this Section.

SECTION 304 SUBDIVISION AND LAND DEVELOPMENT PROCEDURES

A. General Procedures

1. The official filing date shall be the date of the regular meeting of the Planning Commission next following the date the application and plans are received in the Municipal Building; provided that should said regular meeting occur more than thirty (30) days following the submission of the application, the official filing date shall be the thirtieth (30) day following the day the application has been submitted.
2. The application and plans shall not be considered to be complete and properly filed unless and until all items required including filing fees have been received.
3. Upon receipt of an application for subdivision or land development approval, the Township Zoning/Codes Enforcement Officer shall affix to the application both the date of submittal and the official filing date.

B. Subdivision of land located on an existing improved street and not involving the dedication or construction of any new public street or private road and not involving or creating any public improvements shall be initiated and submitted for review in the form of a final plan as specified in Section 403 and shall be otherwise reviewed in accordance with the procedures and standards of Section 304(C)(3).

C. Any subdivision other than a Lot Split and subdivision enumerated in Section 304(B) and land developments should be as follows:

1. Sketch Plan. Prospective sub dividers and developers are strongly urged to discuss possible development sites with the Township Zoning/Codes Enforcement Officer prior to submission of a Preliminary Plan. Submission of a sketch plan will not constitute a formal filing of a subdivision or land development plan with the

Municipality. Sketch plans should include those items listed in Part 4, Plan Requirements.

2. Preliminary Plan

A. Submission of Preliminary Plans

1. The Preliminary Plan and all information and procedures relating thereto shall in all respects be in compliance with the applicable provisions of this Ordinance. It is the responsibility of the subdivider or developer to coordinate his plans with the respective private and public service agencies.
2. The application form shall be accompanied by the requisite fee as set forth in Section 302 of this Ordinance and by not less than one (1) copy of all required material and not less than four (4) prints of the Preliminary Plan of the subdivision or development as required by Township resolution from time to time.
3. The Township Zoning/Codes Enforcement Officer shall forward one (1) copy of the required material to the Greene County Planning Commission Greene County Conservation District, Franklin Township Engineer, and such other agencies as he deems appropriate for review and comment.
4. The Township Zoning/Codes Enforcement Officer shall forward the remaining copies of the Preliminary Plan prints and required materials to the Planning Commission of Franklin Township. In addition, the Township Zoning/Codes Enforcement Officer shall notify landowners within 200 feet of the filing of the application along with a short summary of the proposed development.
5. When applicable, the application form shall be accompanied by a Planning Module for Land Development, as required by the Pennsylvania Department of Environmental Protection.

B. Review of Preliminary Plans.

1. In cases where the subdivision or land development adjoins an existing or proposed state highway or has proposed streets entering onto state highways, the developer shall submit the plans to the Pennsylvania Department of Transportation for review.
2. The Planning Commission will consider the plan to determine if it meets the standards set forth in this Ordinance and the Franklin Township Zoning Ordinance.
3. The Township shall act on the Preliminary Plan within sixty (60) days of the official filing date, but in any event shall act on the plan in time for the Board of Supervisors to render their decision within ninety (90) days from the official filing date. In the event that any modification from this Ordinance is requested by the applicant or is deemed necessary for approval, the modification and the reason for its necessity shall be entered into the record of the Board of Supervisors.

C. Planning Commission Recommendation.

1. The Planning Commission shall recommend whether the Preliminary Plan shall be approved, approved with modifications, or disapproved, and shall notify the Board of Supervisors in writing thereto, including, if disapproved, a statement of reasons for such action.
2. In making its recommendation, the Planning Commission shall consider the Recommendations of the Township Engineer, the Greene County Planning Commission, interested residents, and the recommendations of any agency or agencies from which a review was requested under this Ordinance.

D. Township Engineer Review. All plans shall be reviewed by the Township Engineer, which approval shall precede the transmission of such plans to the Board of Supervisors.

E. Resubmission of Preliminary Plans. A revised plan submitted after disapproval shall be considered, and processed as a new plan submission.

F. Approval of Preliminary Plans.

1. The Board of Supervisors shall act on the Preliminary Plans within ninety (90) days of the official filing date. Failure to do so shall be deemed an approval. Before acting on a Preliminary Plan, the Board of Supervisors may hold a hearing thereon after public notice.
2. The Board of Supervisors shall notify the applicant of its decision to approve, approve with conditions, or disapprove the Preliminary Plan in writing. Such notice shall be given to the applicant in person or mailed to him at his last known address not later than fifteen (15) days following the decision. If the plan is approved with conditions acceptable to the developer and accepted by him in writing or disapproved, the Board of Supervisors shall specify in their notice the conditions which must be met and/or the defects found in the plan, and the requirements which have not been met, including specific reference to provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. 10101, or any other statute or this Ordinance or any other Ordinance which have not been fulfilled.
3. Approval 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 dimensions of streets, lots, and other planned features. The approval binds the sub divider or developer to the general scheme of the subdivision shown, unless a revised Preliminary Plan is submitted, and permits the sub divider to proceed with final detailed design of improvements, to arrange for guarantee to cover installation of the improvements, and to prepare the final plan. Approval of the Preliminary Plan does not authorize the sale of lots nor the recording of the Preliminary Plan.

3. Final Plan.

A. Submission of Final Plans.

1. After the sub divider or developer has received official notification from the Board of Supervisors that the Preliminary Plan has been approved, he must submit a Final Plan in accordance with the provisions of Section 508 of the Municipalities Planning Code.
2. The Final Plan shall conform in all respects with the approved Preliminary Plan. If it does not, the plan submitted shall be considered as a revised Preliminary Plan and shall be forwarded by the Township Zoning/Codes Enforcement Officer to the Planning Commission for review and recommendation as a Preliminary Plan.
3. The sub divider or developer must submit with the Final Plan a guarantee for the installation of improvements which meets the requirements of Part 6.
4. The application form shall be accompanied by the requisite inspection and engineering fees as set forth in Section 302.
5. Documented approval of the Planning Module for Land Development by the Pennsylvania Department of Environmental Protection shall be a part of the requisite materials accompanying the Final Plan submission.
6. The sub divider or developer shall submit a reproducible original of the plans, four (4) prints of the Final Subdivision or Land Development Plans and at least one (1) copy of all other required information.
 - A. The Township Zoning/Codes Enforcement Officer shall forward one (1) copy of the plan and one (1) copy of all the other material to the Planning Commission for review and recommendation, one (1) copy of the plan and one (1) copy of all other materials to the Greene County Planning Commission; one (1) copy to such other agencies whose recommendations would be pertinent to the processing of the plan.

B. Review of Final Plans

1. The Planning Commission will review the plan and requisite materials for compliance with the approved Preliminary Plan and for conformance to the requirements of this Ordinance.
2. The Planning Commission shall act on the Final Plan within sixty (60) days of the official filing date.

C. Planning Commission Recommendation

1. The Planning Commission shall recommend whether the Final Plan shall be approved, approved with conditions, or disapproved, and shall notify the Board of Supervisors in writing thereof, including, if approved with conditions or disapproved, a statement of reasons for such action.
2. In making its recommendation, the Planning Commission shall consider the recommendations of the Township Engineer, the Greene

County Planning Commission, the Greene County Conservation District, Penn DOT, and the recommendations of any agency or agencies from which a review was requested under Subsection 304.

- D. Municipal Engineer Review. All plans shall be reviewed by the Municipal Engineer, which approval shall precede the transmission of such plans to the Board of Supervisors.
- E. Resubmission of Final Plans. A revised plan submitted after disapproval shall be considered and processed as a new plan submission.
- F. Approval of Final Plans. The Board of Supervisors shall act upon the application for approval of a Final Plan and render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next 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 thirtieth (30) day following the day the application has been filed.
1. The decision of the Board of Supervisors 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.
 2. 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 Pennsylvania Municipalities Planning Code or any other statute and the provisions of this Ordinance and any other Ordinance relied upon.
 3. Failure of the Board of Supervisors 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 manner of presentation of communication shall have like effect.
- G. Recording of Final Plans
1. Upon approval of the Final Plan, the sub divider or developer shall prepare three (3) prints/final plan which shall be submitted to the Municipality, not later than thirty (30) days after approval. These plans, upon satisfaction of all conditions attached to the approval, will be signed by the Board of Supervisors. A copy of the signed Final Plan shall be recorded in the office of the Greene County Recorder of Deeds within ninety (90) days after approval of the Final Plan or the approval of the Board of Supervisors shall be null and void. The Final Plan must be recorded before proceeding with the sale of lots.
 2. Recording the Final Plan shall be irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all park reservations and other public areas to public use unless reserved by

the sub divider as hereinafter provided. The approval of the Final Plan shall not impose any duty upon the Board of Supervisors of Franklin Township concerning maintenance of the improvements offered for dedication nor shall such approval be construed as an acceptance of such dedication.

3. The sub divider shall place a notation on the Final Plan if there is no offer of dedication to the public of streets and certain designated public areas, in which event the title to such areas shall remain with the owner, and the Municipality shall assume no responsibility for improvement or maintenance thereof; which fact shall not be noted on the Final Plan.

PART 4

PLAN REQUIREMENTS

SECTION 401 SKETCH PLAN

- A. A sketch plan may be submitted by the sub divider or developer as a basis for informal discussion with the Township Zoning/Codes Enforcement Officer which may comment upon such sketch plan, but no approval or disapproval shall be given.
- B. Data furnished in a sketch plan shall be at the discretion of the sub divider. For fullest usefulness, it is suggested that a sketch should include the following information.
 1. Tract boundaries.
 2. Location within the Municipality.
 3. North point.
 4. Streets on and adjacent to the tract.
 5. Significant topographical physical features including floodplains if any.
 6. Proposed general street layout.
 7. Proposed general lot layout, including location of proposed open space and other preservation areas.
- C. A subdivision sketch plan need not be to scale nor are precise dimensions required.

SECTION 402 PRELIMINARY PLAN

- A. The Preliminary Plan shall be at a scale of not more than one hundred (100) feet to the inch or two hundred (200) feet to the inch for farm subdivisions.
- B. The Preliminary Plan shall show or be accompanied by the following information:
1. Proposed subdivision or land development name or identifying title.
 2. Municipality name.
 3. North point, scale and date of preparation.
 4. Name(s) and addresses of the owner(s) of the property, including reference to deed book, volume and page of current legal owner.
 5. Name, address and phone number of the registered engineer or surveyor or other person responsible for the plan.
 6. Tract boundaries, with bearings and distances.
 7. Existing contours at vertical interval of five (5) feet or in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract.
 8. Datum to which contour elevations refer shall be U.S. Coast and Geodetic Survey datum. (Municipality will furnish elevations of nearest known bench marks.)
 9. All existing water courses, floodplains or tree masses and other significant natural features with a map showing the location of the proposed subdivision and/or land development with respect to any identified floodplain area or district, including information on the one hundred (100) year flood elevations. Where the subdivision and/or land development lies partially or completely within any identified floodplain area or district or where such activities border on any identified floodplain area or district, the preliminary plan map shall include the following information:
 - A. The location and elevation of proposed roads, utilities and building sites, flood or erosion protection facilities.
 - B. The one hundred (100) year flood elevations.
 - C. Areas subject to special deed restrictions.
 1. All such maps shall show contours at intervals of two (2) or five (5) feet depending upon the slope and identify accurately the boundaries of the identified floodplain areas or districts.
 10. All existing buildings, sewers, water mains, culverts, petroleum or petroleum products lines, fire hydrants and other significant man-made features.
 11. All existing streets on or adjacent to the tract, including name, right-of-way width and cart way width.
 12. All existing property lines, easements and right-of-way, and the purpose for which the easements or right-of-way have been established.
 13. Location and width of all proposed streets, alleys, right-of-way and easements; proposed lot lines with dimensions and areas of all lots; proposed minimum

setback line for each street; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use; proposed street names; proposed watercourses and detention ponds; proposed phasing of land development, typical section of all streets.

14. Total acreage, number of lots, average lot size, density, open space and existing zoning classification.
15. Names of owners of all adjoining properties within two hundred (200) feet and the names of all abutting subdivisions.
16. A location map, at a scale of six hundred sixty (660) feet to the inch, showing the proposed development and adjoining areas, will be required.
17. Where the Preliminary Plan covers only a part of the sub divider's entire holding; a sketch shall be submitted of the prospective street layout for the remainder.
18. Where applicable, a Plan Revision Module for land development shall be the responsibility of the applicant and shall be prepared in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection. The completed module shall accompany the Preliminary Plan submission.
19. All existing and proposed drainage structures, land disturbances and impervious surfaces; all temporary and permanent storm water management controls; all erosion and sedimentation controls; maintenance responsibilities of permanent storm water management control facilities; and all streams or other bodies of water, swales, and drainage ways.
20. When required by Section 511 of this Ordinance, a proposed Soil Erosion and Sedimentation Control Plan shall be submitted.
21. A map showing the exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed within any identified floodplain area or district. All such maps shall show contours at intervals of two (2) feet and identify accurately the boundaries of the floodplain areas. Submission of the final plan shall also be accompanied by all required Permits and related documentation from the Department of Environmental Protection and any other Commonwealth agency, or Local Municipality where any alteration or relocation of a stream or a watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent Municipalities have been notified of the proposed alteration or relocation. The Department of Community Affairs, the Federal Insurance Administration shall also be notified whenever any such activity is proposed.
22. Block for signatures of the reviewing agency membership and date of recommendation, as per example in Appendix A.
23. Block for signatures of the Board of Supervisors and date of approval, as per example in Appendix A.
24. Land Development Plans shall show building locations and parking areas in addition to the above information.
25. A letter from the sub divider specifically requesting any modifications from the regulations herein established and citing the reasons for same.
26. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or

development, applicants shall present evidence to the Board of Supervisors that the subdivision 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 of 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.

SECTION 403 FINAL PLAN

- A. Final Plans shall be on sheets 24 inches by 36 inches. Where necessary to avoid sheets larger than the size prescribed, Final Plans shall be drawn in two (2) or more sections. The plans shall be drawn and annotated in accordance with the "Subdivision Plan Form" shown as Appendix "A" hereto. The Final Plan shall be at a scale of not more than one hundred (100) feet to the inch or two hundred (200) feet to the inch for a farm subdivision.
- B. The Final Plan shall include or be accompanied by the following:
1. Subdivision name or identifying title.
 2. Municipality name.
 3. North point, scale, date of preparation, and date of Preliminary Plan Approval.
 4. Name and address of the record owner and sub divider or land developer, including reference to deed book, volume and page of current legal owner.
 5. Name and seal of the registered professional engineer or surveyor responsible for the plan.
 6. Tract boundaries with bearings and distances.
 7. All existing streets and driveways on or adjacent to the tract, including name, right-of-way width, cart way width, street lines, lot lines, right-of-way easements and areas dedicated or proposed to be dedicated to public.
 8. Sufficient data, including bearing and length, to locate every street, lot, easement, right-of-way and boundary line upon the ground.
 9. The length of all straight lines, radii, lengths of curves and tangent bearings for each street.
 10. All dimensions and angles or bearings of the lines of each lot and of each lot proposed to be dedicated to public use.
 11. The proposed building setback for each street and the proposed placement of each building, except placement for single-family dwellings.
 12. Location and width of all rights-of-way, easements, and the purpose for which the rights-of-way and easements were established.

13. Location of all sanitary and storm sewer easements, and location of all watercourses and detention ponds, whether public or private.
14. All dimensions shall be shown in feet and hundredths of a foot.
15. Lots within a subdivision shall be numbered and their area shown within the lot boundaries; house numbers, as assigned by the Post Office, shall also be shown therein.
16. Typical section for all proposed streets.
17. Permanent reference monuments shall be shown on the plan and designated existing or proposed.
18. Names of any adjoining subdivisions shall be shown.
19. Names of the owners of any adjoining un-plotted land shall be shown.
20. An approval block providing for the signatures of the reviewing agency and the Board of Supervisors and the date of approval, as per example in Appendix "A".
21. An appropriate statement signed by owner unequivocally indicating his intention either:
 - A. To dedicate for public use all streets, roads, easements and rights-of-way so intended and designated;
 - B. To reserve as private any streets, roads, easements or rights-of-way intended not to be dedicated for public use.
22. A statement of acknowledgement in legal form, executed by a Notary, stating that the sub divider is the owner or equitable owner of the land proposed for subdivision, and that the subdivision as shown on the Final Plan is the act and deed of the sub divider and that it is desired to record the same.
23. A copy of the sewage "Plan Revision Module for Land Development" or other equivalent documentation approval by the Department of Environmental Protection in compliance with the requirements of the Pennsylvania Sewage Facilities Act.
24. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors that the subdivision 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 of 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.
25. All existing and proposed drainage structures, land disturbances and impervious surfaces; all temporary and permanent storm water management controls; all erosion and sedimentation controls; maintenance responsibilities of permanent storm water management control facilities; and all streams or other bodies of water, swales, and drainage ways.
26. A map showing the exact location and elevation of all proposed buildings,

structures, roads, and public utilities to be constructed within any identified floodplain area or district. All such maps shall show contours at intervals of two (2) feet and identify accurately the boundaries of the floodplain areas. Submission of the Final Plan shall also be accompanied by all required permits and related documentation from the Department of Environmental Protection, and any other Commonwealth agency, or Local Municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent Municipalities have been notified of the proposed alteration or relocation. The Department of Community Affairs and Economic Development, and the Federal Insurance Administrator shall also be notified whenever any such activity is proposed.

C. Improvement and Construction Plan.

1. The Improvement Construction Plan(s) shall be at a scale set forth in Section 403(A).
2. It shall show the following:
 - A. Subdivision name or identifying title.
 - B. North point, scale and date.
 - C. Name of the owner of record, the sub divider, and telephone numbers.
 - D. Name and seal of the registered professional engineer or surveyor responsible for the plan.
 - E. Center line of streets with bearings, distances, curve data, sight distances and stations corresponding to the profile.
 - F. Right-of-way and curb lines of streets with radii at intersections.
 - G. Beginning and end of proposed construction of streets.
 - H. Tie-ins by courses and distances to intersections of all public roads with their names and widths.
 - I. Location of all monuments with reference to them.
 - J. Property lines and ownership of abutting properties.
 - K. Location and size of all drainage structures, public utilities, street name signs, and shade trees.
 - L. Location and size of storm and/or sanitary sewer lines with stations corresponding to the profile.
 - M. Location of storm and/or sanitary sewer manholes or inlets with grade between and elevation of flow line and top of each manhole or inlet.
 - N. Property lines and ownership, with details of easements where required.
 - O. Beginning and end of proposed construction of storm and/or sanitary sewer.
 - P. Location of storm and/or sanitary sewer laterals, y's, etc.

- Q. Location of all other drainage facilities and public utilities.
 - R. Profile of existing ground surface along center line of street.
 - S. Proposed center line grade of streets with percent of grade on tangents and elevations at fifty (50) feet intervals, including grades at intersections, control points, etc..
 - T. Vertical curve data of streets, including length and elevations and sight distance as required by the engineer.
 - U. Profile of existing ground surface with elevations at top of manholes or inlets.
 - V. Profile of storm drain or sewer, showing size of pipe, grade, cradle (if any), manhole or inlet locations, elevations at a flow line.
- D. Grading and Drainage Plan, prepared in accordance with Section 506 and 507 of this Ordinance.
 - E. Soil Erosion and Sedimentation Control Plan when required by Section 512 of this Ordinance.
 - F. Compliance with checklist from the Franklin Township Engineer for the Storm Water Management Plan.
 - G. A copy of final deed restrictions or protective covenants.
 - H. A copy of any and all proposed written easements or deeds to be granted, including but not limited to, storm drainage easements, recreation easements or dedication, or agreements to pay a fee in lieu thereof, and sanitary sewer easements.
 - I. Written agreement of land developer or sub divider in a form approved by the Board of Supervisors including an agreement to construct in form and substance agreeable to the Municipality, required improvements including but not limited to streets, curbs, sidewalks, and storm drainage facilities.
 - J. Written agreement of land developer or sub divider with proper parties as to the construction of other public improvements.
 - K. An approved Department of Environmental Protection Planning Module where on-lot sewage disposal systems or community treatment systems are proposed, or written proof of the Department of Environmental Protection approval for the extension of existing sanitary sewer service.
 - L. If required, a Highway Occupancy Permit or review and written approval by the Pennsylvania Department of Transportation.
 - M. Approval by the U.S. Postal Service of street names.
 - N. Plans of bridges and other improvements shall contain sufficient information to provide complete working plans for the proposed construction.
 - O. Typical cross-section of streets showing:

1. Right-of-way width and location and width of paving.
 2. Type, thickness and crown of paving.
 3. Type and size of curb.
 4. Grading of sidewalk area.
 5. Location, width, type, and thickness of sidewalks.
 6. Typical location of sewers and utilities with sizes.
- P. If Preliminary Approval is not required, the Township Zoning/Codes Enforcement Officer shall notify landowners within two hundred (200) feet of the filing of the application, along with a short summary of the proposed development.

SECTION 404 AS-BUILT PLANS

The sub divider or developer will furnish the Municipality with as-built plans for sanitary sewer and storm sewer systems within the subdivision or land development.

PART 5

GENERAL DESIGN STANDARDS

SECTION 501 APPLICATION

The following principles, standards and requirements will be applied by the Board of Supervisors and Franklin Township Planning Commission to evaluate plans for proposed subdivision or land developments. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare. Where literal compliance with the standards herein specified is clearly impractical, the Board of Supervisors may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of this Ordinance.

SECTION 502 LAND REQUIREMENTS

- A. Land shall be suited to the purposes for which it is to be subdivided or developed.
- B. Land which is unsuitable for development because of hazards to life, safety, health, or property, shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the Subdivision or Land Development Plan. Land included as having unsuitable characteristics would be the following:
 - 1. Land subject to flooding or which has a high ground water table.
 - A. Where not prohibited by this or any other laws or ordinances, land located in any identified floodplain area or district may be platted for development with the provisions that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and Ordinances regulating such development.
 - B. Building sites for residences for any other type of dwelling or accommodation shall not be permitted in any identified floodway area or district. Sites for these uses may be permitted outside the floodway if the sites or dwelling units are elevated up to the Regulatory Flood Elevation. If fill is used to raise the elevation of a site, the fill area shall extend out laterally for a distance of at least fifteen (15) feet beyond the limits of the proposed structures.
 - C. Building sites for structures or buildings other than for residential uses shall also not be permitted in any identified floodway area or district. Also, such sites for structures or buildings outside the floodway shall be protected as provided for in Subsection (B)(1)(B) above. However, the Board of Supervisors may allow the subdivision and/or development of areas or sites for commercial and industrial uses at an elevation below

the Regulatory Flood Elevation if the developer otherwise protects the area to that height or assures that the buildings or structures will be flood-proofed at least up to that height.

- D. If the Municipality determines that only a part of a proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with this determination.
 - E. When a developer does not intend to develop the plat himself and the Municipality determines that additional controls are required to insure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
2. Land which, if developed, will create or aggravate a flooding condition upon other land.
 3. Land subject to subsidence.
 4. Land subject to underground fires.
 5. Land containing significant area of slopes greater than 25%.
 6. Land which, because of topography or means of access, is considered hazardous by the Board of Supervisors.
 7. Land which is subject to ground pollution or contaminations.
- C. Proposed subdivisions or land developments shall be coordinated with existing nearby neighborhoods so that the community as a whole may develop harmoniously.
 - D. Proposed land uses shall conform to the Franklin Township Zoning Ordinance

SECTION 503 STREET SYSTEM

- A. Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the Municipality and shall be coordinated with existing or proposed streets in adjoining subdivisions or land developments.
- B. Proposed streets shall further conform to such County and State Road and Highway Plans as have been prepared, adopted or filed as prescribed by law.
- C. Streets shall be related to the topography so as to produce usable lots and acceptable grades.
- D. Access shall be given to all lots and portions of the tract in the subdivision or land development and to adjacent un-subdivided territory unless the topography clearly indicates that such connection is not feasible. Streets giving such access shall be improved to the limits of the subdivision or land development and shall be improved to Municipal specifications. Reserve strips and landlocked areas shall not be created.
- E. Streets shall be laid out to preserve the integrity of their design. Local access

streets shall be laid out to discourage their use by through traffic and, where possible, arterial streets shall be designed for use by through traffic.

- F. Where the proposed subdivision or land development contains or is adjacent to an existing or proposed arterial street or a highway designated as a Limited Access Highway by the appropriate Highway Authorities, provisions shall be made for marginal access streets at a distance acceptable for the appropriate use of the land between the arterial street or limited access highway and the marginal access streets. The Board of Supervisors may also require rear service area, double frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with primary streets, and separation of local and through traffic.
- G. Half or partial streets will not be permitted in new subdivisions or land developments except where essential to reasonable subdivision or development of a tract in conformance with the other requirements and standards of this Ordinance and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.
- H. Wherever a tract to be subdivided or developed borders an existing half or partial street, the entire street shall be shown on the plans.
- I. Dead-end streets shall be prohibited, except as stubs (with adequate turning capability) to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.
- J. New reserve strips, including those controlling access to streets, shall be forbidden.
- K. Where adjoining areas are not subdivided, the arrangement of streets in a proposed subdivision or land development shall be made to provide for the proper projection of streets into the un-subdivided land.
- L. Street names shall be coordinated with existing or platted street names, and if a new street is a continuation of or is aligned with an existing or platted street, it shall bear the same name as the existing or platted street.
- M. No street shall be laid out or opened which extends to or crosses any boundary between the Municipality and any other Municipality except with the specific approval of the Board of Supervisors and upon such conditions as the Board of Supervisors may impose. If the street is proposed to serve a commercial area, an industrial area or a residential area of fifty (50) dwelling units or more, located in another Municipality, the street shall not be approved unless the area is also served by a street in the other Municipality and unless the relevant traffic facilities of the Municipality are adequate to handle the anticipated volume.
- N. All Streets shall have a uniform width throughout their respective lengths except where otherwise required by the Board of Supervisors pursuant to Section 504.

SECTION 504 STREET DESIGN

A. Street Classification. Three (3) functional classifications are hereby established for the streets and roads in the Municipality:

1. Arterial. This classification includes highways which provide intra-county or intra-municipal traffic or substantial volumes where the average trip lengths are usually five miles or greater. Generally, these highways should accommodate operating speeds of 35 to 55 miles per hour.
2. Collector. This classification is intended to include those highways which connect local access highways to arterial highways. They may serve intra-county and intra-municipal traffic. They may serve as traffic corridors connecting residential areas with industrial, shopping and other services. They may penetrate residential areas. Generally, these highways will accommodate operating speeds of 35 miles per hour.
3. Local Access. This classification is intended to include streets and roads that provide direct access to abutting land and connections to higher classes of roadways. Traffic volumes will be low and travel distances generally short. These streets and roads should be designed for operating speeds of 25 miles per hour or under.

B. Right-of-Way Widths. Minimum widths for each type of public streets shall be as follows:

<u>Type of Street</u>	<u>Cart way Width</u>	<u>Right-of-Way Width</u>
Arterial	46'	80' to 120'
Collector	34'	60'
Local Access	24'	50'

1. Where a proposed subdivision abuts or contains an existing public street or road having a right-of-way width less than would be required if said street or road were created under this Ordinance, sufficient additional width for right-of-way shall be provided and dedicated to meet the foregoing standards.
2. Additional right-of-way and cart way widths may be required by the Board of Supervisors to promote public safety and convenience when special conditions require it and to provide parking spaces in areas of intensive use.

C. Cul-de-sac Streets

1. Cul-de-sac streets, whether permanent or temporary shall be provided at the closed end with a turnaround having 1) for local access streets a minimum diameter to the edge of the finished street or curb line of not less than one hundred (100) feet with paved portion being eighty (80) feet, 2) for collector, streets, a minimum diameter to the edge of the finished street or curb line of not less than one hundred twenty (120) feet with paved portion being one hundred (100) feet.

2. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract. At such time as such a street is extended, the overage created by the turnaround outside the boundaries of the extended street shall revert in ownership to the property owners fronting on the cul-de-sac turnaround.
3. Commercial and industrial cul-de-sacs shall be reviewed for adequacy by the Township Engineer. His recommendations will be given to the Board of Supervisors who shall have final authority in this matter.
4. Permanent cul-de-sac streets shall be kept to a minimum and shall not exceed six hundred (600) feet in length.

D. Street Alignment

1. Whenever street lines are deflected by more than five (5) degrees, connection shall be made by horizontal curves.
2. The minimum radius at center line for horizontal curves on collector and arterial streets shall be three hundred (300) feet, and for local streets the minimum radius shall be one hundred (100) feet.
3. On local access streets, the minimum tangent between reverse curves shall be at least one hundred (100) feet; on collector and arterial streets, the minimum tangent shall be at least two hundred fifty (250) feet.
4. Minimum vertical sight distance measures four (4) feet above grade shall be three hundred (300) feet for collector and arterial streets and one hundred (100) feet for local access streets.

E. Street Grades

1. The minimum grade on all streets shall be one-half (0.5%) percent.
2. The maximum grade on collector or arterial streets shall be seven (7%) percent and on local access streets fifteen (15%) percent.
3. Vertical curves shall be used in changes of grade exceeding one (1%) percent and shall provide proper sight distances as specified herein above.
4. The finished elevation of proposed streets shall not be more than one (1) foot below the Regulatory Flood Elevation. The Municipality may require profiles and elevations of streets to determine compliance with the requirements. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.

F. Street Intersections

1. Local streets shall not intersect with collector or arterial streets on the same side at intervals of less than eight hundred (800) feet as measured from centerline to centerline.
2. The distance between centerlines of streets opening onto the opposite side

of a proposed or existing street shall be not less than one hundred fifty (150) feet unless the streets are directly opposite each other.

3. Multiple intersections involving the junction of more than two (2) streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
4. All streets shall be laid out to intersect as nearly as possible at right angles. Local streets shall not intersect collector or arterial streets at an angle of less than seventy-five (75) degrees. The intersection of two (2) local streets shall not be at an angle of less than sixty (60) degrees.
5. Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet; and minimum curve radius at an intersection of a local street and a collector or arterial street shall be at least twenty-five (25) feet.
6. There shall be provided and maintained at all intersections clear sight triangles of seventy-five (75) feet in all directions measured along the centerline from the point of intersection. Nothing which obstructs the vision of a motorist shall be permitted in this area.
7. Intersections shall be designed with a flat grade wherever practical. Where the grade of any street at the approach to an intersection exceeds seven (7%) percent, a leveling area shall be provided having a grade of not greater than four (4%) percent for a distance of twenty-five (25) feet measured from the nearest right-of-way line of the intersecting street.

G. Pavement Design

1. All components of the pavement structure shall be designed and constructed in accordance with Pennsylvania Department of Transportation Specifications, Form 408.
2. Minimum Requirements – The following shall be considered to be minimum standards for street construction in the Municipality:

ALTERNATES ACCESS
COLLECTOR/ARTERIAL

TYPE

LOCAL

STREETS – Flexible
Pavement Streets

Surface	ID-2	
1 1/2" Base	1 1/2"	
2 1/2" Sub-Base	Bituminous	
	6"	8"
#4 Aggregate or 10" #3 Aggregate If required	6" if required	
Surface	ID-2	
3"	3"	
Base	Crushed Aggregate	6"
10"		6"
Sub-Base If required	(regular or 9" if required dense grade)	
Surface	ID-2	
3"	3"	
Base	Modified Stone	8"
10"		
Sub-Base Required	Aggregate 9" if required	6" if
Rigid Pavement Plain Cement	6"	
6"	Concrete Sub-Base	

H. Alleys and Driveways

1. Alleys are prohibited in residential developments.
2. Driveways serving properties located adjacent to an intersection shall be offset from the intersection of the curb line a distance not less than the required setback dimension.

SECTION 505 CURBS AND SIDEWALKS

A. Curbs

1. Curbs shall be provided on all streets and parking compounds located within multi-family and apartment building developments. Curbs shall also be required on new streets in subdivisions or land developments in which the average lot width of interior lots at the required building setback line is eighty (80) feet or less. Curbs may also be required in and subdivision in which the lot areas or lot widths exceed the above minimum, when the centerline street grade of any street exceeds three (3%) percent. In such cases curbs or other drainage controls shall be installed to properly control surface drainage and protect the streets from erosion. The requirement of the curbs may be waived at the discretion of the Board of Supervisors.
2. All curbs shall be depressed at intersections to sufficient width to accommodate wheelchairs. Depression shall be in line with sidewalks where provided.
3. Curbs may be one of the following: 1) vertical type, 2) rolled curb and gutter type or wedge type. Rolled curb and gutter shall not be used on collector streets. The transition from one type of curb to another shall occur only at street intersections. Wedge curbs at minimum shall be provided on all streets.

4. All curbs constructed shall follow Penn D.O.T. standards where applicable.

B. Sidewalks

1. Sidewalks shall be provided on all streets and parking compounds located within multi-family and apartment building developments. Sidewalks shall also be required on a new street in subdivisions or land developments in which average lot width of interior lots at the required building setback line is eighty (80) feet or less. The requirement of sidewalk may be waived at the discretion of the Board of Supervisors.
2. Minimum widths for sidewalks along each type of public street shall be four (4') feet, and shall follow Penn D.O.T. specifications where applicable.

SECTION 506 STORMWATER MANAGEMENT

- A. The following requirements shall apply to all land developments which propose a total lot coverage by all impervious surface in excess of 7,500 square feet and to all subdivisions and manufactured/mobile home parks.
 1. The applicant shall prepare a Storm Water Management Plan in accordance with the standards of the publication "Urban Hydrology for Small Watersheds". Technical Release No. 55, U.S. Department of Agriculture, Soil Conservation Service, June 1986, and as amended or another equivalent engineering or technical design program.
 2. The developer shall consult with the Franklin Township Engineer before developing Storm Drainage Plans.
 3. The Storm Water Management Plan shall include:
 - A. Pre and post development run-off calculations using a twenty-five (25) year storm, twenty-four (24) hour duration storm event.
 - B. Drawings showing the layout of storm water retention and conveyance system.
 - C. Elevations of intake and outfall of pipes.
 - D. Details of retention system, including elevations, emergency spillway design, and stable storage requirements.
 - E. Any applicable permits that may be necessary for outfall structures into drainage ways.
 - F. A narrative with a construction sequence to ensure proper installation of the system.
 - G. A Maintenance Plan for the retention and conveyance system.
 4. The Storm Water Drainage Plan for a Subdivision, Land Development Plan or manufactured/mobile home park shall be designed to assure that post-development storm water does not leave the property at a greater velocity or volume per second than pre-development.
 5. During construction, the storm water management facilities shall be

subject to inspection by the Township Zoning/Codes Enforcement Officer, Township Engineer, or a consulting engineer retained by the Board of Supervisors.

SECTION 507 STORMWATER DRAINAGE

- A. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from structures. The Municipality may require a primarily underground system to accommodate frequent floods and a secondary system to accommodate larger, less frequent floods. Drainage Plans shall be consistent with Local and Regional Drainage Plans. The facilities shall be designed to prevent the excess runoff onto adjacent properties.
1. Lots shall be laid out and graded to provide positive drainage away from buildings. The Board of Supervisors may require a Grading and Drainage Plan for individual lots indicating a build able area within each lot, complying with the setback requirements, for which positive drainage is assured.
 2. 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 the Municipality or Department of Environmental Protection, whichever is applicable.
 3. Any construction within fifty (50') feet of any drainage way, stream or watercourse or any alteration of a drainage way, stream or watercourse shall be subject to approval of an encroachment permit by the Pennsylvania Department of Environmental Protection, unless the watershed above the affected area is less than one hundred (100) acres.
 4. A ditch or brook right-of-way shall be offered for dedication for drainage purposes. Such right-of-way shall be shown on the Drainage Plan and on the final plat and shall be of sufficient width to include a ten (10') foot access strip in addition to the width of the ditch or brook as measured from bank top to bank top.

Where a subdivision or land development is traversed by a watercourse or drainage way, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.
 5. The Municipality will assure that all permanent streams, not under the jurisdiction of other official agencies, are maintained open and free flowing.
 6. The storm water drainage system shall be planned and designed so that facilities shall be provided throughout the subdivision or land development to accommodate all storm water run-off of one (1) cubic foot per second and over and that in no case shall more than three hundred (300) lineal feet of street be without storm water sewer facilities. The minimum size storm sewer shall be fifteen (15") inches in diameter. All storm sewers within street areas shall be constructed with an American Society of Testing Materials (ASTM) approved pipe and joints.

7. The storm water drainage system shall be provided with inlets or catch basins constructed normally in pairs, one on each side of the street, not more than four hundred (400') feet apart. Inlets or catch basins shall be constructed of an approved size and material.
8. Storm sewers shall be provided with manholes, not more than four hundred (400') feet apart. Storm sewer manholes shall be constructed of ASTM approved pre-cast concrete or equivalent.
9. No storm water run-off or natural drainage water shall be diverted as to overload existing drainage system or create flooding or the need for additional drainage structures on other private properties or public lands without proper and approved provisions being made for taking care of these conditions.
10. All springs and sump pump discharges shall be collected so as not to flow in the streets. Storm water roof drains (downspouts), footer drains, and floor drains shall not discharge water directly over a sidewalk or street. If possible these drains shall be incorporated into the storm water drainage system.

SECTION 508 LOTS AND PARCELS

- A. The length, width, shape, and design of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed to the Land Use and/or Zoning Requirements of the Municipality, the topography of the land being sub divided, and the requirements for safe and convenient vehicular and pedestrian circulation.
- B. Unless the topography of the land being sub divided or the existing pattern of development in the immediately adjacent area shall be otherwise than herein required, the following minimum standards for the design and size of blocks and lots shall prevail:
 1. The design and layout of the lots and parcels in a subdivision or land development should demonstrate flexibility, economy and ingenuity in accordance with modern and evolving principles of site planning and development.
 2. The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.
 3. Insofar as is practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
 4. Excessive depth and excessive irregularity in lots shall be avoided. Generally, the depth of residential lots shall be not less than one (1) or more than two and one-half (2 1/2) times their width.
 5. Depth and width of parcels intended for non-residential use shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping and any other requirements established by the Township Ordinance.
 6. In a subdivision there shall be no landlocked remnants of land or unbuildable parcels which are not incorporated in existing or proposed lots or legally dedicated to public use with an easement for access.
 7. All residential lots in subdivisions shall front on a public street. Flag lots

shall be permitted only in Lot Splits, provided the minimum frontage on the public street is fifty (50') feet.

8. In all residential and non-residential land developments which propose two (2) or more buildings, the minimum distance between buildings shall be thirty (30') feet.
9. Minimum lot size shall be in accordance with the Franklin Township Zoning Ordinance.

SECTION 509 DEVELOPMENT ON PRIVATE STREETS DISCOURAGED

- A. It is the policy of this Municipality that all subdivided lands shall have immediate access to a public street. Because of unique property configuration and location, this Municipality recognizes the need for limited exceptions to the foregoing general policy.
- B. No subdivision will be approved on a private street or road if more than two (2) lots already front on such street or road; or, if after subdivision, more than two (2) lots will front on such private street or road.

SECTION 510 OPEN SPACE, LOT SPLITTING, PLANTING AND BEAUTIFICATION FOR SUBDIVISION AND LAND DEVELOPMENT

- A. In order to promote the highest environmental quality possible, the degree to which the applicant of a Subdivision or Land Development Plan has preserved existing salient natural features and land forms intrinsic to the site, shall be assessed. Terms of approval of a plat may be subject to the manner in which the layout or design of the plan has preserved existing natural features, such as, but not limited to, trees, wooded area and water courses.
- B. Open Space --- Where the applicant is offering for dedication, or is required by Ordinance to establish a reservation of open space or preserve an area of scenic or historic importance, a "limit of work", which will confine excavation earth moving procedures and other charges to the landscape, may be required to ensure preservation and prevent despoliation of the character of the area in open space.
- C. Tree Preservation --- Whenever possible, trees shall not be removed unless they are located within the proposed street right-of-way, within the proposed building area, or within utility locations and equipment access areas. In areas where trees are retained, the original grade level shall be maintained, if possible, so as not to disturb the trees.
- D. Topsoil Preservation --- All of the topsoil from areas where cuts and fills have been made should be stockpiled and redistributed uniformly after grading. All areas of the site shall be stabilized by seeding or planting on slopes of less than ten (10%) percent and shall be stabilized by sodding on slopes ten (10%) percent or more and planting in ground cover on slopes twenty (20%) percent or greater.
- E. Landscaping --- For all multi-family, apartment, office, commercial, and industrial subdivisions or land developments, a landscaping plan shall be provided and shall include sufficient plantings for the required open space, planting strips, screening, formal gardens, shade trees and natural barriers.

- F. Buffer Planting Requirements --- Buffer yard requirements should be as specified in the Franklin Township Zoning Ordinance.
- G. Preserved Landscaping --- When there is a conscientious effort to preserve the existing natural integrity and character of a site and where such preservation retains areas of woodland and trees comparable to required planting improvements, i.e., landscaping and buffer screening, the plan may be received in lieu of additional landscaping requirements.
- H. Trees --- The planting of trees within the street right-of-way line shall not be permitted. The planting of any trees within the private property of each residential lot shall be at the discretion of the property owner or developer.
- I. Watercourse Protection --- 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. Such easement shall be in addition to the open space required in Section 510(B).

SECTION 511 EROSION AND SEDIMENTATION CONTROL

- A. Measures used to control erosion and sedimentation shall meet the following requirements:
 1. The applicant shall prepare an Erosion and Sedimentation Control Plan that meets the requirements of the Department of Environmental Protection (DEP, Chapter 102 Regulations).
 2. The applicant shall maintain a copy of the approved Erosion and Sedimentation Control Plan on site of the subdivision or land development during all earthmoving activities.
 3. For development sites involving more than five (5) acres of earthmoving, a copy of the NPDES permit shall be obtained from the Greene County Conservation District and evidence that an application for a permit has been filed shall be submitted with the application for final approval of a subdivision or land development. The applicant shall be responsible for all fees required for the review.
 4. For development sites involving less than five (5) acres of earthmoving, a copy of the review of the Erosion and Sedimentation Control Plan by the Greene County Conservation District shall be submitted with the application for final approval of a subdivision or land development. The applicant shall be responsible for all fees required for the review.
 5. Within thirty (30) days of submission, a Resource Review Report from the Greene County Conservation District shall be submitted to the Township Planning Commission, including comments on the applicant's Erosion and Sedimentation Control Plan, as well as comments on drainage, flood hazards, slide-prone soils and other environmental conditions that may be applicable to the property.
 6. Responsibility for monitoring compliance with the approved Erosion and Sedimentation Control Plan shall rest with the Greene County Conservation District and the Township Zoning/Codes Enforcement Officer.
 7. In addition to being a violation of DEP Chapter 102 regulations, any violation of the approved Erosion and Sedimentation Control Plan shall constitute a violation of this Ordinance and shall subject to the Enforcement and Penalty Provisions.

- B. Salient natural features shall be preserved, cut and fill operations shall be kept to a minimum, and conformity with topography shall be ensured so as to create the least erosion potential and adequately handle the volume and velocity of surface water run-off.

SECTION 512 EXCAVATION, GRADING AND FILLING

- A. No change will be made in the contour of the land; no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced unless approved by the Board of Supervisors in the preliminary and/or final plan. Such approval shall be based upon consideration for minimizing erosion and sedimentation. Such consideration shall include but not be limited to the following provisions:
1. Cut or fill slopes shall not be steeper than 2:1 (vertical rise one (1') foot for each two (2') feet of horizontal distance) unless stabilized by a retaining wall or cribbing as approved by an engineer when handled under special conditions;
- B. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and/or the sloping surfaces of fills;
- C. Proper compaction of fill slope areas in 6 to 12 inch vertical lifts shall be provided.

SECTION 513 SANITARY SEWER FACILITIES

- A. All sanitary sewer systems, whether public or private, shall be flood-proof up to the Regulatory Flood Elevation.
1. The Municipal installation of sewage disposal facilities requiring soil absorption systems shall be prohibited where such system will not function due to high ground water, flooding, or unsuitable soil characteristics or within designated floodplain areas or districts. The Municipality may require that the developer note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibited in any such area or district.
 2. The Municipality may prescribe adequate methods for waste disposal. If a sanitary sewer system is located on or near the proposed subdivision and/or land development, the Municipality shall require the developer to provide sewage facilities to connect to this system where practical, and shall prescribe the procedures to be following by the developer in connecting to the system.

SECTION 514 WATER FACILITIES

All water systems, whether public or private, shall be flood-proofed up to the Regulatory Flood Elevation. If there is an existing public water supply system on or near the subdivision, the Municipality shall require the developer to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

SECTION 515 OTHER UTILITIES AND FACILITIES

All other public and private utilities and facilities including gas and electric shall be elevated or flood-proofed up to the Regulatory Flood Elevation.

PART 6**ON-SITE IMPROVEMENTS****SECTION 601 GENERAL REQUIREMENTS**

- A. The following improvements shall be installed by the sub divider. The Final Plan shall not be approved until final detailed design of the improvements is approved and the improvements are installed or security to the Board of Supervisors is provided.

SECTION 602 STREETS

- A. Streets shall be brought to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the sub divider and approved by the Township Engineer. The sub divider must install the required utilities and provide, where necessary, adequate subsurface drainage for the streets. The streets shall be designed and constructed to the standards set forth in Section 503 and 504 of this Ordinance.

SECTION 603 CURBS AND SIDEWALKS

- A. Curbs and sidewalks shall be provided in accordance with the standards set forth in Section 505 of this Ordinance.

SECTION 604 SEWERS

- A. Public Sewer Systems – When the subdivision or land development is to be provided with a complete sanitary sewer system connected to a public sanitary sewer system, a statement of approval from the General Manager of Franklin Township Sewer Authority shall be submitted to the Board of Supervisors. Where required, a DEP Planning Module approval shall also be obtained for Final Plan Approval.
- B. Private Sewer Systems – When a complete private sanitary sewer system using a treatment plant is to be provided, a statement shall be submitted to the Board of Supervisors from the Pennsylvania Department of Environmental Protection certifying that a permit has been issued by the appropriate agency approving the proposed facilities. Adequate security for the maintenance of such plant shall be furnished to the Municipality.
- C. On-Lot Sewage Disposal – In subdivisions where public sewers are not available and a complete private sanitary sewer system is not required, on-lot sewage disposal system shall be provided.
- D. Capped Sewer System – Where the sanitary sewer system is not yet accessible, but is planned for extension to the subdivision or land development, the sub divider shall install sewer lines, including lateral connections, in order to provide service to each lot. The sewer mains shall be suitably capped at the limits of the subdivision and laterals shall be capped at the street right-of-way line when not extended to houses or other structures. When laterals are extended to houses or other structures, the internal plumbing systems shall be constructed to accommodate them.

SECTION 605 WATER

- A. Provision of System – The subdivision or land development shall be provided with a complete water main supply system which shall be connected to a Municipal water supply or with a community water supply approved by the engineer of the applicable water utility company and the Pennsylvania Department of Environmental Protection with satisfactory provisions for the maintenance thereof; except that, when such Municipal or community water supply system is not available, each lot in a subdivision shall be capable of being provided with an individual water supply system in accordance with minimum standards approved by the Pennsylvania Department of Environmental Protection.
- B. Plans – The plans for the installation of the mains of a water supply system shall be prepared for the subdivision or land development with the cooperation of the applicable water supply agency and approved by its engineer. A statement of approval from the engineer of the water supply agency to which the subdivision or land development will be connected, shall

be submitted to the Township Supervisors. Upon the completion of the water supply system, one (1) copy of each of the plans for such system shall be filed with the Municipality.

- C. **Fire Hydrants** – Fire hydrants shall be provided as an integral part of any public water supply system in accordance with appropriate rules and regulations.

SECTION 606 STORM DRAINAGE

- A. A storm drainage system shall be provided in accordance with the standards as set forth in Section 506 and 507 of this Ordinance.

SECTION 607 UTILITIES

- A. Easements for utilities shall have a minimum width of fifteen (15') feet.
- B. To the fullest extent possible, easements for public utilities shall be centered on or adjacent to the rear or side lot lines.
- C. Telephone, electric, T.V. cable and such other utilities shall be installed underground and shall be provided within the street right-of-way or easements to be dedicated for such utilities, and in accordance with plans approved by the Board of Township Supervisors and the applicable utility company. Underground installation of the utility distribution and service lines shall be completed prior to street paving and gutter, curbing, and sidewalk installation.

SECTION 608 MONUMENTS AND MARKERS

- A. Monuments shall be of concrete or stone or least six (6") inches by six (6") inches by thirty (30") inches and marked on top with a cooper or brass dowel. They shall be set at the intersection of lines forming angles in the boundaries of the subdivision and at the intersection of street lines. Markers shall be iron pipes or brass thirty (30") inches by three-fourths ($\frac{3}{4}$ ") inch diameter and set all points where lines or lines and curves intersect.
- B. Monument replacement. Any monuments or markers that are removed must be replaced by a registered land surveyor at the expense of the person responsible for the removal.

SECTION 609 OTHER IMPROVEMENTS

- A. Shade trees shall be provided as specified in Section 510(H) of this Ordinance.
- B. Street name signs conforming to Township specifications shall be provided and installed by the sub divider or developer at all street intersections.
- C. Open space shall be provided as specified in Section 510(B) of this Ordinance.
- D. Other improvements to promote public safety and health maybe required by the Township Supervisors as a conditional approval.

SECTION 610 TIME LIMITS

- A. All improvements shall be installed according to a time schedule which shall

be approved by the Board of Township Supervisors.

SECTION 611 INSPECTION

- A. At the time each improvement is to be installed and upon its completion, the sub divider shall notify the Board of Township Supervisors so that adequate inspections can be made. The inspections will be made by the Township Engineer and/or Township Zoning/Codes Enforcement Officer. All costs of undertaking the inspection will be borne by the sub divider.

SECTION 612 COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF PREREQUISITE TO FINAL PLAT APPROVAL

- A. 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 otherwise required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Ordinance have been installed. In lieu of the completion of any improvements required as a condition for the Final Approval of a plat, including improvements or fees otherwise required by Ordinance, the developer shall deposit with the Municipality 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/or retention basins and other related drainage facilities, open space improvements or buffer or screen plantings which may be required.
- B. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a Resolution indicating approval of the final plat contingent upon the developer obtaining 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 Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
- C. 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.
- D. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business with the Commonwealth.
- E. Such bond or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- F. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110%) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by developer. Annually, the Municipality may adjust the amount of the financial security by comparing the actual cost of the

- improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90) 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 ten (110%) percent. Any additional security shall be posted by the developer in accordance with this subsection.
- G. The amount of financial security required shall be based upon an estimated of the cost of completion of the required improvements, submitted by the 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 Township 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 re-certified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Municipality and the applicant or developer. If the estimate certified by the third (3rd) engineer is so chosen, fees for the services of said engineer shall be paid equally by the Municipality and the applicant or developer.
- H. If the party posting the financial security required more than one (1) 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 (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- I. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees as to improvement in future sections or stages of development as it finds essential for the protection of any finally approved section of development.
- J. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize the release, from time to time, of such portions 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 Board of Supervisors and the Board of Supervisors shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Board of Supervisors fails to act within said forty-five (45) day period, the Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

- K. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors shall 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 not exceed fifteen (15%) percent of the actual cost of installation of said improvements. Further the Board of Supervisors may require the posting of financial security in an amount to be determined by the Board guaranteeing the repair of any damages to said improvements by reason of the development of the lots therein or other public improvements.
- L. 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.
- M. 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, grading 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 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.

SECTION 613 RELEASE FROM IMPROVEMENT BOND

- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board of Supervisors shall within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report in writing with the Board of Supervisors and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- B. The Board of Supervisors 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 Board of Supervisors with relation thereto.

- C. If the Board of Supervisors or the Township 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, pursuant to its performance guarantee bond or other security agreement.

- D. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, 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 Board of Supervisors or the Township Engineer.

- F. Where herein reference is made to the Township Engineer, he shall be as a Consultant thereto.

- G. The applicant or developer shall reimburse the Municipality for the reasonable and necessary expense incurred for the inspection of improvements according to a schedule of fees adopted by Resolution of the Board of Supervisors and as from time to time amended. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township 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 or 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 applicant or any approval or permit related to development due to the applicant's request over disputed engineer expenses.
 - 2. If, within twenty (20) days from the date of billing, the Municipality and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and the 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 Greene County shall appoint such engineer, who, in that case,

shall not be the Township Engineer nor any professional engineer who has been retained by, or performed services for, either the Municipality or the applicant within the preceding five (5) years.

5. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant 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 one thousand (\$1,000.00) dollars or more, the Municipality shall pay the fee of the professional engineer, but otherwise the Municipality and the applicant shall each pay one-half ($\frac{1}{2}$) of the fee of the appointed professional engineer.

SECTION 614 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

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

PART 7

MANUFACTURED/MOBILE HOME DEVELOPMENT

SECTION 701 GENERAL

- A. Prior to final approval, the developer shall furnish to the Board of Supervisors proof that all necessary sewage tests have been completed and approval by the Department of Environmental Protection (DEP) and that a Storm Water Management Plan has been recommended by the Franklin Township Engineer and an Erosion and Sedimentation Control Plan has been approved by the Greene County Conservation District.
- B. The developer shall complete improvements required by this Ordinance before final plat approval, or shall post a bond with the Board of Supervisors to insure the construction of the required improvements.
- C. The Zoning/Codes Enforcement Officer may inspect any Manufactured/Mobile Park at reasonable intervals, and at reasonable times, to determine compliance with the terms of this Ordinance.
- D. The fullest extent possible, underground utility lines located in street right-of-way shall not be installed beneath existing or proposed paved areas. In any

event, before placing the street surface, adequate sub-surface drainage for the street and all sub-surface utilities as acceptable to the Board of Supervisors and required by the Commonwealth of Pennsylvania shall be provided and/or installed by the developer.

- E. In all respect in which standards are not set forth herein, the applicable standard requirements of the Commonwealth of Pennsylvania or Federal guidelines, whichever are more severe, shall govern. For all Manufactured/Mobile Home Parks which contain fifteen (15) or more manufactured/mobile homes, contact shall be made with the Pennsylvania Department of Environmental Protection (DEP).
- F. Upon completion of any improvements, plan, and profiles of the Improvements, as constructed, shall be filed with the Municipality.
- G. The Board of Supervisors may authorize or approve departures from any of the provisions set forth in this Part when, in the opinion of the Board of Supervisors, such departures are desirable or expedient subject to the requirements of Part 5 and 6 of this Ordinance.
- H. The standards and procedures prescribed herein shall be applicable only to those Manufactured/Mobile Home Parks which are constructed, remodeled, altered or expanded after the effective date of the Ordinance. Existing Manufactured/Mobile Home Parks shall be required only to meet the applicable Federal and State requirements.
- I. Applications for a Manufactured/Mobile Home Parks shall be forwarded upon receipt by the Municipality, to the Greene County Planning Commission for review and comment. Municipalities shall not approve such applications until the Greene County Planning Commission report is received or until the expiration of thirty (30) days from the date the application was forwarded to the Greene County Planning Commission.

SECTION 702 SUBMISSION OF PLANS

- A. Before work has begun on construction, remodeling or alteration of a Manufactured/Mobile Park, or in conversion of an existing establishment or facility to a Manufactured/Mobile Home Park, plans and specifications shall be submitted to the Board of Supervisors in accordance with the regulations set forth in this Ordinance if lots are to be sold in fee simple, or shall be submitted for approval of a land development, if lots are to be leased.

SECTION 703 DESIGN REQUIREMENTS

- A. The street and utilities within the Manufactured/Mobile Home Park shall remain in the ownership of the owner and shall not be dedicated to the Municipality unless the lots are to be sold as individual parcels. All plans for streets and utilities, whether dedicated to the public or owned and maintained by the park owner, shall be prepared in accordance with the design requirements set forth in this Ordinance unless specifically referenced in this Part as otherwise.

SECTION 704 PARK CONSTRUCTION REQUIREMENTS

- A. Land Constraints
 - 1. Land subject to flooding, slips and slides, subsidence, poor drainage, slopes in excess of twenty-five (25) percent, excessive noise, vibrations, smoke,

toxic matter or radiation shall not be developed for residential occupancy or for any use which may involve danger to health, safety and the general welfare of the community.

2. Any land which has been stripped mined and on which the Department of Environmental Protection (DEP) currently holds a permit or bond, shall be subject to review and comment by the Pennsylvania Department of Environmental Protection. The Department of Environmental Protection shall have forty-five (45) days to respond and failure to do so shall in no way effect the Board of Supervisors approval or disapproval of the subdivision in question.

B. Excavation, Grading and Filling

1. All earthmoving activities shall comply with Section 512 of this Ordinance.

C. Resource Review – Erosion and Sediment Control Plan

1. Measures used to control erosion and sedimentation shall meet the requirements as set forth in Section 511 of this Ordinance.

D. Site Drainage Requirements

1. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner.
2. A storm water drainage system may be required by the Planning Commission in compliance with Section 506 of this Ordinance if the topography and/or adjacent land so warrant.

E. Public Use and Service Areas

1. No part of any Manufactured/Mobile Home Park shall be used for non-residential purposes, except when so designated on the plan as uses required for the direct servicing and well-being of the park residents or for the management and maintenance of the park.
2. Nothing in this Section shall be deemed as prohibiting the sale of a manufactured/mobile home located on a manufactured/mobile home lot and connected to utilities.

F. Required Buffer Strip, Setbacks and Screening

1. All Manufactured/Mobile Home Park developments shall be surrounded by a buffer by a buffer area at least thirty-five (35') feet wide along the inside of the external property lines. No permanent or temporary structure shall be permitted on any portion of the thirty-five (35') foot buffer, however the inside twenty (20') feet of the buffer area may be used to satisfy either setback or minimum yard requirements for the manufactured/mobile home lots adjoining the buffer strip.
2. There shall be a minimum distance of ten (10') feet between an individual manufactured/mobile home, including accessory structures attached to the manufactured/mobile home, and the adjoining right-of-way of a park street or common parking area or other common areas and structures.

3. All Manufactured/Mobile Home Parks located adjacent to industrial or commercial land uses may be required to provide screening such as fences or natural growth along the property boundary line separating the park and such adjacent non-residential use.

G. Park Street System

1. All streets shall be constructed in accordance with the specifications as set forth in Section 503 and 504 of this Ordinance.
2. The street cart way for minor streets shall be a minimum of twenty (20') feet except:
 - A. Where parking is permitted on both sides, a minimum width of thirty-six (36') feet shall be required, or,
 - B. Where parking is limited to one side, a minimum width of twenty-eight (28') feet shall be required.

H. Erection and Placement of Manufactured/Mobile Homes

1. Manufactured/mobile homes shall be placed on permanent footers (concrete runners) at a depth no less than eighteen (18") inches. These permanent footers (concrete runners) must be the same width as the manufactured/mobile home with a top surface of 16" to 24" wide.
2. Manufactured/mobile homes shall have double concrete block piers, 8" X 8" X 16" (block size) under the frame at a distance no less than eight (8') feet and no more than twelve (12') feet apart. The concrete block piers must coincide with the permanent footers (concrete runners) as listed above. These concrete block piers shall not be less than twelve (12") inches or more than forty-eight (48") inches in height.
3. Manufactured/mobile homes shall be secured to the permanent footer (concrete runner) with at least six (6) tie downs such as concrete "dead-men", screw augers, arrowhead anchors or other devices suitable to withstand a tension of at least 2,800 pounds to prevent rocking and wind overturning. Tie downs consist of galvanized or rust resistant steel strapping (1 ¼" wide X 0.035" thick) or cable (¼" thick), which anchors the frame to the ground.
4. Manufactured/mobile homes shall be skirted with skirting that has been approved by the Manufactured/Mobile Home Industry. This manufactured/mobile home skirting must be installed prior to occupancy.
5. Manufactured/mobile homes shall be separated from each other by at least thirty (30') feet. Manufactured/mobile homes shall be separated from all other buildings and structures by at least ten (10') feet.
6. Manufactured/mobile homes shall adhere to the requirements as outlined in Schedule II – Bulks and Coverage Controls of the Franklin Township Zoning Ordinance.
7. Two (2) off-street parking spaces shall be provided for each manufactured/mobile home. Each parking space shall be at least 10' X 20' or 200 square feet.

8. Manufactured/mobile homes may as an option be placed on a permanent foundation. When manufactured/mobile homes are placed on a permanent foundation, the tires, axils and tongue must be removed. This manufactured/mobile home will be considered a single-family dwelling.
9. The following inspection schedule shall be required foe all manufactured/mobile homes:
 - A. **INSPECTION #1** – Digging of the permanent footer (concrete runner) prior to pouring.
 - B. **INSPECTION #2** – Pouring of the concrete for the permanent footers (concrete runners), the tie downs should be anchored within the permanent footers (concrete runners).
 - ** INSPECTIONS #1 & 2 MUST BE COMPLETED PRIOR TO THE MANUFACTURED/MOBILE HOME BEING BROUGHT ONTO THE PROPERTY.**
 - C. **INSPECTION #3** – The placement of the concrete block piers along with The securing of the tie downs.
 - D. **INSPECTION #4** – The installation of the approved manufactured/mobile home skirting.
 - E. **INSPECTION #5** – When porches and decks are completed. These must meet the 2003 International Residential Building Codes/Uniform Construction Code (UCC) (current Code applies) or HUD Codes.
 - F. **INSPECTION #6** – The final electrical inspection by a Certified Electrician. Proof of this inspection must be given to the Township.
 - ** INSPECTION #1-5 SHALL BE CONDUCTED BY THE TOWNSHIP'S ZONING/CODES ENFORCEMENT OFFICER.**
10. All new manufactured/mobile homes shall be installed according to the Manufactured Installation Manual, which is provided by the Manufactured/Mobile Home Dealer.
11. A manufactured/mobile home can only be used as a dwelling unit and not as a storage building.
12. When obtaining a Building Permit, provide the year, make, model and proof that the manufactured/mobile home meets the Federal & National Manufactured Home Construction and Safety Standards (HUD). If HUD approval cannot be proven, the home may be inspected by the Township's Zoning/Codes Enforcement Officer and be required to meet the requirements of the current 2003 International Residential Building Code/Uniform Construction Code (UCC).
13. Trailer homes are no longer permitted to be established anywhere in Franklin Township.

I. Off-Street Parking

1. Off-street parking for at least two (2) motor vehicles shall be provided at each manufactured/mobile home lot for manufactured/mobile home lots which front on a park street which is only twenty (20') feet wide. A carport, concrete slab, etc., should serve as a primary parking space and the driveway may serve as the second. Such parking spaces need not be conferred or enclosed.

2. In Manufactured/Mobile Home Parks containing fifteen (15) or more manufactured/mobile homes, off-street parking areas for additional vehicles of park occupants and guests shall be provided at the rate of one-half (1/2) space per manufactured/mobile home lot and shall be so located that the distance between the parking area and the manufactured/mobile home lot serviced does not exceed two hundred (200') feet. The requirements may be declared null and void if conditions are such that off-street parking is the only means of provided the required parking.
3. The off-street parking areas for guests should be of similar or comparable design as in Franklin Township Zoning Ordinance.

J. Construction of Manufactured/Mobile Home Lots

1. Manufactured/mobile home lots within the park shall have a minimum area of four thousand (4,000) square feet and a minimum width of forty (40') feet except when a double manufactured/mobile home is located in the park, in which case a minimum area of seven thousand (7,000) square feet and a minimum width of sixty-four (64') feet will be required.
2. The total number of lots in a park shall not exceed an average density of seven (7) per acre.
3. Each manufactured/mobile home lot shall be improved to provide an adequate manufactured/mobile home stand or pad for the placement and tie-down of the manufactured/mobile home, and in such a position as to allow a minimum of ten (10') feet between the manufactured/mobile home and the right-of-way of the park street. Each manufactured/mobile home or stand shall be constructed such that it shall not heave, shift or settle unevenly under the weight of the manufactured/mobile home due to frost action, inadequate drainage, vibrations or other forces acting on the structure. Anchors or tie-downs, such as cast-in-place concrete "dead-men" (eyelets imbedded in concrete), screw augers or arrowhead anchors shall be placed at least at each corner and the middle of the manufactured/mobile home stand, and each devise shall be able to sustain a minimum-load of four thousand eight hundred (4,800) pounds.

K. Water Supply

1. General requirements
 - A. An adequate supply of water shall be provided for manufactured/mobile homes, service buildings and other accessory facilities as required by the Ordinance. Where a public water system of satisfactory quantity, quality and pressure is available, connection shall be made hereto and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water system shall be approved by the Department of Environmental Protection.
2. Source of Supply
 - A. The water supply shall be capable of supplying a minimum of one hundred fifty (150) gallons, per day, per manufactured/mobile home.
 - B. The well or auction line of the water supply system shall be located and

constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

- C. No well-casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level, nor in any room or space above ground which is walled in or otherwise enclosed unless such rooms whether above or below ground, have free drainage by gravity to the surface ground.
- D. Water supply treatment, if necessary, shall be in accordance with the requirements of the Department of Environmental Protection.

3. Water Storage Facilities

- A. All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated materials. Reservoir overflow pipes shall discharge through an acceptable air gap.

4. Water Distribution System

- A. All water piping fixtures and other equipment shall be constructed and maintained in accordance with State and/or Local Regulations.

L. Sewage Disposal

1. General Requirements

- A. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from manufactured/mobile homes, service buildings and other accessory facilities. Where a public sewerage system exists on lands adjacent to the Manufactured/Mobile Home Park, connection shall be made to such system if the Local Municipal Authority indicates there is sufficient plant and interceptor line capacity. All construction and materials shall comply with the local Municipal Authority's standards. If a public system is not available, sewage shall be disposed of by a method approved by the Sewage Enforcement Officer and the Department of Environmental Protection.

2. Individual Sewer Connection

- A. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.
- B. Sanitary sewers shall carry only sanitary sewage. Storm water run-off systems, including roof drains, shall not be connected to sanitary sewers.

3. Sewer Lines

- A. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of materials approved by the Department of Environmental Protection and shall have watertight joints.

M. Electrical Distribution System

1. Every park shall contain an electrical wiring system consisting of wiring fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company specifications, National Electrical Code, and Local and State Codes and Ordinances. Inspection by a qualified Electrical Inspection Agency shall be made of all private electrical systems.
2. Power lines shall be located underground in accordance with Pennsylvania Public Utility Commission. All direct burial conductors or cable shall be buried below the ground surface and shall be insulated and specifically designed for the purpose.
3. Each manufactured/mobile home lot shall be provided with an approved disconnect device and over current protective equipment.
4. All exposed non-current-carrying metal parts of manufactured/mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured/mobile homes or other equipment.

N. Solid Waste Disposal

1. The storage, collection and disposal of solid waste and refuse in Manufactured/Mobile Home Parks shall be so conducted as to create no health hazards, no rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with the DEP Regulations and Municipal Requirements.
2. All refuse containing garbage shall be collected at least once weekly. Where suitable collection service is not available from Municipal or private agencies, the management shall provide this service.

O. Fuel Supply and Storage

1. Natural Gas System
 - A. Natural gas piping systems when installed in Manufactured/Mobile Home Parks shall be maintained in conformity with accepted engineering practices and shall meet local gas company requirements.
 - B. Each manufactured/mobile home lot provided with piped gas shall have an approved shut-off valve installed up-stream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.
2. Liquefied Petroleum Gas System
 - A. Liquefied petroleum gas systems provided for manufactured/mobile homes, service building or other structures when installed, shall be maintained in conformity with the rules and regulations of the authority having jurisdiction.
3. All fuel oil supply systems provided for manufactured/mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having

jurisdiction when provided.

P. Fire Protection

1. In Manufactured/Mobile Home Parks containing fifteen (15) or more manufactured/mobile homes, if fire hydrants are not required, portable fire extinguishers, of a type approved by the local fire company or EMA, shall be kept in public service buildings under park control and a sufficient number shall be maintained throughout the park in readily accessible and well marked positions.
2. Manufactured/Mobile Home Park areas shall be kept free of litter, rubbish and other flammable materials.

Q. Shade Trees

1. Every effort shall be made by the developer to preserve existing shade trees in the area being developed.

SECTION 705 RESPONSIBILITIES OF THE PARK MANAGEMENT

- A. The person responsible for management of a Manufactured/Mobile Home Park shall maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- B. The park management shall supervise the placement of each manufactured/mobile home on its manufactured/mobile home lot, which includes securing its stability and installing all utility connections.
- C. The park management shall give the Land Development Officer, Fire Inspector, Building Inspector or any other person designated by the County of Greene or Franklin Township, free access to all manufactured/mobile home lots, service buildings and other community service facilities for the purpose of inspection.
- D. The management shall maintain a register containing the names of every park occupant. Such register shall be available to any authorized person inspecting the park, and to any official of the Municipality.

SECTION 706 VIOLATIONS

- A. Any violation of this Part shall be subject to Preventive Remedies specified in Section 107 and the Enforcement Remedies specified in Section 108 of this Ordinance.

APPENDIX "A"
FORMAT FOR "APPROVAL" SPACES

The following format shall be used in "Approval" spaces on Final Subdivision Plans/Land Development Plans.

Reviewed this _____ day of _____, _____, and found to meet the requirements for a Final Plan as stated in the Subdivision and Land Development Ordinance. Approved by the Franklin Township Board of Supervisors.

_____ Chairman

_____ Secretary

Recommended for Approval by the Franklin Township Planning Commission this _____ day of _____, _____.

_____ Chairman

_____ Secretary

OWNER'S STATEMENT

It is hereby certified that the undersigned has legal or equitable title to the land shown. All roads or streets shown hereon, if not previously dedicated, are hereby offered for public use.

RECORDED IN PLAN BOOK _____ **PAGE** _____

NOTE: Plan size for recording purposes shall not exceed 18" X 24"

Surveyor or Engineers Certification (Preparer of Plans)