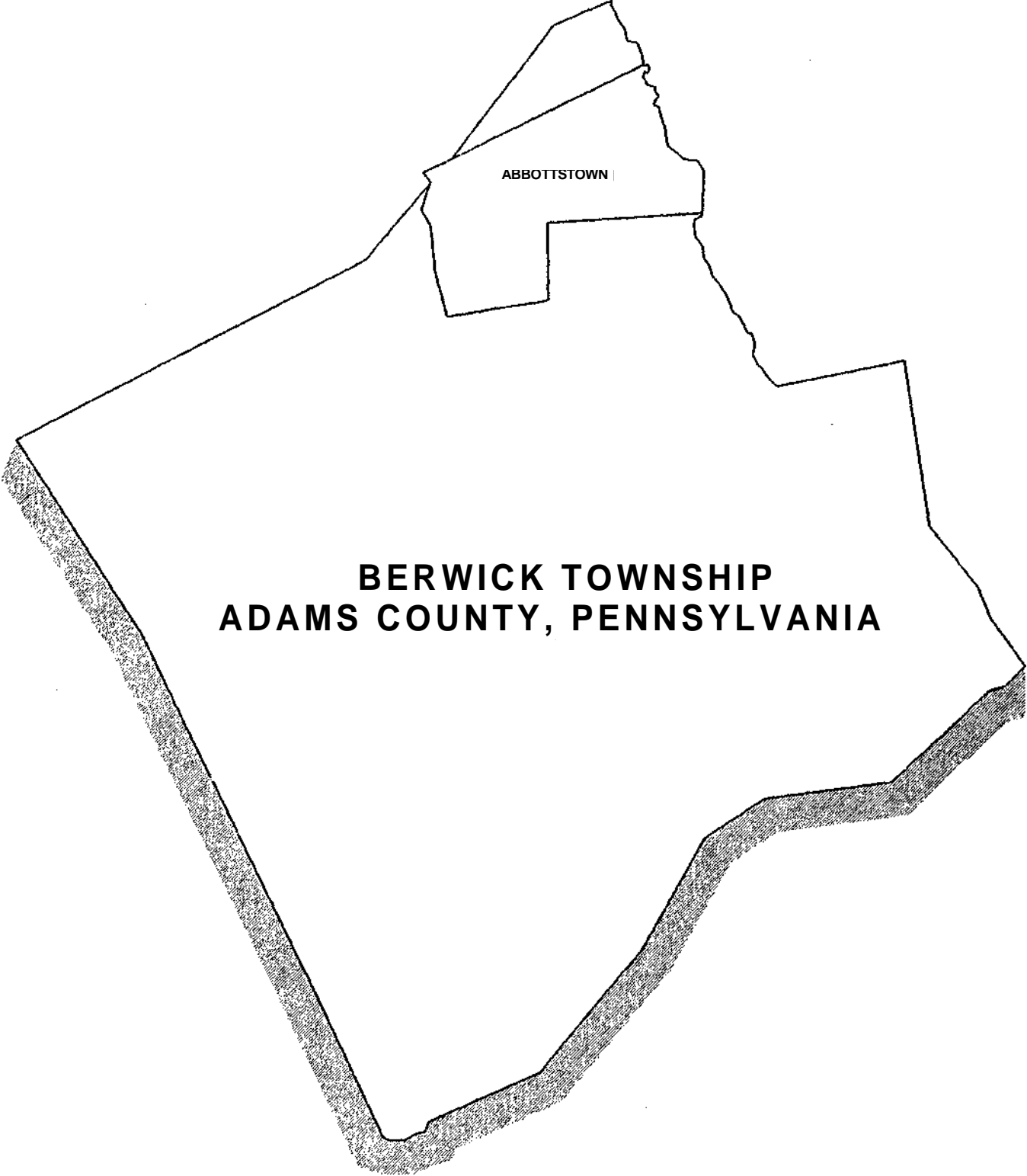


SUBDIVISION AND LAND DEVELOPMENT ORDINANCE



BERWICK TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA

BOARD OF SUPERVISORS

Alan S. Carey	Chairman
Robert L. Coleman	Vice Chairman
Thomas M. Danner	
Robert L. Myers	
Stephen J. Price	
Robert L. Coleman	Secretary-Treasurer

PLANNING COMMISSION

Alan S. Carey	Chairman
Robert L. Myers	Secretary
William J. Brown	
Dr. Marcos Ugarte	
Patrick J. Sheaffer	
Donald J. Vallotton	Past member during development of Ordinance

TOWNSHIP SOLICITOR

Timothy J. Shultis, Esquire
Miller & Shultis, Attorneys
Hanover, PA 17331

TOWNSHIP ENGINEER & SEWAGE ENFORCEMENT OFFICER

Wm. F. Hill & Assoc., Inc.
Gettysburg, PA 17325

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING REGULATIONS AND STANDARDS FOR THE SUBDIVISION AND DEVELOPMENT OF LAND WITHIN THE TOWNSHIP OF BERWICK, COUNTY OF ADAMS; ESTABLISHING PROCEDURES FOR APPLICATION AND ADMINISTRATION OF THESE REGULATIONS AND STANDARDS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE REPEALS ALL OTHER SUBDIVISION ORDINANCES PREVIOUSLY ADOPTED.

BE IT ORDAINED by the Supervisors of the Township of Berwick, Adams county, Pennsylvania as follows:

**BERWICK TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

TABLE OF CONTENTS

ARTICLE I - SHORT TITLE, PURPOSE, AND JURISDICTION

101 - Short Title	I - 1
102 - Purpose	I - 1
103 - Authority and Jurisdiction	I - 1
104 - Interpretation	I - 2
105 - County Review	I - 2
106 - Municipal Liability	I - 2

ARTICLE II - DEFINITIONS

**ARTICLE III - APPLICATION PROCEDURES AND PLAT
REQUIREMENTS**

301 - Pre-Application Procedures	III - 1
302 - Sketch Plan	III - 1
303 - Preliminary Plan Procedures	III - 2
304 - Preliminary Plan Requirements	III - 6
305 - Final Plan Procedures	III - 13
306 - Final Plan Requirements	III - 16
307 - Resubdivision Procedure	III - 21
308 - Additions to Existing Lots	III - 21
309 - Commencement and Completion of Construction and Improvements	III - 22
310 - As Built Plan	III - 22

ARTICLE IV - DESIGN STANDARDS

401 - Application of Standards	IV - 1
402 - General Site Standards	IV - 1
403 - Street and Highway Standards	IV - 3
404 - Off Street Parking	IV - 12
405 - Access Drives	IV - 13
406 - Blocks	IV - 15
407 - Lots	IV - 17
408 - Easements	IV - 21
409 - Land Grading Requirements	IV - 22
410 - Sewage Disposal Systems	IV - 26
411 - Water Supply Systems	IV - 27
412 - Water Supply Facilities Feasibility Studies	IV - 29
413 - Traffic Impact Studies	IV - 29
414 - Storm Drainage and Stormwater Management	IV - 33
415 - Landscaping Requirements	IV - 33
416 - Recreation Areas	IV - 34

ARTICLE V - IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

501 - Monuments and Markers	V - 1
502 - Streets	V - 2
503 - Curbs and Gutters	V - 6
504 - Sidewalks	V - 9
505 - Sewage Disposal and Water Supply Systems	V - 12
506 - Fire Protection	V - 15
507 - Storm Drainage Systems and Stormwater Management	V - 16
508 - Erosion and Sedimentation Control	V - 16
509 - Floodplain	V - 16
510 - Underground Utility Lines	V - 18
511 - Petroleum Lines	V - 18
512 - Natural Gas Lines	V - 18
513 - Provision For Requirement of Lands For Recreation and Other Public Sites	V - 18
514 - Water Areas	V - 19
515 - Reservations	V - 19
516 - Completion of Improvements or Guarantee thereof; Prerequisite to Final Plan Approval	V - 20
517 - Inspection of Improvements	V - 28
518 - Remedies to Effect Completion of Improvements	V - 29
519 - Dedication and Acceptance of Improvements	V - 29

ARTICLE VI - FEES

601 - Preliminary Plan	VI - 1
602 - Final Plan	VI - 1
603 - Fees for Review and Implementation of Plan	VI - 1

ARTICLE VII - WAIVERS AND MODIFICATIONS

701 - Modifications	VII - 1
702 - Procedure	VII - 1

ARTICLE VIII - ADMINISTRATION, ENFORCEMENT, AND PENALTIES

801 - Administration	VIII - 1
802 - Enforcement and Penalties	VIII - 3
803 - Appeals	VIII - 4
804 - Repealer	VIII - 4
805 - Severability	VIII - 4

ARTICLE IX - MOBILE HOMES AND MOBILE HOME PARKS

901 - Definitions	IX - 1
902 - Permits for Mobile Home(s) and Mobile Home Park Construction, Alteration, or Extension	IX - 3
903 - Compliance of Existing Mobile Home Park	IX - 7
904 - Inspection of Mobile Home Parks	IX - 8
905 - Design and Improvement Standards	IX - 8
906 - Water Supply	IX - 14
907 - Sewage Disposal	IX - 16
908 - Electrical Distribution System	IX - 18
909 - Service Buildings and Other Community Facilities	IX - 18
910 - Refuse Handling	IX - 19
911 - Insect and Rodent Control	IX - 20
912 - Fuel Supply and Storage	IX - 20
913 - Fire Protection	IX - 21
914 - Single Mobile Homes	IX - 22
915 - Responsibilities of the Park Management	IX - 22
916 - Guidelines for Rules, Regulations and Agreements between Mobile Home Park Operators and Tenants	IX - 22
917 - Facilities	IX - 23
918 - Removal of Mobile Homes	IX - 23
919 - Notices and Revocation of License	IX - 24
920 - Enforcement and Penalties	IX - 24

Attachment IX - 1 - Application for Mobile Home Permit
Attachment IX - 2 - Application for mobile Home Park Licence

ARTICLE X - ENACTMENT

EXHIBITS

Exhibit 1 - Subdivision and Land Development Process Flow Chart	
Exhibit 2 - Subdivision and Land Development Application	
Exhibit 3 - Vertical Curb Detail	
Exhibit 4 - Depressed Curb Detail	
Exhibit 5 - Curb and Sidewalk Joint Detail	

ARTICLE I - SHORT TITLE, PURPOSE, AND JURISDICTION

101 - SHORT TITLE

This Ordinance shall be known and may be cited as "The Berwick Township Subdivision and Land Development Ordinance".

102 PURPOSE

It is the intent, purpose, and scope of this Ordinance:

- A. To protect and promote safety, health and morals;
- B. To accomplish coordinated development;
- C. To provide for the general welfare by guiding and protecting amenity, convenience, future governmental, economic, practical, and social and cultural facilities, development and growth, as well as the improvement of governmental processes and functions;
- D. To guide uses of land and structures, type and location of streets, public grounds and other facilities;
- E. To promote the conservation of energy through the use of planning practices and to promote the effective utilization of renewable energy sources; and
- F. To permit the Township to minimize such problems as may presently exist or which may be foreseen.

103 - AUTHORITY AND JURISDICTION

The authority of the Township Supervisors to adopt this Ordinance regulating subdivision and land development within Berwick Township is granted by Article V of the Pennsylvania Municipalities Planning code of July 31, 1968, Act No. 247 as amended by Act 170 of 1988,

No subdivision or land development of any lot, tract, or parcel of land shall be made, no streets, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

104 - INTERPRETATION

The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other ordinance, regulation, or requirement, the more restrictive provision shall apply.

105 - COUNTY REVIEW

All applications for subdivision and/or land development approval within Berwick Township shall be forwarded upon receipt to the Adams County Office of Planning and Development for review and report. Such action shall occur at the Preliminary and Final Plan stages, and the Township shall not take action on said plans until the county report is received or until the expiration of thirty (30) days from the date the plans were forwarded to the county.

106 - MUNICIPAL LIABILITY

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the liability upon the municipality, its officials, or employees.

ARTICLE II - DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have the meaning as given in the Article.

Words in the present tense include the future.

The singular includes the plural.

The word "shall" is mandatory, the word "may" is optional.

The word "person" means an individual, corporation, partnership, firm, association, company, or any other similar entity.

1. ACCESS DRIVE - Every entrance or exit used by vehicular traffic to or from properties abutting a public road. The term includes proposed streets, lanes, alleys, courts, and ways.
2. AGRICULTURAL PURPOSE - The use of a tract of land for farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce and equipment and for housing and feeding livestock and for housing equipment. The use of land for a dwelling site is not an agricultural purpose.
3. ALLEY - A minor right-of-way privately or publicly owned, primarily for service access to the rear or side of properties.
4. APPLICANT - A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors, and assigns.
5. APPLICATION FOR DEVELOPMENT - Every application whether *preliminary, or final*, required to be filed and approved prior to start of construction or development, including but not limited to an application for building permit, for the approval of a subdivision plat or plan.
6. AUTHORITY - A body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No. 164). known as the "Municipality Authorities Act of 1945."
7. BLOCK - An area bounded by streets.

- B. BUILDING SETBACK LINES - A line within a property designating the minimum distance that must be provided between any building or structure and an adjacent right-of-way line, property line, or street line, whichever shall apply.
9. CARTWAY - The surface of a street or road available for vehicular traffic.
10. CLEAR SIGHT TRIANGLE - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.
11. COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off street parking areas, and areas set aside for public facilities.
12. COUNTY - The County of Adams, Commonwealth of Pennsylvania.
13. CROSSWALK - A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.
14. DEVELOPER - Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision or land or a land development.
15. DEVELOPMENT PLAN - The provisions for development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan "when used in this act shall mean the written and graphic materials referred to in this definition.

16. DWELLING - A building or a portion thereof designed for and used exclusively for residential occupancy.
- a. MULTIPLEX (garden apartments) - one or more two-story, multifamily structures not to exceed sixteen units. The dwelling units share a common lot area, which is the sum of the required lot areas of all dwelling units within the building.
 - b. SINGLE FAMILY ATTACHED (townhouses) - A single family attached dwelling unit in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common, fire resistant, walls. A row of attached townhouses shall not exceed eight (8) dwelling units.
 - c. SINGLE FAMILY DETACHED DWELLINGS - A building on one (1) lot containing one dwelling unit that is not attached to any other dwelling.
 - d. SINGLE FAMILY SEMI-DETACHED DWELLINGS (duplex) - A one-family dwelling attached to one other one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.
 - e. TWO FAMILY ATTACHED - A building on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both units.
 - f. CONDOMINIUM - An ownership arrangement and not a land use, therefore, it is allowed in any district and under the same restrictions of the residential land use that comprises it. A condominium is a dwelling unit, which has all of the following characteristics;
 - The unit (the interior and associated exterior areas designated for private use in the development plan) is owned by the occupant.
 - The unit may be any permitted dwelling type

-- All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Uniform Condominium Act of Pennsylvania regulations and in accordance with the provisions for open space, roads, or other development features in this Ordinance and the Berwick Township Zoning Ordinance.

g. RESIDENTIAL CONVERSIONS - An existing building converted into multiple dwelling units.

17. EASEMENT, UTILITY - A right-of-way granted for the limited use of land for public or quasi-public purposes.

18. ENGINEERING SPECIFICATIONS - The written specifications of the municipality as prepared by a registered professional engineer, regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

19. EROS ON - The removal of surface materials by the action of natural elements.

20. EXCAVATION - Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, carried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

21. FILL - (i) 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 therefrom; (ii) The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade; (iii) the material used to make fill.

22. FLOOD -

a. FLOODPLAIN - The lands adjoining a river or stream that have been or may be expected to be inundated by flood waters in a 100 - year frequency flood.

b. FLOOD PRONE AREA - A relatively flat or low land area adjoining a stream, river, or watercourse, which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

- c. FLOODWAY - The channel of the watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge the 100 - year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100 - year frequency floodway, it is assumed absent evidence to the contrary -- that the floodway extends from the stream to 50 feet from the top of the bank of the stream.
- d. ONE HUNDRED (100) YEAR FLOOD - The flood magnitude expected to be equaled or exceeded on the average of once in 100 years. It may also be expressed as the flood having a 1% chance of being equaled or exceeded in a given year.
- e. REGULATORY FLOOD ELEVATION - The one hundred (100) year flood elevation, plus a freeboard safety factor of one and one-half (1 1/2) feet.

23. GOVERNING BODY - The Board of Supervisors of Berwick Township, Adams County, Pennsylvania.

24. IMPROVEMENTS - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

25. LAND DEVELOPMENT - The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

(1)

- a. a group of two or more residential or non residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
- b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(2) a subdivision of land

26. LANDOWNER - The legal or beneficial owner or owners of land including the holder of an option or contract of purchase (whether or not such option or contract is subject to any condition) a lessee, if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.
27. 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.
28. LOT. THROUGH OR DOUBLE FRONTAGE - A lot with front and rear street frontage.
29. LOT AREA - The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street right-of-way, but including the area of any easement.
30. LOT, REVERSE FRONTAGE - A lot extending between and having frontage on, an arterial street and a minor street, and with vehicular access solely from the latter.
31. LOT WIDTH - To be measured along the front setback line.
32. MEDIATI N - A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.
33. MOBILE HOME - A transportable, single family dwelling intended for permanent occupancy, office or place of assemble contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.
34. MOBILE HOME LOT - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased to the occupants of the mobile home erected on the lot.

35. MOBILE HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots fo the placement thereon of mobile homes.
36. MUNICIPAL AUTHORITY - A body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No. 164), known as the "Municipal Authorities Act of 1945."
37. MUNICIPAL ENGINEER - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.
38. PANHANDLE LOT - A lot that is connected to a public street by a fifty (50) foot minimum wide strip of land that is part of the lot, but that is not used in determining *the* applicable minimum lot area *requirement*. *Panhandle* lots shall meet the applicable lot width requirements specified in the applicable Zoning Ordinance at the front yard building set back line. The front yard setback shall be measured from the point where the fifty (50) foot wide strip terminates.
39. PLAN. SKETCH - An informal plan, not necessarily to exact scale, indicating existing features of a tract, its surroundings, and the general layout of a proposed subdivision or land development.
40. PLAN, PRELIMINARY - A tentative subdivision of land development plan, in lesser detail than the final plan, indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan.
41. PLAN, FINAL - A complete and exact subdivision or land development plan prepared for official recording as required by statute.
42. PLAT - The map or plan of a subdivision or land development, whether preliminary or final.
43. PLANNING COMMISSION - The designated planning agency of the Township of Berwick, whose members are appointed by the Township Supervisors.

44. PUBLIC GROUND(S) - Parks, playgrounds, trails, paths and other recreational areas and other public areas and sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities; and publicly owned or operated scenic and historic sights.
45. PUBLIC HEARING - A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance and the Pennsylvania Municipalities Planning Code (PMPC) Act 247 as reenacted and amended.
46. 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."
47. PUBLIC NOTICE - Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second notice shall not be less than 7 days from the date of the hearing.
48. RE-SUBDIVISION - Any replatting or resubdivision of land limited to change in lot lines on an approved final plan or recorded plan.
49. RIGHT-OF-WAY. STREET - A public thoroughfare for vehicular traffic and/or pedestrian traffic whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land, alley, or however designated.
50. 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 of the surface of the land.
51. SEDIMENTATION - The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".
52. SIGHT DISTANCE - The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

53. SLOPE - The face of an embankment or 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 one hundred (100) feet of horizontal distance.
54. STREET - Any street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.
55. STREET CLASSIFICATION - The functional classification, as shown in the Berwick Township Comprehensive Plan, for existing streets and as determined by the Township Engineer for future streets.
56. STRUCTURE - Any man made object having an ascertainable stationary location on or in land or water, whether or not affixed to land.
57. SUBDIVISION - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, at least, partitioned by the court for distribution to heirs and 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.
58. SUBSTANTIALLY COMPLETED - Where in the judgement of the Supervisors, at least 90% (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.
59. SURFACE DRAINAGE AREA - A plan showing all present and proposed grades and facilities for storm water drainage.
60. TO SOIL - Surface soils and subsurface soils which presumably are fertile *soils* and soil material ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called *the "A" Horizon*.

61. TOWNSHIP AUTHORITY - An authority created by the Township Supervisors, responsible for, but not limited to the construction, operation, and/or maintenance of water storage, and distribution, and/or sewage collection and treatment facilities.
62. UNDEVELOPED LAND - Any lot, tract, or parcel of land which has not been graded or in any other manner improved or prepared for subdivision or land development or the construction of a building.
63. WATER SURVEY - An inventory of the source, quantity, yield and use of groundwater and surface-water resources within a municipality.
64. WATERCOURSE - A stream of water, river, brook, creek, or a channel of a perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.
65. WETLAND - Those areas that are inundated or saturated by surface or groundwater 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 any wetland area designated by a river basin commission.

ARTICLE III - APPLICATION PROCEDURES AND PLAT REQUIREMENTS

301 - PRE-APPLICATION PROCEDURES

1. Copies of this Ordinance shall be available for review at the Township Building or for purchase by any person seeking information concerning land development and/or subdivision standards and procedures in effect within the Township. Any prospective developer or subdivider may meet with the Township Planning Commission to discuss and review tentative plans and/or provisions of this Ordinance.
2. Prior to the Final Plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act as administered by the Pennsylvania Department of Environmental Protection.
3. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control, wetlands, and the effect of geologic conditions on the proposed development. At the same time a determination should be made as to whether or not any of the subdivision or development is located in an area subject to flooding. Land that is subject to flooding shall not be platted for residential occupancy or for any other use that may endanger health, life, or property. Such land within a subdivision shall be set aside for such uses as shall not be endangered by periodic or occasional flooding and shall not produce unsatisfactory living conditions.
4. The developer may request that a pre-application meeting be held to discuss specific proposal requirements. Such requests shall be made to the Board of Supervisors in writing.

302 - SKETCH PLAN

Prior to the submission of a Preliminary Plan, developers are encouraged to submit a sketch plan to the Township Planning Commission. This will enable the Planning Commission to review the proposal for the factors that may affect the development. Discussions on sketch plans are intended as purely advisory and shall not exempt the developer from any additional requirements of this or any other ordinances affecting the development. The Planning Commission may at it's discretion when requested by the applicant, submit the Sketch Plan to the Township Engineer or Solicitor for review and comment in order to provide the developer with more specific written directive.

If the Sketch Plan is reviewed by the Engineer or Solicitor, the applicant shall provide the Township with a deposit in accordance with the fee schedule to cover the cost of such review. A sketch plan should contain the following information at a minimum:

1. Location map.
2. General information concerning any community facilities and/or any other man-made or natural features that will affect the proposal.
3. Property boundary taken from deeds, tax maps, or other surveys.
4. A sketch of the proposed development drawn at a scale no smaller than 1" = 100' showing the proposed layout of streets and lots, and other features of the subdivision or development. The Sketch Plan may also indicate the tentative layout of any proposed utilities or drainage structures.
5. Contours from USGS Quadrangle map or other source.
6. Soil boundaries as taken from the Adams County soil survey manual.
7. Flood plain as taken from the flood insurance rate map for Berwick township.
8. A statement indicating the zoning district.

303 - PRELIMINARY PLAN PROCEDURES

In proposed residential developments involving no more than five (5) lots proposing exclusively single family detached dwellings that will abut an existing public right-of-way and will not require construction of public improvements the submission of a Preliminary Plan is waived. However, all other applicable requirements and specifications shall remain the same.

303 - A - SUBMISSION OF THE PRELIMINARY PLAN

In conjunction with submittal of the plan, the application must be completed. The application must be completed, signed, and submitted with the plans. This must include supplementary data, application fees and a deposit of required fees for engineering and legal review, as required by the ordinance. Preliminary Plans and all required accompanying documentation shall be submitted to the

Township a minimum of fifteen (15) business days in advance of the regularly scheduled planning commission meeting in which the applicant wishes to review the plan.

The submission will be considered incomplete until a complete application, fee, and supplementary information is submitted. In the event that the submission is incomplete, the Township will notify the applicant within ten (10) business days of the receipt of application. In general, the Township will follow the processing checklist as contained in this ordinance.

Approval of the Preliminary Plan constitutes approval of the proposed subdivision or land development with respect to the layout, general design, the approximate dimensions and other planned features. Preliminary approval binds the developer to the general scheme of the Plan as approved. Preliminary approval does not authorize the recording, sale or transfer of lots or the installation of improvements. Preliminary Plan approval also does not constitute final approval of the design of improvements as required by the Ordinance.

Submission of the Preliminary Plan shall consist of the following:

1. Three (3) completed copies of the appropriate application form available from the Township.
2. Ten (10) blue-line or black-line paper prints of the Preliminary Plan showing all the information required in Section 304 of this Ordinance.
3. Four (4) copies of all other required documentation.
4. A filing fee as established in ARTICLE VI of this Ordinance.

303 - B - ACTION ON PRELIMINARY PLAN BY THE PLANNING COMMISSION

The Township Planning Commission may perform the following:

1. Review all applicable reports from the County Planning Department, Township Engineer, Township Planning Consultant, appropriate Water and/or Sewer Authority, Pennsylvania Department of Transportation, Soil Conservation District, and other reviewing agencies;
2. Discuss the submission with the Applicant; and
3. Recommend revisions so that the plan will conform to Townships Ordinances;

The Township Planning Commission shall perform the following:

1. Determine whether the Preliminary Plan meets the requirements of this Ordinance, and other Ordinances of the Township; and
2. Recommend approval or disapproval of the Preliminary Plan to the Board of Supervisors. In the case of a recommended disapproval, the Planning Commission shall indicate the specific deficiencies and the Ordinance provisions which have not been met.

303 - C - ACTION ON PRELIMINARY PLAN BY THE BOARD OF SUPERVISORS

1. Following receipt of the written decision (meeting minutes) from the Township Planning Commission, the Board of Supervisors shall consider the Preliminary Plan at their next regularly scheduled or special meeting. If the plan is to be considered at a special meeting, the developer shall be so notified, and in addition, the Board of Supervisors may also schedule a public hearing, pursuant to public notice, before taking any action on the plan.
2. Action on a Preliminary Plan shall be taken by the Board of Supervisors not later than ninety (90) days (following the date of the regular meeting of the Township Planning Commission next following the date that a complete application is filed). Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) day period shall be measured from the thirtieth day following the day the application was filed. In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning commission and the various other individuals or agencies to whom the plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.
3. The decision of the Board of Supervisors concerning the plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made.

If a plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance.

4. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required in this Ordinance shall be deemed an approval of the application in terms as presented unless the developer has agreed, in writing, to an extension of time or change in a prescribed manner or 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.
5. Approval of the Preliminary Plan shall not constitute approval of the Final Plan for any purpose or reason, but shall constitute conditional approval of the proposed development as to its general character and layout. It shall not constitute final approval of design of required improvements or utilities.
6. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinances shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the plan for such approval was duly submitted to the Township.
7. In lieu of disapproving a plan the Board of Supervisors may approve the preliminary plan subject to conditions acceptable to the applicant. Where a plan is conditionally approved the written decision shall state the conditions of approval along with any applicable time limits for satisfaction of conditions. When a conditional approval is granted and a written decision is provided to the applicant, the applicant shall have seven (7) business days from the date of the decision to notify the Township that the conditions are not acceptable.

In the event that the applicant notifies the Township that the conditions are unacceptable, the approval of the plan will automatically be rescinded and the plan is considered to be disapproved.

8. When the applicant revises the plan to an extent which the Township determines to be a major revision (i.e. street layout, design or layout changes in utilities, lot changes, lot revisions, etc.), or if unauthorized revisions are made, the 90 day review period shall automatically be restarted and shall begin with the date of the Planning Commission meeting following the re-submittal or 30 days after re-submittal, whichever shall come first.

303 - D - ZONING REVIEW

1. All land development and subdivision plans must be submitted to the Adams County office of Planning and Development or to the Berwick Township Zoning Officer, (which ever is applicable) for zoning review. Preliminary plan approval will not be granted prior to receipt of proof of conformance to the zoning ordinance as it relates to the preliminary plan.
2. Building Permits will not be issued until a zoning permit is obtained from the Adams County office of Planning and Development or the Berwick Township Zoning Officer (whichever is applicable).

303 - E - PROVISION FOR ADDITIONAL REVIEW

1. Where deemed in the best interest of Township planning the Board may solicit the review and comment of additional agencies and public services such as the appropriate fire department, emergency management agency, school district, PennDOT, etc. Copies of such review shall be made available to the developer.

304 - PRELIMINARY PLAN REQUIREMENTS

The Preliminary Plan submission shall be prepared by a registered surveyor or engineer and be drawn on reproducible stable transparency, using black ink for all data including approval signatures. Scale shall be no less than 1" = 50' unless otherwise approved by the Township Engineer.

Such plats and surveys shall be prepared in accordance with Act of May 23, 1945, (P.L. 913, No. 367), known as the Engineer, Land Surveyor and Geologist Registration Law.

The foregoing requirements shall not preclude the preparation of a plat in accordance with the Act of January 24, 1966 (1965 P.L. 1527, No. 535, known as the Landscape Architects' Registration Law, when it is appropriate to prepare the plat using professional services as set forth in the definition of the "practice of landscape architecture" under Section 2 of that Act.

304 - A - INFORMATION REQUIRED

The Preliminary Plan shall show:

1. Name of proposed subdivision, and of the municipality in which it is located.
2. Name, address and telephone number of the subdivider.
3. Name, address, telephone number, license number and seal of the professional *engineer*, or registered surveyor who prepared the drawings.
4. Date of origin and of each subsequent revised submission.
5. True or magnetic north point.
6. Graphic scale.
7. Written scale.
8. Certification by the professional engineer or surveyor that the topography shown resulted from an actual survey and the date of that survey.
9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals two thousand (2000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.
10. The total tract boundary lines of the area being subdivided showing distances to hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate survey in the field, which shall close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet before adjustment;

provided, however, that the boundary(s) adjoining additional un-platted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer of surveyor shall certify to the placement of the monuments.

11. A Plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.
12. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat only the lot number and subdivision name may be shown.
13. Contour lines at vertical intervals of no more than two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of no more than five (5) feet for land with average slope exceeding four (4) percent. Contour intervals of one (1) foot are required for utility and drainage plans.
14. Location and elevation of the bench mark(s) to which contour elevations refer; sea level datum used shall be based on USGS mean.
15. The name (or number), cartway width and right of way width and lines of all proposed and existing public streets and the name and location of all other roads within the property.
16. A certification of ownership, acknowledgment of the plan and offer of dedication (where applicable) shall be signed by the owner(s) and notarized.
17. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, and sidewalks.
18. The location (and elevation, if established) of all existing and proposed street monuments.
19. Location of existing and proposed rights-of-way and easements.
20. Lot numbers and a statement of the total number of lots and parcels.

21. Lot lines, areas with dimensions.
22. The building setback lines for each lot, or other sites.
23. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.
24. A statement of the intended use of all lots including reference to zoning districts, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision.
25. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
26. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells, springs, and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.
27. Location, size and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines) and location of all manholes.
28. Location, size, and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.
29. Location of drainage structures, including marshes, ponds, streams, or similar conditions.
30. Parks, playgrounds and other areas to be dedicated or reserved for public use, with any conditions governing such use.

31. Where the development lies partially or completely in any flood-prone area, or where the development borders on any flood-prone area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.

32. All plans shall contain a note regarding the status of wetlands on-site. Where deemed necessary by the Township Planning Commission or Township Board of Supervisors, an analysis of wetland conditions affected by the subject development must **be** performed.

Such analysis shall be prepared by a recognized professional with expertise in this field and shall delineate the field determined boundaries of any existing wetland areas. All such maps shall identify accurately the boundaries of the wetland and hydric boundaries of the wetland and hydric soils. A note shall also be added to the plan which states that Berwick Township or its employees or agents assume no responsibility with regards to wetlands analyses and delineations.

33. Reference to deed book and page number for property being developed.

34. Where applicable, notation to indicate that prior to applying for a building permit, a well and driveway permit must be obtained from Berwick Township.

35. No plat which require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be approved unless the plat contains a notice that a Highway Occupancy Permis is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a state highway is permitted. The plat shall be marked to indicate that access to the state highway shall be only as authorized by a Highway Occupance Permit.

304 - B - SUPPLEMENTARY DATA REQUIRED

The Preliminary Plan shall be accompanied by the following supplementary data where applicable and determined by the Township to be necessary:

- I. A planning module for land development as required by the Pennsylvania Department of Environmental Protection (PADEP). For projects involving proposed public sewer extensions or central sewer facilities, the planning module when deemed to be necessary must be submitted to the appropriate Municipal Authority for review. The Preliminary Plan will not be approved until the planning module has been approved by the Pennsylvania Department of Environmental Protection.
2. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act. The plan shall also indicate if any borrow areas are proposed in which case the plan shall include Erosion and Sediment Control provisions for such borrow area.

Preliminary Plan will not be approved until a copy of the adequacy letter from the Adams County Conservation District has been submitted.

3. Final designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation. Where facilities will be offered for dedication, the Township shall also review and approve the design.
4. Typical street cross-section drawings for all proposed streets.
5. Final profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades and utilities which are existing or proposed to be located beneath the roadway surface.
6. The applicant shall if requested by the Township, submit a Water Supply Feasibility Report in accordance with the requirements of this Ordinance concerning the availability and adequacy of water supply facilities in or near a proposed land development.

7. Storm water management plan and calculations including design of storm sewers in accordance with applicable Township ordinances.
8. Where the Preliminary. Plan covers only a part of the entire land-holdings, a sketch of the future street system of the un-submitted part.
9. Where the land included in the subject application has an electric transmission line, a gas pipeline, or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or leasee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.
10. Where determined to be necessary by the Township, the developer shall submit a traffic impact study in accordance with Township Standards.
11. Design of Sanitary Sewer and Water systems, including plan and profiles. Where applicable, design of sanitary sewer and water systems shall be submitted to the appropriate Municipal Authority for review and approval.

Where deemed necessary, approval will not be granted until a letter from the applicable Municipal Authority or signature on the plan by the Authority is received.
12. A land grading plan in accordance with the requirements of this Ordinance.
13. A listing of underground utilities and contact information as per PA Act 287, 172 and 38 as may be amended (Pennsylvania One Call System).
14. Location and general layout of any proposed recreational facilities.
15. An offer of dedication shall be shown on the plan identifying which improvements are intended to be dedicated to the Township or applicable Municipal Authority.
16. A letter or agreement from the applicable Authority or agency approving the sanitary sewer and water facilities.

17. Whenever a Land Development Plan proposes to dispose storm water runoff to an adjacent property not within a natural watercourse or in a manner which exceeds the capability of a natural water course, a letter shall be obtained from the affected property owners stating their approval of the proposal after they have reviewed the required Stormwater Management Plan.
If deemed necessary, a formal easement and agreement may be required from the affected property owners.
18. Landscaping Plan in accordance with the requirements of this Ordinance.
19. Where access will be to a Township Road, The Plan shall identify the location of a proposed access drive(s), and sight distance(s) which are adequate to demonstrate that the site can be served with an access which meets the requirements of the Township Driveway Ordinance.
20. Traffic control devices, as may be required. This shall include necessary engineering studies to justify such devices.

305 - FINAL PLAN PROCEDURES

Submission of a Final Plan for approval by the Township shall occur not more than five (5) years following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this period of time shall make the approval of the Preliminary Plan null and void.

Except for any modifications or changes required by the Township, the Final Plan shall conform basically to the approved Preliminary Plan. Where significant modifications or changes, other than those required by the Township, are made to an approved Preliminary Plan, the plan shall be submitted again as a Preliminary Plan.

305 - A- SUBMISSION OF THE FINAL PLAN

1. Final Plans and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Official designated by the Supervisors at least fifteen (15) business days in advance of the regularly scheduled planning commission meeting at which the plan is to be considered.

2. Submission of the Final Plan shall consist of the following:
 - a. Three (3) completed copies of the appropriate application form available from the Township.
 - b. Ten (10) blue-line or black-line paper prints of the Final Plan showing all the information required in Section 306.
 - c. Four (4) copies of all other required documentation.
 - d. A filing fee as established in ARTICLE VI of this Ordinance.

305 - B - ACTION ON FINAL PLAN BY THE PLANNING COMMISSION

Action on the Final Plan shall be taken in the same manner as for Preliminary Plans. In addition, if a Final Plan is approved, the Planning Commission Chairman and Secretary shall sign the Record Plan and all prints and forward all but one (1) print to the Board of Supervisors along with a copy of their written decision as it appears in the meeting minutes.

305 - C - ACTION ON THE FINAL PLAN BY THE BOARD OF SUPERVISORS

1. Following receipt of the written decision in the form of meeting minutes from the Planning Commission, the Board of Supervisors shall consider the Plan at their next regularly scheduled or special meeting, the developer shall be notified, and in addition, the Board of Supervisors may also schedule a public hearing pursuant to public notice before taking any action on the Plan.
2. Action on a Final Plan shall be taken by the Board of Supervisors not later than ninety (90) days following the date of the regular meeting of the Township Planning Commission next following the date the application was filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) day period shall be measured from the thirtieth day following the date the application was filed. In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals to whom the plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

3. The decision of the Board of Supervisors concerning the plan shall be in writing and shall be communicated to the developer not later than fifteen (15) days following the meeting at which the decision is made. If a plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance.
4. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required by this Ordinance shall be deemed an approval of the plan in terms as presented unless the developer has agreed to an extension of time.
5. Before any Final Plan is approved, the developer shall either install all the required improvements in accordance with the plans or shall provide for deposit with the Township a corporate bond or other security acceptable to the Township in the amount of one hundred ten (110%) percent of the cost of such improvements as estimated by the Township Engineer in accordance with the procedure outlined in this ordinance. Such bond or security shall provide for the completion of all required improvements within a stated period which shall not be longer than two (2) years from the date of approval of the Final Plan or as otherwise stipulated in the land development agreement.

305 E - RECORDING OF PLAN

1. Upon approval of a Final Plan by the Township the developer shall record the Approved Final Plan and other documentation required under plan approval in the office of the Adams County Recorder of Deeds within ninety (90) days. No plan shall be recorded unless it has been officially approved by the Township.
2. If the plan is not recorded within ninety (90) days the approval by the Township shall be null and void unless an extension of time is granted by the Board of Supervisors upon request from the developer.
3. After the Plan has been recorded, a copy of the Record Plan and Recorder's Certificate shall be submitted to the Board of Supervisors. This shall be required prior to issuance of any applicable licenses or building permits.
4. No land in a development shall be sold or transferred prior to recording of the Final Plan.

5. Where required by the Township, the developer shall submit one (1) reproducible mylar copy and three (3) blueprint or paper copies of the approved and signed Final Plan to the Township for their records.

305 - F - LIMITATIONS OF FINAL PLAN APPROVAL

The approval of the Final Plan by the Township shall be deemed as an acceptance of the plan and shall authorize the Recorder of Deeds to record the Plan, but shall not impose any duty upon the Township concerning maintenance of improvements or other portions of the same until said Township shall have accepted the same by the dedication for public use.

306 - FINAL PLAN REQUIREMENTS

The final Plan submission shall be prepared by a registered surveyor or engineer and shall be drawn on reproducible stable transparency, using black ink for all data including approval signatures.

Scale shall be no less than 1" = 50' unless otherwise approved by the Township Engineer

306 - A - INFORMATION REQUIRED

In addition to the information required in Section 304, the Final Plan shall show:

1. Name of proposed subdivision, and of the municipality in which it is located.
2. Name, address, and telephone number of the subdivider.
3. Name, address, and telephone number, license number, and seal of the professional engineer or registered surveyor who prepared the drawings.
4. Date of the origin and of each subsequent revised submission.
5. True or magnetic north point.
6. Graphic scale.
7. Written scale.
8. Certification by the professional engineer or surveyor that the topography shown resulted from an actual survey and the date of that survey.

9. A key map, for the purpose of locating the property being subdivided drawn at a scale of one (1) inch equals two thousand (2000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.
10. The total tract boundary lines of the area being subdivided showing distances to one hundredth of a foot and bearings to one second. These boundaries shall be determined by accurate survey in the field, which shall close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet before adjustment; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.
11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from the said tract.
12. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plan, only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of no more than two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of no more than five (5) feet for land with average slope exceeding four (4) percent. Contour intervals of one (1) foot are required for utility and drainage plans.
14. Location and elevation of the bench mark(s) to which contour elevations refer. Datum used shall be based on USGS mean sea level.
15. The name (or number), cartway width, Right of way width, and lines of all proposed and existing public streets and the name and location of all other roads within the property.

16. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:
 - a. The length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or cord) of all curved lines (including curved lot lines).
 - b. The width (in feet) of the cartway, right-of-way and, if required, of the ultimate right-of-way, and (in degrees, minutes, and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.
 - c. All straight lot lines, defined (in feet and hundredths of a foot) by distances and (in degrees, minutes, and seconds) either by magnetic bearings or by angles of deflection from other lot and street lines.
17. If a subdivision proposes a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersections.
18. Location of existing streets and alleys adjoining the tract including name, width of cartway, and sidewalks.
19. The location (and elevation, if established) of all existing and proposed street monuments.
20. Location of existing and proposed right-of-ways and easements.
21. Lot numbers and a statement of the total number of lots and parcels.
22. The building setback lines for each lot, or other sites.
23. For developments where on-site sewage disposal systems will be used, the location where the soils evaluation testing was conducted for each lot.
24. A statement of the intended use of all lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

25. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.
26. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.
27. A certification of ownership, acknowledgment of a plan and offer of dedication shall be signed by the owner(s) and notarized.
28. An approval block for the use of the Township Supervisors and the Township and County Planning Commissions.
29. Traffic control devices, as may be required. This shall include necessary engineering studies to justify such devices.

306 - B - SUPPLEMENTARY DATA REQUIRED

Unless previously submitted, the Final Plan shall be accompanied by the following supplementary data where applicable:

1. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawing(s) may be shown either on the Final Plan or on the profile sheets.
2. Profile sheets for all proposed streets within the development per requirements for preliminary plan.
3. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks. This shall be so noted on the plan.
4. Copies of permits for sewer, water, stormwater, transportation, and erosion control facilities.
5. Where the Final Plan covers only a part of the entire landholdings, a sketch of the future street system of the un-submitted part shall be furnished. The street system of the submitted part will be considered in the light of adjustments and connections with future streets in the part not submitted.

6. Water and sewer feasibility reports as may be required including any updated information which may have become available since the submission of the preliminary plan.
7. A copy of the approved Erosion and Sedimentation Control Plan.
8. A copy of the approved Stormwater Management Plan.
9. Where deemed necessary by the Township, a map showing the location of the proposed development with respect to the Township's flood-prone area, including information on the Regulatory Flood Elevation, the boundaries of the flood-prone areas, proposed lots and sites, fills, flood or erosion protection facilities, and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any flood-prone area, or border on any flood-prone area, such map shall also show the location and elevation of proposed roads, public utilities, and building sites.
10. A copy of the approved Sewage Planning Module for land development as approved by the Pennsylvania Department of Environmental Protection.
11. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.
12. Any other certificates, affidavits, endorsements or dedications, etc., that may be required by the Planning Commission or Board of Supervisors.
13. An affidavit to the effect that all affected municipalities have been notified of any alteration and/ or relocation of any watercourse.
14. A note shall be placed on the drawing indicating that a copy of the approval from the PA Department of Labor & Industry, where applicable shall be provided before a Building Permit is issued.
15. A water facilities feasibility report or test well data in accordance with the requirements of this Ordinance.

16. Whenever it is determined that a subdivision or land development increases the volume, rate, or concentration of stormwater runoff onto an adjacent property not in a natural watercourse or in a manner which exceeds the capacity of the natural watercourse, the developer shall obtain a letter from the adjacent land owner stating his or her approval of the proposal and that they have reviewed the plans and any required stormwater management plan.
17. Soil Boundaries from Adams County Soil Survey.
18. Where required by the Township, Land Development Agreement(s) shall be executed. A Land Development Agreement is required where there will be dedication of improvements to the Township or under the circumstances where deemed to be necessary for the implementation of plan approval. Details and provisions of such agreement shall be as recommended by the Township's Solicitor and Engineer.

307 - RESUBDIVISION PROCEDURE

Any re-platting or re-subdivision, including changes to a recorded plan, shall be considered as a new application, and shall comply with all requirements of this Ordinance.

308 - ADDITIONS TO EXISTING LOTS

A Parcel of land may be added to an existing recorded lot for the sole purpose of increasing the lot size provided that:

1. The parcel to be added must be contiguous to the existing lot.
2. The addition must maintain or improve the overall straightness of the lot lines.
3. The plan prepared for the addition of this parcel shall follow the procedures outlined in this Ordinance.
4. The applicant shall record in the Miscellaneous Docket in the Recorder of Deeds Office of Adams County a memorandum that both parcels shall be considered as one single tract for the purposes of subdivision.

309 - COMMENCEMENT AND COMPLETION OF CONSTRUCTION
AND IMPROVEMENTS

- A. No construction shall be commenced until the following applicable items have been addressed to the satisfaction of the Township:
 - 1. Plan Approval; security agreement; developers or land development agreements; along with any other Township permits.
- B. No construction shall be commenced until the applicant files with the Township all permits, approvals, clearances and the like from government agencies (such as those from the Pennsylvania Department of Environmental Protection, the Pennsylvania Department of Transportation, and/or the Township) authorities and companies which may provide water supply or sewage disposal facilities pipeline easement holders or others.
- C. The applicant shall commence construction of improvements within one (1) year from the approval date of the Final Plan, unless approved otherwise by the Board of Supervisors.
- D. In the case where development is projected over a number of years, each section except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of lots, dwelling units or buildings as depicted in the final plan, unless a lesser percentage is approved by the Board of Supervisors.
- E. A copy of the approved plan shall be available at the construction site at all times.

310 - AS BUILT PLAN

After final plan approval and upon completion of all required improvements, the applicant shall submit an as-built plan prepared, signed and sealed by a registered engineer or surveyor.

The As Built Plan shall be reproducible and drawn to the same scale as the Final Plan and shall be certified by the Engineer of the landowner or developer and approved by the Township Engineer.

- A. Said Plan shall indicate the actual location, dimensions and/or elevations of all completed improvements, including but not limited to:
1. Monuments and Markers
 2. The location of the cartway and curb, for both sides of each street.
 3. Sanitary sewer main, manholes, rim and invert elevations and laterals.
 4. Storm sewers, inlets, rim and invert elevations and culverts.
 5. Water mains, service lines, valves, and fire hydrants.
 6. Street lights.
 7. Landscaping and screen planting.
 8. Berms.
 9. Permanent sedimentation, erosion control and stormwater management structures with as-built storage volume and outlet structure elevations and as-built elevations for all detention/retention basins or other storage structures.
 10. All easements.
 11. All buried utilities, gas, electric, cable, water, sewer, etc.
- B. The As-Built Plan shall be submitted in complete and accurate form prior to the final release of security funds being withheld, as provided in Section 516.
- C. Completion of as built drawings in accordance with this ordinance shall not relieve the applicant from it's responsibility as may be required by the applicable Municipal Authority.

ARTICLE IV - DESIGN STANDARDS

401 - APPLICATION OF STANDARDS

The following standards shall be applied by the Township Planning Commission, County Office of Planning and Development, and the Township Supervisors in evaluating plans submitted for review and/or approval. It is intended that these standards be considered the minimum requirements and may be modified as necessary to protect the health, safety, and general welfare of the public. All plans submitted for approval under this ordinance shall incorporate these standards.

402 - GENERAL SITE STANDARDS

The following requirements and guiding principles for subdivisions and land developments shall be observed with respect to the factors affecting the suitability of the site for such development.

1. The land development plan and guiding principles for subdivision and land developments shall be observed with respect to factors affecting the suitability of the site for such development.
2. A land development must be coordinated with existing land development in the neighborhood so the entire area may be developed harmoniously.
3. Land proposed for land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the Pennsylvania Department of Environmental Protection and the Adams County Conservation District. The developer is responsible for obtaining approval and/or permits from one or both of these agencies as required.
4. In a development where the average slope exceeds fifteen (15) percent, the Township may require modifications to those regulations as may be recommended by the County Conservation District or the Township Engineer.

5. In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation by the Township. Examples of such features would include, but not be limited to, wetlands, flood plains, large trees and stands of trees, watercourses, historic areas and structures, scenic view, etc. To ensure the protection of such features, the Township may require the following additional information to be submitted.
 - a. A grading plan showing the existing and proposed ground elevations relative to the features.
 - b. The accurate location of the features to be protected.
 - c. An explanation of the precautions to be taken by the developer to protect such features.
6. Any plans for the alteration of a watercourse shall be incorporated into the design plans and subject to approval by the Township, or where necessary, the U.S. Army Corps of Engineers, and/or Pennsylvania Department of Environmental Protection.
7. Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, odor, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.

403 - STREET AND HIGHWAY STANDARDS

403 - A - GENERAL STANDARDS

All streets proposed to be constructed within the Township shall conform to the following general design requirements.

1. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites. Finished elevation of proposed streets shall not be more than one (1) foot below the regulatory flood elevation. The Township may require profiles and elevations to ensure compliance. Also, drainage structure openings shall be sufficient to discharge flood flows without duly increasing flood elevations or creating a backwater situation onto adjacent properties.
2. Proposed streets including functional classification shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street system.
3. When a subdivision abuts or contains an existing or proposed primary or secondary highway, the Township may require a marginal access street, reverse frontage, or other treatment which will provide protection for abutting properties, reduction of the number of intersections and separation of local from through traffic.
4. No street shall terminate into a dead end. Any street dead ended for access to adjoining property or because of authorized staged construction shall be provided with a temporary paved turn-around and the use of such a turn-around shall be guaranteed to the public until such time as the street is continued.
5. New private streets are prohibited, unless the Board of Supervisors shall determine that the use of such private streets or rights-of-way is consistent with the intent of this Ordinance. In approving private streets or rights-of-way, the Township may attach additional standards and/or conditions relating to design and/or construction. The use of private streets will not be allowed when it's use is to circumvent the specifications required for public streets.

In general new private streets for residential subdivisions and Land Developments are prohibited. Private streets may be considered for commercial and industrial developments solely at the discretion of the Township.

In the event that a private street is to be allowed, in addition to complying with all Township design and construction standards, the Developer will be required to submit for approval and record with approved Final Plan, an agreement outlining the responsibilities for perpetual maintenance of the private street which also shall release the Township of any liability regarding maintenance and acceptance of dedication. In addition the Township shall reserve the right to require improvement bonding, surety, and inspection in accordance with the procedures of this Ordinance.

6. The proposed street system shall extend existing or recorded streets at the same width or at widths required by the Ordinance as determined by the Township, but in no case at less than the required minimum width.
7. The Township shall reserve the right to require alternate design standards relative to cartway, horizontal and vertical curves, and intersections where it is determined to be necessary to eliminate a potential safety hazard. Alternate design standards shall be as recommended by the Township Engineer in accordance with PennDOT and AASHTO Standards.
8. Where required, in response to safety considerations access to developments shall be limited to single access or multiple accesses shall be provided which ever shall be required.

403 - B - STREET WIDTHS

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

STREET TYPE	<u>RIGHT-OF-WAY</u>	<u>CARTWAY*</u>
Arterial streets	As determined by the Township after consultation with the Pennsylvania Department of Transportation.	
Collector streets	60 feet	36 feet curb to curb
Minor streets		
Lot Frontage < 60'	60 feet	36 feet " "
Lot Frontage 60'-100'	50 feet	32 feet " "
Lot Frontage 101'-150'	50 feet	32 feet " "
Lot Frontage > 150'	50 feet	28 feet " "

The Township shall reserve the right to restrict parking along streets or to require additional width to accommodate on-street parking.

* Curb to Curb

2. Provision for additional street width or shoulder (right-of-way, cartway, or both) may be required when determined to be necessary by the Township to facilitate for aspects such as:
 - a. Public safety and convenience.
 - b. Traffic in commercial and industrial areas and in areas of high density.
 - c. Widening of existing street where the width or alignment does not meet the requirements of the preceding paragraphs.
 - d. Where topographic conditions require excessive cuts and fills.
 - e. When curbs will not be required.
 - f. To accommodate on-street parking.

In the case where conditions warrant alternate design standards, the design may be required to consider the parameters as a function of design speed. Alternate design standards may be referenced from either AASHTO or PennDOT.

3. In the case of a plan for a Land Development fronting on an existing public or private road of improper right-of-way and/or cartway width, the developer shall provide the following:
 - a. Any required dedication of land for increasing the existing right-of-way to meet the requirements of this Ordinance. The right-of-way must be centered from the centerline of the existing road.
 - b. Improvement of roadway to meet cartway, curb, gutters or other standards of this Ordinance. In lieu of making such improvements, the Township may at its discretion, require a fee to cover the cost of future improvements as established by the developer's engineer and approved by the Township Engineer.

403 - C - STREET GRADES

The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

<u>TYPES OF STREETS</u>	MINIMUM GRADE	MAXIMUM GRADE
Arterial streets	As determined by the Township after consultation with the Pennsylvania Department of Transportation.	
Collector streets	.75%	7%

<u>TYPES OF STREETS</u>	MINIMUM GRADE	MAXIMUM GRADE
Minor streets	.75%	10%
Intersections	.75%	4%(for 100' from intersection)

1. In all grades exceeding 1%, vertical curves shall be used in changes of grade and shall be designated for proper sight distance.

2. On permission of the Township, minor street grade under special topographic conditions may exceed ten percent (10%) for distances less than one hundred (100) feet provided the grade does not in any case exceed fifteen percent (15%).
3. Standards for minimum and maximum grade refer to both positive and negative grades.
4. All streets shall be designed so as to provide for the discharge of surface water from the right-of-way. The slope of the crown on a street shall not be less than one-fourth (1/4) of an inch per foot and not more than three-eighths (3/8) of an inch per foot, as determined by the Township Engineer. Where a curve is banked to reduce lateral vehicular acceleration as required by the design speed of the road, the crown required is eliminated. Adequate facilities shall be provided at low points along the street and other points necessary to intercept runoff.

403 - D-- HORIZONTAL CURVES

1. Where connecting street lines deflect from each other at any point the line must be connected with a true circular curve. The minimum radius of the centerline for the curve must be as follows:

<u>TYPE OF STREET</u>	<u>MINIMUM RADIUS</u>
Arterial	500 feet
Collector street	300 feet
Minor street	200 feet

2. Straight portions of the street must be tangent to the beginning or end of the curve. Except for minor streets, there must be a tangent of at least one hundred (100) feet between reverse curves. For curves on arterial streets (or as otherwise determined by the Township Engineer), proper superelevation must be provided as required by the Township or the Pennsylvania Department of Transportation.
3. The Township may require that Sight Easements be provided in order to have adequate stopping sight distances.

4. The Township may require that the development be provided with speed limit signs in which speeds have been determined by the required engineering studies to be recommended for the horizontal curve design.

403 - E - VERTICAL CURVES

1. Vertical curves are required where the algebraic difference exceeds 1% or as determined by the Township Engineer.
2. Proper sight distance shall be provided with respect to vertical road alignments. The minimum sight distance measured along the centerline from (3.5) feet to height of an object (.5) feet above grade shall be as follows:

<u>TYPE OF STREET</u>	<u>SIGHT DISTANCE</u>
Arterial	As required by PennDOT design criteria for the posted speed.
Collector	300 feet
Minor	200 feet

403 - F - CUL-DE-SAC STREETS

1. Cul-de-sac streets designed to be so permanently, shall not exceed five hundred (500) feet in length measured from the centerline of the intersecting street to the centerpoint of said cul-de-sac and shall not furnish access to more than 20 dwelling units. If a cul-de-sac street intersects another cul-de-sac street, the maximum total length of the sum of the streets shall not exceed 1,000 feet. The Board of Supervisors may grant a waiver of maximum length requirement with the recommendation of the Planning Commission.
2. A paved turn-around having a minimum diameter of one hundred (100) feet or as determined by the Township Engineer and a legal right-of-way of one hundred twenty (120) feet in diameter shall be provided. The dimensions provided are subject to change in residential developments or their developments where in the opinion of the Township, a greater or lesser diameter or right-of-way is necessary.
3. Temporary cul-de-sacs shall be designed to standards of permanent cul-de-sacs.

403 - G - INTERSECTIONS

1. No intersection shall involve the junction of more than two (2) streets.
2. Right-angle intersections shall be used wherever possible. In no instance, however, shall streets intersect at an angle of less than seventy-five (75) degrees or more than 105 degrees. Intersections of two arterial streets shall be subject to Pennsylvania Department of Transportation standards.
3. Intersections shall be improved on all sides by leveling areas. Such leveling areas shall have the minimum length of one hundred (100) feet (measured from the intersection of the centerlines) within which no grade shall exceed a maximum of four percent (4%). Where a through street exists or is proposed, the 4% leveling area may be waived pending review of the Township Engineer.
4. All streets intersecting a state road (US, PA, or SR) shall be subject to the approval of the Pennsylvania Department of Transportation.
5. Design of the curb or edge of pavements must be taken into account. Such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb or edge of pavement be less than the following:

<u>INTERSECTION</u>	<u>CURVE RADIUS</u>
Minor with minor street	25 feet
Minor with collector street	30 feet

<u>INTERSECTION</u>	<u>CURVE RADIUS</u>
Collector with collector street	35 feet
Any Street with Arterial street	35 feet or as determined after consultation with PennDOT.

6. Distances between intersections shall be as

follows: TYPE OF INTERSECTION

	Arterial/ Arterial	Arterial/ Collector/ Minor	Collector/ Collector	Collector/ Minor	Minor/ Minor
Min. Dist. between Centerlines of Intersections	800'	800'	600'	500'	500'
Min. Separation of Centerlines for Streets not in Alignment		Must be in alignment with planned or proposed streets entering from opposite side.		200'	200'

7. Clear sight triangles shall be provided at all intersections. Measured along the centerline of the street there shall be a clear sight triangle with side lengths as follows:

TYPE OF STREET	MINIMUM CLEAR SITE TRIANGLE SIDE
Arterial	150'
Collector	100'
Minor	100'

No building or construction other than utility poles, street lights, street signs, or traffic signs, shall be permitted within such triangles. Whenever a portion of such line occurs behind the building setback line, such portion shall be shown on the plan and shall be considered a building setback line.

8. Where determined to be necessary due to speed considerations, clear sight triangle side may increase. Increased values shall be in accordance with PennDOT or AASHTO Standards.
9. Safe sight distances shall be provided at all intersections. Standards for design shall comply with AASHTO and the Pennsylvania Department of Transportation whichever shall be most applicable as determined by the Township Engineer.

1
1

403 - H - SLOPE OF BANK ALONG STREETS

The slope of banks along streets measured perpendicular to the street shall be no steeper than the following:

1. One foot of vertical measurement for three feet of horizontal measurement for fills.
2. One foot of vertical measurement for two feet of horizontal measurement for cuts.

403 - I - PARTIAL AND HALF-STREETS

The dedication of half streets at the perimeter of new developments is prohibited, except to complete existing half-streets.

403 - J - NAMES OF STREETS

Names of new streets shall not duplicate or approximate existing or platted street names, or approximate such names by the use of suffixes such as "lane:", "court", or "avenue". In approving the names, consideration shall be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing street. All street names shall be subject to Township approval.

403 - K - RESERVE STRIPS

Controlling access to streets by reserve strips is prohibited except where their control is definitely placed in the Township under control approved by the Township. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties or from another street.

403 - L - ALLEYS

1. Alleys or service drives are prohibited in single family, detached or semi-detached residential development, except where they are required to access the rear of lots which front on existing arterial streets, when topographical conditions exist to justify their use, or as part of an alternative layout where their use has been recommended by the Adams County Planning Commission and the Township Planning Commission. In cases where alleys are to be allowed, design standards shall be as recommended by the Township Engineer and Planning Commission.

2. Where alleys or service drives dead end, they shall be provided with a turn-around of 80 feet diameter minimum.
3. Intersection involving alleys shall provided with a minimum radius of 10 feet.

404 - OFF STREET PARKING

404 - A - STANDARDS

Off street vehicular parking facilities shall be provided in accordance with the Adams County Interchange Zoning Ordinance or Berwick Township Zoning Ordinance, whichever is applicable.

The following additional standards shall apply:

1. Commercial and Industrial Parking Facilities shall be adequately illuminated if designed for use by more than ten (10) cars after dusk.
2. Commercial and Industrial Parking Facilities shall be surfaced with a durable bituminous or concrete paving material.
3. All multi-family, commercial, public and industrial uses shall provide handicapped parking spaces as follows or as required by the applicable regulatory agency or by the Americans with Disabilities Act:

<u>Total Parking Spaces</u>	<u>No. Handicapped Spaces</u>
5 or less	N/A
6 - 25	1
26 - 50	2
51 - 75	3
76 - over	2% of Total

(handicapped parking spaces shall be 12' wide minimum)

4. For uses which are not addressed in the applicable Zoning Ordinance, the required parking spaces shall be based on a study as prepared by the developer and approved by the Township Engineer. The study shall address the following:
 - a. The type of use and estimated number of trips generated during peak conditions (inbound and outbound).
 - b. Estimated parking duration per vehicle (turnover rate).

- c. Based on estimated number of trips generated and average parking duration per trip, calculate the number of spaces required. In addition one space shall be provided for every two employees working during the maximum shift.
5. The minimum isle width for 90 degree parking shall be 25 feet. For angled parking, isle width shall be as determined by the Township Engineer.

405 - ACCESS DRIVES

Prior to installation or modification of any access driveway, a permit must be obtained from the Township in accordance with the Berwick Township Driveway Ordinance. Reference should *be made* to the Township's Driveway Ordinance for additional design standards.

405 - A - RESIDENTIAL

Access to any public street or highway in a residential area shall be governed by the following:

1. Within ten (10) feet of a street right-of-way line, an access drive may not exceed twenty (20) feet in width.
2. The number of access drives on a street frontage, may not exceed one (1) per lot unless circumstances prove that a second access is justified. Additional access points must be approved by the Township.
3. An access drive may not cross a street right-of-way line:
 - a. Within fifty (50) feet of the right-of-way line of an intersecting street when entrance is from an arterial street.
 - b. Within thirty-five (35) feet of the right-of-way line of an intersecting street when entrance is from a collector street.
 - c. Within twenty-five (25) feet of the right-of-way line of an intersecting street when entrance is from a minor street.
 - ,d. Within fifteen (15) feet of a fire hydrant.

4. The drive may not exceed a slope of seven percent (7%) within twenty-five (25) feet of the street right-of-way lines.

Where a drive enters a bank through a cut, the shoulders of the cut may not exceed fifty percent (50%) in slope within twenty-five (25) feet of the point at which the drive intersects the street right-of-way.

5. All driveways shall have a minimum safe sight distance in accordance with the Pennsylvania Department of Transportation Rules and Regulations. Plans shall indicate the following information:
 - a. Minimum (limiting) site distances along each proposed lot, where applicable.
 - b. The location of proposed driveways.
 - c. Field run grades along the Township road in both directions from each lot.
 - d. Speed limit of existing road in each direction.
 - e. Location of trees and other visual obstructions which affect sight distances.
6. Width, turning radius, and slope requirements shall conform to chapter 441 of the Pennsylvania Department of Transportation rules and regulations.
7. The minimum angle between the centerline of the driveway and the street shall not be less than 65 degrees.
8. A clear sight triangle of 75 feet measured along the street and driveway centerline shall be maintained. Permanent obstructions other than mail boxes and utility poles shall be prohibited.
9. All accesses shall be provided with a drainage culvert or gutter/swale. The minimum size of the pipe, unless otherwise approved, shall be 15 inches in diameter or equivalent open area arch pipe. The stormwater management plan for a proposed development where required by the Township shall include calculations for and sizing of access driveway culverts.

10. To prevent drainage and erosion problems and to minimize future maintenance, access driveways shall be surfaced with a stabilized material within the public street right-of-way. Where access is to a paved roadway driveways shall be surfaced with Bituminous or Concrete material within the legal right-of-way.
11. In the event that an access drive will serve more than one residence, more stringent standards may be applied pending review and recommendation of the Township Engineer.
12. Driveways shall be constructed so that motorists are not required to back on to the roadway.

405 - B - COMMERCIAL AND INDUSTRIAL

Access drives to any public street or highway in the case of a commercial or industrial development shall at a minimum conform to the standards for residential access drives. Additional standards shall be as follows:

1. All accessways to any public street or highway shall be located at least two hundred (200) feet from the intersection of any two street right-of-way lines, and shall be designed in a manner conducive to safe ingress and egress. Where practicable, exits shall be located on minor, rather than major streets or highways.
2. No design shall be approved which is likely to create a traffic hazard which has the potential to endanger public safety. Safety requirements which may be imposed in such a review shall include traffic control devices, acceleration or deceleration lanes; turning lanes, traffic and lane markings, and signs. The developer shall be responsible for the construction of any such traffic control devices which shall meet PennDOT approval.
3. All design standards of the Pennsylvania Department of Transportation as may be amended, are hereby incorporated into this Ordinance.

406 - BLOCKS

406 - A - GENERAL

The length, width, and shape of blocks shall be determined with due regard for:

1. The provision of adequate sites for buildings of the type proposed.

2. Topography
3. Any other codes, plans and ordinances.
4. Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

406 - B - BLOCK LENGTH

1. Blocks shall have a maximum length of one thousand six hundred (1,600) feet and a minimum length of five hundred (500) feet, provided that the Township Planning Commission or Township Supervisors may increase the maximum and/or decrease the minimum length of blocks if the opinion of either body, topography of the land in question and/or surface water drainage condition warrant such a change.
2. In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
3. Where practical, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

406 - C - PEDESTRIAN CROSSWALKS

1. Crosswalks shall be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities.
2. Such crosswalks shall have a width of not less than six (6) feet and a paved walk of not less than four (4) feet. At a minimum all crossings shall be constructed to comply with the Americans With Disabilities Act of 1990.
3. Crosswalks in mid blocks shall be provided with warning devices. The Township may also require that the developer provide the necessary engineering studies to justify the placement of crosswalks.

406 - D - BLOCK DEPTH

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:

1. Where reverse frontage lots are required along a major street.

2. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township may approve a single tier of lots.

406 - E - COMMERCIAL AND INDUSTRIAL BLOCKS

Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases however adequate provision shall be made for off street parking and loading areas as well as for traffic circulation and parking for employees and customers.

407 - LOTS

407 - A - GENERAL STANDARDS

1. The size, shape and orientation of lots shall be appropriate for the type of development contemplated. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
2. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdiction problems.
3. Generally, the depth of residential lots shall not be less than one (1) nor more than two and one-half (2 1/2) times their width.
4. Where the lots in a subdivision are large enough for re-subdivision or where a portion of the tract is not developed, suitable access to these areas shall be provided.
5. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
6. If after subdividing, there exists remnants of land they shall either be incorporated into existing or proposed lots, or legally dedicated to public use, if acceptable to the Township.
7. No lots shall be created in any manner whatsoever which does not meet the minimum requirements of this or other Township Ordinance.

8. Where dictated by topography, location, sewage disposal requirements, or other such conditions, the Township may require that the minimum lot size be increased. In such case, lot sizes within a subdivision may vary, provided Township approval is secured.

407 - B - LOT FRONTAGE

1. All lots shall front upon a dedicated public street (existing or proposed), or upon a private street constructed to the Township's Specifications and Ordinances.
2. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography, orientation, or location.
3. All residential reverse frontage lots shall have a planting screen easement parallel to the accepted rear lot line and twenty (20) feet in width across which there shall be no right of access.

407 - C - LOT SOILS EVALUATION TESTS

1. Soil probe and percolation tests shall be performed for each lot of a proposed subdivision wherein buildings at the time of construction will not be connected to an existing public sewage disposal system.

Each lot must be found satisfactory for on-site sewage disposal including an acceptable reserve or back-up area prior to the approval of the Preliminary Plan.

2. The soils tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer will perform the tests and certify the results.
3. A planning module for land development for any new subdivision or land development shall be prepared by the developer and approved by the Township and the Pennsylvania Department of Environmental Protection prior to the approval of the Preliminary Plan.

407 - D - LOT SIZES, BUILDING SETBACKS, AND STANDARDS

Lot dimensions, sizes, and building setback requirements shall not be less than specified by the applicable zoning Ordinance or as dictated by the Township subdivision Ordinance as it relates to on-site sewage disposal or additional standards, whichever shall be more restrictive.

1. For condominium units the developer shall submit the following for review and approval by the Township
 - a. A Declaration Plan in accordance with Act 117 of 1963, the Unit Property Act. All condominiums shall be subject to the provisions of the Unit Property Act. The Declaration and Declaration Plan must be recorded along with the Final Plan in the County Records Office.
 - b. An agreement which outlines the responsibilities of the property owner or developer. The agreement shall address the items (as applicable) and be similar to the agreement as indicated in Section 916 of the Ordinance.
2. For industrial developments no design shall be approved which does not conform to appropriate Federal, State, Regional, and local standards relative to water and air pollution, particle emission, noise, electrical disturbances, waste disposal, light, glare, heat, vibration, radioactivity, and outdoor storage of materials:
 - a. Fire and explosive hazards as governed by the Department of Labor and Industry and the laws of the Commonwealth of Pennsylvania.
 - b. Liquid and solid wastes as governed by the Pennsylvania Department of Environmental Protection.
 - c. Smoke as governed by the Pennsylvania Air Pollution Control Commission.
 - d. Other forms of air pollution as governed by the United States Environmental Protection Agency.
 - e. All applicable environmental permits must be obtained and copies submitted to the Township prior to Preliminary Plan Approval.

3. Water and sewer facilities shall be public systems or approved private systems. No individual on-site systems shall be approved for attached row, townhouse, or condominium units.
4. For attached row, or townhouse units a permanent easement shall be provided where the rear property line abuts any property other than a street for the purpose of non-vehicular ingress and egress by center property owners. Minimum width of said easement shall be five (5) feet. Vehicular access shall be included in such easement for maintenance purposes in which case access width shall accommodate a vehicle (minimum).

407 - E - UNIQUE LOTS

1. PANHANDLE LOTS: Panhandle lots, with a fifty (50) wide panhandle may be utilized as means of access only when the topography of the land to be developed shall safely accommodate the proposed number of access areas. Panhandle lots shall meet the applicable lot width requirements specified in the Township Zoning Ordinance at the front yard building setback line. Approval of panhandle lots shall only be at the discretion of the Township where other options have been evaluated and have been determined to be unacceptable. The Township shall have the right to limit the number of panhandle lots in a particular subdivision where safety and planning considerations justify the need.
2. In the interest of traffic safety, the Township may require adjacent panhandle lots to share one access road and a formal written covenant to run with the land detailing rights and responsibilities of the individual lot owners must be established. The applicant shall adequately substantiate the need for such design.
3. The Township Engineer shall review proposed access to panhandle lots. Where required by the Township Panhandle lot driveways shall be improved with a base course that shall consist of eight (8) inches of 2A stone. The base course shall be measured after it has been compacted with a roller of not less than ten (10) tons in weight.
4. Corner residential lots shall have enough extra width to permit appropriate front setback requirements from both streets.

408 - EASEMENTS

1. Easements shall be provided for drainage facilities, overhead or underground public and private utility facilities in consultation with the Township Engineer, the Electric, Telephone, and Water Utilities, the Pennsylvania Department of Transportation, and the applicable Municipal Authority. No structures or trees shall be placed within such easements.
 - a. The minimum width of such easements shall be twenty (20) feet for drainage facilities and underground utilities and ten (10) feet for overhead utilities. Larger widths may be required as recommended by the Township Engineer.
 - b. Wherever possible such easements shall be centered on the side or rear lot lines, or along the front lot lines.
2. *Where* a subdivision or land development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement, width to be as determined by the Township Engineer, conforming substantially to the line of such watercourse, drainageway, channel or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the purpose of installing a storm sewer. Under no circumstances shall the easement be less than twenty-five (25) feet. Access easements shall also be required.
3. Electric, Telephone and all other utility facilities shall be installed underground unless conditions require otherwise. The developer shall be required, prior to Final Plan approval, to obtain a letter from the appropriate utility company confirming that the developer has entered into an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission Investigation Docket #99, as amended, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

4. Drainage easements shall be required between all lots within a subdivision. They shall be centered on property lines wherever possible. Such easements shall preserve the unimpeded flow of natural drainage or provide for the construction of drainage facilities. In no case shall they be less than twenty (20) feet in width.
5. Petroleum, Gas and Electric Transmission Lines - Where any petroleum, petroleum products, natural gas or electric transmission line traverses a land development, the developer shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and the centerline of such transmission line.

Additionally, the Township will require, with the preliminary plan application, a letter from the owner of the transmission line stating any conditions on the use of the tract and the right-of-way width, or a copy of the recorded agreement which shall contain the above data.

6. Floodproofing of all Utilities - All new or replacement public and/or private utilities and facilities in floodprone areas shall be elevated or floodproofed up to the Regulatory Flood Elevation.
7. No company intending to install any petroleum products or natural gas transmission line shall be allowed to construct the line on less than a fifty (50) foot right-of-way, such line to be installed in the center of the right-of-way for all existing transmission lines within the development.
8. Where necessary to access to public or common lands, a pedestrian easement shall be provided with a width of no less than ten (10) feet. Additional width may be required by the Township depending on the purpose and the use of the easement.

409 - LAND GRADING REQUIREMENTS

- A. General - No land or parcel of land within the Township shall be graded or filled by any landowner, developer or subdivider unless and until there has been compliance under the provisions of this Ordinance.

In the case of a subdivision and land development, the grading plan shall be submitted, reviewed, and approved as part of the Preliminary Plan process). The Land Grading Plan shall be subject to the review and approval of the Township Engineer in accordance with his or her recommendations and applicable local, state, and federal guidelines.

- B. Applicability - The provisions of this Section shall apply if the existing condition of any land is proposed to be changed by any one (1) of the following:
1. Land is to be graded or filled to alter the existing contours more than an average of two (2) feet in elevation over any area in excess of five thousand (5,000) square feet.
 2. Land is to be filled to a depth of five (5) feet or more over any area in excess of one thousand (1,000) square feet.
 3. Land is to be graded or filled within an existing watercourse (whether an intermittent or flowing stream, or any normally dry swale which carries any amount of water during rainfall).
 4. In any event the Township shall reserve the right to require that a Land Grading Plan be prepared and submitted when it is determined by the Township Engineer that the nature of the land disturbance, based on soils, slopes, proximity to sensitive areas, or etc. justifies the need.
- C. Approval of Land Grading Plan - The Land Grading Plan and all information and procedures relative thereto, shall in all respects be in compliance with the provisions of this Section and the requirements of the Township Stormwater Management Ordinance, whichever is more stringent.
- D. Drawing Requirements for Land Grading Plan - The following data shall be shown on the Land Grading Plan:

1. The Plan shall be prepared and certification made as to its accuracy by a registered surveyor or registered professional engineer.
 2. Property Boundary consistent with the requirements for a preliminary plan under this ordinance.
 3. Existing topographic contours of the area to be graded or filled at contour intervals of no more than one (1) foot and depicted by a broken line unless the Planning Commission determines that a different contour interval is required. The proposed finished-grade contours shall be shown at contour intervals of one (1) foot and depicted by solid line.
 4. All existing watercourses within five hundred (500) feet of the area to be graded or filled, whether on land owned by the applicant or by others, shall be shown on the Plan.
 5. Total acreage of tract.
 6. Location and identification of all existing and proposed public and private easements.
 7. Location of all existing and proposed structure, roads, utilities, parking areas, and development appurtenance.
- B. Existing and proposed street names.
9. All proposed temporary and permanent erosion and sediment control and stormwater management facilities.
 10. Construction staging narrative.
 11. Detail drawings and specifications for all temporary and permanent erosion and sediment control and stormwater management facilities.
 12. All supporting calculations, documentation, and manufacturer's literature.
- E. Additional Drawing Requirement for Land Grading Plan - In addition to the Drawing Requirements previously stated, the following data shall be shown on the Land Grading Plan:

1. The plan shall be drawn to scale of not less than one inch equals fifty feet (1" = 50'), shall indicate the magnetic north point, and owner's name and address.
2. Abutting property lines and the names of abutting landowners.
3. In cases of heavily wooded areas, the outline of the wooded areas and the location of trees which are to remain, shall be shown.
4. A location map at a scale not smaller than one inch equals two thousand feet (1" = 2000') shall be drawn showing:
 - a. Relation of tract to adjoining property.
 - b. Related road and highway system within one thousand (1,000) feet of tract.
5. Statement that the applicant is the owner, equitable or authorized by the owner in writing to make application for the proposed land grading.

F. Construction Requirements

1. Fill - Fill shall not contain boulders or fractured rock or broken concrete over one (1) foot in largest dimension, or any organic material, trash, garbage, or broken asphalt paving. Fills of more than five (5) feet deep shall be compacted while being placed by a method approved by the Township Engineer.
2. Slopes - All constructed slopes shall not exceed the following:
 - a. Cut slopes in earth - 2 horizontal, 1 vertical feet
 - b. Cut slopes in rocks - 1 horizontal, 1 vertical feet
 - c. Fill slopes - 3 horizontal, 1 vertical feet

Slope limitations and allowances are subject to change pending review of the Township Engineer. The Township reserves the right to make limitations more stringent where public safety or protection of waterways, streets, and slopes are involved.

3. Drainage - All drainage construction shall meet the requirements of Section 515 of this Ordinance and the Township Stormwater Management Ordinance.

G. Other Requirements

1. During grading operations, necessary measures for dust control must be exercised.
2. Grading equipment shall not be allowed to cross streams. Provisions will be made for the installation of temporary or permanent culverts or bridges.
3. No work will be allowed to commence until all applicable permits and approvals have been obtained. Where deemed necessary by the Township or State/Federal Law, the Adams County Conservation District must approve the grading plan.
4. In a subdivision where the slopes on the site average more than fifteen percent (15%) change in elevation, the Planning Commission may recommend larger lot sizes than otherwise provided in this Ordinance.

410 - SEWAGE DISPOSAL SYSTEMS

Design of all sewage disposal systems shall be subject to review and approval of the Township as follows:

1. In the case of on-site sewage disposal systems, testing, design, permitting, and installation shall be in accordance with applicable Township Ordinances and Rules and Regulations of the Pennsylvania Department of Environmental Protection. Review and approval shall be by the Township Sewage Enforcement Officer.

2. In the case of central sanitary sewer systems and wastewater treatment facilities which are to be privately owned, the design plans and specifications shall be subject to review of the Township and/or appropriate Municipal Authority, as part of the Subdivision or Land Development Plan process. Design criteria shall be that of PADEP and as supplemented by the Township and/or Authority. Review and approval of the sanitary sewer system plans by the Township is required for Preliminary Plan approval. Review and approval of the wastewater treatment facility plans by the Township is required for Final Plan approval. Following approval of the Township, the developer is required to obtain approval from the Pennsylvania Department of Environmental Protection. Final Plan approval will not be granted until the developer submits copies of all applicable permits.
3. In the case of sanitary sewer systems and wastewater treatment facilities which are to be dedicated to the public, review and approval of design plans and specifications shall be by the applicable Municipal Agency or Authority in accordance with their Rules and Regulations. Review and approval of plans and specifications by the Township and/or applicable Municipal Authority shall be part of the Subdivision or Land Development Plan process. Review and approval of the sanitary sewer system by the Township is required for Preliminary Plan approval. Review and approval of the wastewater treatment facility by the Township is required for Final Plan approval. Final Plan approval will not be granted until the developer submits copies of all applicable permits from PADEP or other government agencies.

411 - WATER SUPPLY SYSTEMS

Prior to design of water systems where required by the Township a Water Supply Feasibility Study shall be completed for review and approval by the Township. Design of all water supply systems shall be subject to review and approval of the Township as follows:

1. In the case of individual private on-site wells and distribution systems, reviews and approval shall be by the Township in accordance with standards of the PADEP and applicable Township Ordinances. Review, approval and permitting shall be done prior to construction in accordance with the Township Well Ordinance.

2. In the case of central Private or Public Water Systems, which will be privately owned, review and approval of plans and specifications shall be by the Township and where deemed necessary, the applicable Municipal Authority in accordance with the standards of the Township Well Ordinance, PADEP and Township or Authority Rules and Regulations. Review and approval shall be part of the Preliminary Plan process. Following approval by the Township, the developer is required to obtain approval from PADEP. Preliminary Plan approval will not be granted until the Township and/or Authority has approved the plans. Final Plan approval will not be granted until all permits are obtained. A Township well permit (where applicable) must be obtained prior to construction.
3. In the case of Public Water Systems which will be dedicated to the public, review and approval of design plans and specifications shall be by the applicable Municipal Agency, or Authority in accordance with their Rules and Regulations. Review and approval of plans and specifications shall be part of the Preliminary Plan process. Preliminary Plan approval will not be granted until the developer submits copies of all applicable approvals from the local Municipal Agency or Authority. Final Plan approval will not be given until all permits are obtained from PADEP and other government agencies.
4. In any residential development where ten (10) or more homes are proposed on lots of less than two (2) acres each and on-site sewage disposal is also proposed, a central water system shall be provided in accordance with the requirements of this Ordinance.
5. Where water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors or the Planning Commission, as the case may be, that the subdivision or development is to be supplied by a certified public utility, a bonafide cooperative association of lot owners, or by a municipal corporation, authority, or utility. A copy of a certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for *such* certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

412 - WATER SUPPLY FACILITIES FEASIBILITY STUDIES

When a water supply facilities feasibility report is required, the Board of supervisors will approve the use of on-lot water supply systems (wells) when:

- a. This report indicates that justification of the project necessitates consideration of this type of water supply.
- b. The anticipated water supply yield is adequate for the type of development proposed.
- c. The installation of such systems will not endanger or decrease the groundwater supplies to adjacent properties.

The Water Supply Facilities Feasibility Report shall contain information relative to the above items and may be required for any development regardless of size. The information contained in the report shall be prepared by an Engineer licensed in the state of Pennsylvania or a qualified Hydrogeologist. The Board of Supervisors may require certification of yield projections and groundwater supplies by the Engineer retained by the developer.

This report shall be submitted to the Township Engineer for review. Following review of report when determined to be necessary by the Township Engineer the developer may be required to provide at least one (1) test well for each ten (10) lots. Such wells should be drilled, cased, and grout sealed into bed rock at least fifty (50) feet deep, having a production capacity of at least five (5) gallons per minute of safe potable drinking water as certified by the developer's Engineer through laboratory testing; all findings shall be submitted to the Township. For institutional, commercial, industrial or other large scale land development, the Township Engineer shall specify specific criteria and tests to be provided of on-site water supply systems on a case by case basis.

413 - TRAFFIC IMPACT STUDIES

Where deemed necessary by the Township, the developer shall submit a traffic impact study for review. Traffic Impact Studies (TIS) shall be prepared in accordance with the following criteria. In determining the need for a traffic impact study the Township will consider:

- if trip generation estimates are sufficient to warrant a TIS
- if there are existing traffic problems in the local area;

- if the project will significantly affect the existing level of service;
- if the project may affect adjacent neighborhoods or sensitive areas;
 - if the adjacent roadway has limited capacity or limited potential for improvement;
 - if the proposed access may affect nearby drives or intersections; or
- if there are problems or deficiencies that may be affected by the project;

A. GENERAL CONTENT

The TIS should consider several functions. First, it should identify the contribution a certain development project would make to local transportation impacts.

Second, it should identify roadway improvements required to mitigate those impacts. And third, it should consider the compatibility of the project with local transportation plans. The TIS, in general should be in accordance with standards of the Pennsylvania Department of Transportation, the Institute of Transportation Engineers, and the Berwick Township Subdivision and Land Development Ordinance. The TIS should provide general information on the following: capacity, safety, circulation patterns, traffic control needs, neighborhood impacts, parking adequacy, pedestrian and bicycle movements, and service and delivery vehicle access.

B. TIS PREPARER

The TIS should be prepared by a qualified Traffic Engineer. The preparer should have sufficient documented training and experience in traffic engineering to establish qualifications to perform the study, and shall be a registered Professional Engineer.

C. ADDITIONAL INFORMATION

The report should provide the following elements:

- Project Narrative
 - Indicate the size and nature of the development
 - Location of all transportation access points
- Eventual traffic demand
 - Describe the study area and existing land use and transportation facilities including details of the existing roadway network, physical features, traffic control devices, the presence of safety hazards and restricted sight distances

- The preparer should consult with local, county, and state officials to determine any proposed changes which may affect conditions in the study area
- The TIS shall analyze at least three scenarios; existing conditions, future conditions without the project, and future conditions with the project
- Data for each scenario should be developed as discussed below.

The specific data to be collected and analyzed will vary depending on the nature of the project and the conditions in its vicinity. In all cases, peak hour traffic volumes shall be evaluated. Peak hours include the peak traffic periods of the study area roadways and the proposed project, which may coincide with the roadway peaks. Normally, weekday morning and afternoon peaks will be considered.

For some uses, it may be appropriate to consider mid-day peaks or weekend peaks. Turning movement counts shall be collected at critical intersections during these periods. In addition, total daily traffic may be required, including volumes for other hourly periods. Besides traffic volumes, other data may be required, such as accident history, vehicle mix, signal phasing, operating speeds, vehicle gaps and acceptance, and pedestrian activity.

The data must be recent, either collected specifically for the current TIS or a verifiable source. If appropriate, adjustments should be applied to the actual counts for monthly or day-of-week variations. If significant variation is noted, the analysis should consider both "typical" and "worst case" conditions.

In evaluating a "future year without project" (or background) scenario, the preparer shall project future conditions based on an acceptable methodology. Unless otherwise specified a short term projection factor, based on the recent pattern of travel growth, shall be applied to the existing volumes. Separate factors may be applied to different roadways, for example, based on different functional classifications. If there is knowledge of other proposed developments or roadway improvements affecting travel in the study area, these factors must be considered.

In evaluating a "future year with development", total traffic shall include site-generated traffic and background traffic.

The site generated volumes should be applied to the local network based on justifiable procedures. The process includes several distinct stages: trip generation, trip distribution, and route assignment.

The number of vehicle trips unless otherwise specified shall be computed from the current edition of Trip Generation as prepared by the Institute of Transportation Engineers. This reference must be used with caution. It may be appropriate to evaluate both average anticipated conditions and "worst-case" conditions when the underlying data is highly variable or not truly representative of the proposed use and location.

Trip distribution indicates *the* direction of travel from or to the site. It may be difficult to estimate the actual destination of trips originating at the proposed development, but the study must justify the assumed distribution using sound principles.

It may be appropriate to consider different potential trip distributions, and evaluate each to determine "worst-case" impacts.

Route assignment is derived from trip distribution. The preparer shall assign all trips to roadway links based on the established distribution pattern. Unless otherwise specified the shortest path or travel time shall be used in assigning the trips.

Impacts must be analyzed based on traffic conditions for each study period in each scenario. At a minimum, the preparer shall consider levels of service. At intersections, level of service must be considered for each approach and movement. Other factors may also be required, including potential impacts on safety.

Based on impacts occurring during the "future year with development" scenario, the preparer shall offer recommendations for improvements. These improvements may include traffic controls (such as signals and signs) and roadway improvements (such as roadway widening and turning lanes)•

Unless otherwise specified the improvements must be considered for any roadway segment or intersection where the project has an adverse impact compared to the background level of service. For new intersections, a minimum level of service of "C" shall be provided, and the proposed design must provide that capacity.

Adequate controls must be provided to address any safety concerns. The TIS must also include any Engineering studies required to justify the recommended traffic control devices.

414 - STORM DRAINAGE AND STORMWATER MANAGEMENT

A Stormwater Management Plan must be submitted as part of the Preliminary Plan for all subdivisions and land developments. Waivers of this requirement may be granted for subdivisions which qualify for exemptions under the Township Stormwater Management Ordinance and as otherwise granted by the Township following recommendation of the Township Engineer. Stormwater Management Plans and design criteria shall be in accordance with the Township Stormwater Management Ordinance, the requirements of the Pennsylvania Department of Environmental Protection, The Pennsylvania Department of Transportation , (whichever is applicable). Design standards shall also be subject to approval of the Township Engineer.

415 - LANDSCAPING REQUIREMENTS

All plans shall be accompanied by a Landscaping Plan. The Landscaping Plan shall be reviewed and approved as part of the Preliminary Plan phase. Subdivision plans which are exempt from submittal of a Preliminary Plan shall be exempt from submittal of a Landscaping Plan. Requirements of the Landscaping Plan are as follows:

1. Plan shall be prepared by an individual experienced in selection of plantings.
2. Detail drawings and specifications shall be provided on the plan where applicable.
3. There shall be a key or legend which corresponds to the plan identifying type of plant.
4. Each lot within a subdivision or land development shall be provided with planting areas. In the case where the lot is intended for single family residential use specific plants do not have to be indicated, however the plan shall identify minimum areas for landscaping.
5. Design shall be in accordance with standard practice of landscape architecture.
6. Selection of plants and trees shall be based on the location of the site and local environmental influence such as slope, soil, wind, temperature, shade, rainfall, and etc.

7. The landscape plan shall be subject to review and approval by the Township Engineer.
8. Responsibility for future maintenance shall be that of the property owner, however the developer is responsible for installation under the terms of the posted financial surety.

416 - RECREATION AREAS

Where applicable, recreation areas shall be provided in accordance with requirements of this Ordinance. When recreation areas are required to be provided, the preliminary plan shall indicate the general layout of the recreation area including proposed features.

1. Design shall consider the nature of the development.
2. Where deemed necessary detail drawings and/or manufacturer's literature shall be provided with the plan.
3. The plan should indicate who will be responsible for future maintenance of the recreation area.
4. Where deemed necessary for safety or aesthetic reasons the Township may require revisions to the plan.
5. The design and layout of recreational facilities shall be subject to the approval of the Township or a designated recreation committee.

ARTICLE V - IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

501 - MONUMENTS AND MARKERS

Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or steel dowel set in the concrete.

501 - A - MONUMENTS

1. Monuments shall be set:
 - a. at the intersection of all right-of-way lines.
 - b. at the intersection of lines forming angles in the boundaries of the development.
 - c. at such intermediate points as may be required by the Township Engineer.
2. Monuments shall be six (6) inches square or four (4) inches in diameter, thirty (30) inches long and made of concrete, stone or by setting a four (4) inch cast iron or steel pipe filled with concrete.

501 - B - MARKERS

1. Markers shall be set:
 - a. at all lot corners except those monumented.
 - b. at angles in property lines of lots
 - c. at beginning and ending of curves along street property lines.
2. Markers shall be three-quarters (3/4) of an inch square or three-quarters (3/4) of an inch in diameter, twenty-four (24) inches long. Markers shall be made of iron pipes or iron steel bars.

501 - C - REMOVAL

Any monuments or markers that are removed must be replaced by a registered engineer or surveyor at the expense of the developer or the person removing them.

502 - STREETS

All streets shall be graded at full right-of-way width and paved to the grades and dimensions drawn on the plans, profiles, and cross-sections approved by the Township. Before establishing finished subgrade and paving the street surface, the Developer must install all required underground utilities. Specifications for the construction of streets shall be in accordance with the following:

502 - A - URBAN OR SUBURBAN DEVELOPMENTS

All street construction materials and methods shall be in accordance with Pennsylvania Department of Transportation Specifications Publication 408, as amended. In addition, all streets shall be constructed in accordance with any additional standards required by the Township Engineer, when in the opinion of the Engineer conditions such as traffic volume, or expected weight of proposed traffic justify alternate specifications.

1. Minor streets and collector streets

a. Subgrade

- 1) Remove topsoil, organic, or otherwise unstable material. Material and compaction used for fill shall be specified on the plan and shall be subject to approval of the Township Engineer. Any fill shall be constructed in accordance with PennDOT Publication 408.
- 2) Fine grade and roll subgrade with Township approved rolling equipment.
- 3) Following compaction the surface tolerance shall be checked. Irregularities of more than .05 feet shall be corrected to the satisfaction of the Township Engineer.
- 4) Where conditions dictate, and as recommended by the Township Engineer, a geo-fabric shall be installed on top of finished subgrade. Geo-fabric materials and installation shall be as recommended by the Township Engineer.

- 5) Any springy or spongy areas shall be provided with a proper underdrain system, which is connected to the storm sewer system.
- 6) Subgrade that has been disturbed by trenching shall be backfilled and compacted in eight (8") inch layers and inspected by the Township Engineer or his designated agent.
- 7) Subgrade shall be inspected by the Township Engineer or his designated agent prior to the placement of the sub-base course. This may include appropriate compaction testing where deemed to be necessary by the Engineer.

b. Sub - Base Course

- 1) Sub-base course shall consist of a minimum of 6" of PA 2A Coarse Aggregate. Depth shall be measured in place after compaction. Coarse Aggregate shall be in accordance with PennDOT Publication 408 as most recently amended and shall be supplied from a certified PennDOT supplier. Compaction shall be with Township approved equipment.
- 2) Sub-base course shall be tested by digging one test hole for each 3,000 square yards or as directed by the Township Engineer.

c. Base Course

- 1) Base Course shall consist of a minimum of 5" of Bituminous Concrete Base Course (BCBC). Depth shall be measured in place after compaction. BCBC shall be in accordance with PennDOT Publication 408 as most recently amended and shall be supplied by a PennDOT certified supplier.
- 2) Base course shall be tested by drilling (3) six inch test cores per 1,000 square yards of pavement or as directed by the Township Engineer. Pavement more than 1/4 inch deficient shall be repaired to the satisfaction of the Township.

d. Pavement Surface Course

- 1) No final wearing course shall be placed on streets which are to be dedicated to the Township until 80% of proposed building construction is complete or as otherwise determined by the Township following consultation with the Engineer.
- 2) Pavement Wearing course shall consist of 1-1/2 inches of PA Type ID2 Wearing. Thickness shall be measured in place after compaction. ID2 Wearing Course shall be in accordance with PennDOT Publication 408 as most recently amended and shall be supplied by a PennDOT certified supplier.
- 3 Surface course shall be sealed wherever it comes in contact with another structure (i.e. curb, manhole, inlet, etc.) This work shall be done in accordance with the specifications set forth in PennDOT Publication 408 as most recently amended.
- 4) Compaction shall be with Township approved rolling equipment.
- 5) Quality Control
 - (a) Remedy irregularities in the base course prior to placement of wearing surface. Base course surface must be cleaned and tack coated prior to placement of wearing surface.
 - (b) As directed by the Township Engineer drill (3) six inch test cores per 1,000 square yards of pavement. Pavement more than 1/4 inch deficient shall be repaired to the satisfaction of the Township Engineer.

e. Alternate pavement types and depths will be considered pending review and approval of the Township Engineer. The minimum alternate standards shall be as follows:

- 1) Sub-base Course: 8" PennDOT 2A Coarse Aggregate
- 2) Binder Course: 3" PennDOT ID2 Binder
- 3) Wearing Course: 1-1/2" PennDOT ID2 Wearing

2. Arterial Streets - The depth and type of materials shall be as recommended by the Township following consultation with Pennsylvania Department of Transportation.
3. The Township shall inspect roadway construction to determine compliance with standards of the Ordinance and conformance to approved plans. At a minimum each course shall be approved prior to placement of each successive course.
4. The Township shall reserve the right to require additional depth of materials or to deviate from type of material specified where, in the opinion of the Township Engineer, it is necessary to withstand projected traffic loads or adverse environmental conditions.
5. When required by the Township to protect the pavement course from potential excessive damage, the wearing course shall only be applied following improvement of 80% of the lots which the street will service or as otherwise determined by the Township Engineer. In this case, the Township may require an alternate type of binder course to be used.
6. The Township may, when deemed necessary by the Township Engineer, require the installation of subsurface drainage systems which may consist of subgrade and/or subbase drains. Construction standards shall be in accordance with PennDOT Publication 408 and Roadway Construction Standards. This requirement may occur as a result of field inspections or compaction testing during construction.

502 - B - STREET LIGHTS

In any proposed subdivision or land development involving ten (10) or more lots or dwelling units with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or less, a street light meeting Township requirements shall be installed at one corner of every intersection. In lieu of street lights, the Township may require the developer to install individual property lights in the ratio of one (1) to each lot. In evaluation of this criteria, the total number of lots projected at build out must be considered.

Each light shall be controlled by an electric photo cell to operate continuously from dusk to dawn. They shall be shielded or erected as to not illuminate the interior of adjacent structures.

502 - C - STREET SIGNS

Where deemed necessary by the Township, street name signs may be required. Such signs, if required, shall be placed at one (1) corner of every intersection. The design of such signs shall be subject to Township approval.

502 - D - STREET TREES

The Township may require that shade trees be planted in the development to conform to the following specifications:

1. Shade trees shall be planted by the developer at intervals of between fifty (50) feet and seventy (70) feet along both sides of all streets of the subdivision.
2. The trees shall be located between the right-of-way and building setback line and a minimum of five (5) feet from the right-of-way. No trees shall be planted between the sidewalk and curb.
3. Each tree shall be at least eight (8) feet in height and have a diameter of at least one and one-half (1 1/2) inches.
4. The type of tree shall be noted on the plans and shall be subject to the review and approval of the Township.
5. Individual lot owners shall be responsible for future maintenance of trees. Developer to be responsible until expiration of maintenance bond.
6. Trees shall not be planted until finished grading has been completed.

503 - CURBS AND GUTTERS

- A. **Curbs shall be installed on both sides of any proposed street to be included in a proposed subdivision. Curbs may also be required on existing streets where curbs are necessary to control the flow of surface water and regulate traffic. Curbing requirements may be waived upon consideration of the recommendations** of the Planning Commission, the Township Engineer, and/or the Pennsylvania Department of Transportation.
- B. Curbs shall be provided in all parking compounds located within multi-family developments.

- C. The construction of vertical curbs shall conform to Township specifications and the requirements of Plain Cement Concrete Curb, as specified in Publication 408 and RC standards of the Pennsylvania Department of Transportation, or as amended. Slant concrete curb may be used subject to approval by the Township following consultation with the Engineer and Roadmaster.
- D. Curb Construction shall be as follows:
1. Materials
 - a. Cement Concrete - All curbs shall be constructed of PennDOT Class A Cement Concrete. For slip forming, concrete shall be designed with a maximum slump of one and one-half (1 1/2) inches.
 - b. Expansion joint filler shall include pre-molded fillers of cork, cork and rubber, or fiber types, meeting the requirements of PennDOT Publication 408. Molded expansion joint filler shall be one quarter (1/4) of an inch in thickness.
 2. Construction Requirements
 - a. Preparation of Foundation
 - 1) The material upon which the curb is to be constructed shall be compacted to a firm, even surface.
 - b. Forms.
 - 1) Forms shall be of metal, except that wood forms may be used on sharp curves and short tangent sections, when approved by the Engineer.
 - 2) Forms shall be free from warp, and of sufficient strength to resist the pressure of the concrete without springing.
 - 3) If wood forms are used, they shall be nominal two (2) inch planks, finished on the inside and top.
 - 4) All forms and templates shall be thoroughly cleaned and treated to prevent concrete from adhering thereto and to prevent discoloration of the concrete.

c. Contraction Joints

- 1) Contraction joints shall be spaced in uniform lengths of sections twenty (20) feet maximum, except where shorter sections are required for curves or for closure, but in no case shall lengths be less than four (4) feet.

d. Removal of Forms

- 1) After removal of forms, minor honeycombed areas shall be filled with mortar (1 part cement, two parts fine aggregate).
- 2) Major honeycombed areas shall be considered as defective, removed and replaced.

D. Where a driveway enters a street, the curb shall be made lower for the width of the opening. When curbing is to be removed to construct a driveway, the length of the curbing to be removed shall be carried to the nearest expansion joint. If such a joint is more than 5 feet from the end of the curb removal, the section shall be neatly sawcut. In general, the depressed curb section used for driveways should conform to the Depressed Curb Detail (Exhibit 3).

E. Curb cut ramps shall be provided at street intersections and at locations as required by the Americans with Disabilities Act of 1990, as most recently amended.

F. In the event that the requirements for curbing is waived the following may be required:

1. Drainage swales of dimensions as specified by the Township Engineer shall be provided.
2. Shoulders may be required to separate the cartway and the drainage swale.
3. Additional right of way may be required to accommodate the shoulder and drainage swale.
4. The Township may require that a maintenance agreement be provided and made part of the approved plan whereby the developer agrees that the individual property owner or developer will be responsible for long term maintenance of drainage swale.

504 - SIDEWALKS

- A. In any proposed subdivision or land development with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or less, or where any subdivision is immediately adjacent to or within one thousand (1000) feet of, any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with Township requirements.
- B. All materials and construction requirements shall be governed by and subject to these specifications and to those referenced specifications of the Pennsylvania Department of Transportation's Specifications form 408 as amended.
- C. The Township may require installation of sidewalks in any subdivision or development where the evidence available to the Township at this time indicates that sidewalks are necessary for the public safety.
 - 1. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
 - 2. Sidewalks shall be at least four (4) feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks shall be at least five (5) feet wide and located within the street right-of-way.
- D. If proposed sidewalk is to replace existing sidewalk, the existing sidewalk shall be removed completely. All debris resulting from this process shall become the property of the contractor and shall be disposed of properly.
- E. All ground upon which the sidewalk is to be placed shall be firm, level and free of all rocks, roots, trees, plants, and other material deemed to be deleterious.
- F. The plans shall note that perpetual maintenance shall be the responsibility of the property owner.

G. Sidewalk Construction shall be as follows:

1. Materials

- a. Cement Concrete - All sidewalks shall be constructed of class A Cement Concrete per PennDOT Publication 408.
- b. Aggregate - Aggregate shall be PA No. 2B stone meeting the requirements of PennDOT Publication 408.
- c. Expansion Joint Filler - Expansion joint filler shall include premolded fillers of cork, cork and rubber, of fiber (resilient bituminous types), meeting the requirements of PennDOT Publication 408. Premolded expansion joint filler shall be 1/4 of an inch in thickness.

2. Construction Requirements

a. Preparation of Foundation

- 1) The foundation for the bed shall be formed at a depth of ten (10) inches below and parallel with the finished surface of the sidewalk.
- 2) Unsuitable material shall be removed and replaced with approved material.
- 3) The foundation shall be thoroughly compacted and finished to a firm, even surface.

b. Placing of Aggregate for Bed

- 1) The approved aggregate shall be spread on the prepared foundation to form a compacted bed six (6) inches in depth.

c. Forms

- 1) Forms shall be of wood or metal, straight, free from warp, and of sufficient strength when staked to resist the pressure of the concrete without springing.
- 2) If wood, they shall be nominal 2-inch planks finished on the inside and the top; or if metal, they shall be of approved section.
- 3) Forms shall have a depth equal to the depth of the concrete, and shall be thoroughly cleaned and treated with an approved material, to prevent the concrete from adhering thereto.

d. Joints

- 1) Transverse Dummy joints shall be spaced in uniform lengths of not more than five (5) feet and shall be 1/8 inches wide and one (1) inch deep and may be either hand formed or sawed joints.
- 2) Premolded expansion joint material shall be cut to conform to the cross sectional area and be placed at structures and at uniform intervals of not more than thirty (30) feet.

e. Placing Concrete

- 1). Concrete shall be four (4) inches in depth, six (6) inches at driveways, and spaded sufficiently to eliminate all voids.
- 2) An edger having a 1/4 inch radius shall be used for edging.
- 3) Sidewalks shall be sloped towards street at a uniform slope of 1/4 inch per foot.
- 4) Sidewalk shall include welded wire (mesh) fabric reinforcement in locations where subject to traffic (driveways).

f. Removal of Forms

- 1) Side forms shall not be removed within twelve (12) hours after the concrete has been placed.
- 2) After removal of the forms, minor honeycombed areas shall be filled with mortar composed of one (1) part cement and two (2) parts fine aggregate.
- 3) Major honeycombed areas will be considered as defective work, and shall be removed and replaced.

g. Curing

- 1) The sidewalk shall be cured and protected as specified in PennDOT Publication 408, with either membrane or water curing.

h. Backfilling

- 1) After the concrete has cured for not less than seventy-two (72) hours, the spaces adjacent to the sidewalk shall be backfilled with approved material in layers of not more than four (4) inches in depth, which shall be thoroughly compacted to the required elevation and cross section.

505 - SEWAGE DISPOSAL AND WATER SUPPLY SYSTEMS

All sanitary sewer and water supply systems located in any designed floodplain district shall be flood proofed up to the regulatory flood elevation.

505 - A - SEWAGE DISPOSAL SYSTEMS

Design, review and approval of sewage disposal systems shall be as outlined in Article IV

1. The type of sewage disposal shall be consistent with the Township's Official Plan for Sewage Facilities (ACT 537 Plan).
2. All subdivisions and land developments shall be connected to a public sanitary sewer system if possible. Where a public sanitary sewer system is not accessible but is proposed for extension within five (5) years to the development or as outlined otherwise in the Act 537, Official Sewage Facilities Plan, or to within 1,000 feet of the development, the developer shall install sewer lines, including lateral connections and watertight caps, to provide adequate service to each lot when connection to the public sanitary sewer system is made.

Design and construction standards shall be in accordance with the Rules and Regulations of the Township or applicable Municipal Authority and shall be subject to their review and approval in accordance with the provisions of this Ordinance. Where applicable the sewer lines within the development shall be capped at the street right-of-way line. When capped sewers are provided, approved on-site disposal systems or a Township and State approved wastewater treatment facility must be provided in accordance with the provisions of this Ordinance.

If there is insufficient information available to provide a proper capped sewer system, the developer shall, at the Township's discretion, provide for the eventual installation of sanitary sewers by creating an escrow account in a amount sufficient to provide for the eventual construction of said sewer lines. The escrow amount shall be as determined by the Township Engineer.

3. Where private community systems are to be used, they shall serve as an interim method of disposal until such time that a public system is available.
4. Construction materials and methods of private community system shall be in accordance with the Rules and Regulations of the Township or applicable Municipal Authority, and the Pennsylvania Department of Environmental Protection.
5. All on-site sewage disposal systems shall be installed in accordance with the Rules and Regulations of Berwick Township and the Pennsylvania Department of Environmental Protection.
6. In the case of privately owned community systems, prior to approval of a preliminary plan, the developer shall provide an agreement to the Township which provides for the following:
 - a. Installation of the system in accordance with approved plans.
 - b. Provision of financial surety to cover 110% of installation costs.
 - c. Municipal inspection of construction.
 - d. Completion and submittal of an as-built drawing.
 - e. Assurance that upon availability of a public system that the development will be connected to the public system.
 - f. Provision for guarantee for long term operation and maintenance in accordance with the requirements of the Township per Chapter 71 of the Pennsylvania Department of Environmental Protection's Rules and Regulations.
7. In the case of community systems which are to be dedicated to the public, construction shall be in accordance with the rules and regulations of the applicable agency or authority.

8. Upon completion of any sanitary sewer system installation, the plan for the system (as built) shall be filed with the Township.

505 - B - WATER SUPPLY AND DISTRIBUTION SYSTEMS

Design, review, and approval of water supply and distribution systems shall be in accordance with Article IV.

1. Where a water main supply is within one thousand (1,000) feet of, or where plans approved by the Township provide for the installation of such public water facilities, the developer shall provide the development with a complete water main supply system in accordance with the Township or applicable Municipal Authority requirements. At the Township's discretion, an escrow account may be required as set forth in Section 505.A.2.
2. All mains, laterals and other facilities for connection from lots to public water supply systems shall be installed by the landowner or developer in accordance with the standards and materials recommended by the water utility company. Proof from the water company of the approved location of the proposed water system shall be submitted to the Township and the Fire Marshall prior to plan approval.
3. If connection to a public water supply system is not possible, a study on the feasibility of constructing a separate water supply system may be required by the Township and a report shall be submitted setting forth the findings.
4. The installation of a private or public water supply system intended to serve more than a single family dwelling which is to be privately owned shall be by the developer, in accordance with standards of the PADEP, Berwick Township or the applicable Municipal Authority.

Upon completion of any water supply system the plan for the system as built shall be filed with the Township and Township Authority.

5. Prior to construction of any water supply wells a permit must be obtained in accordance with the Berwick Township Well Ordinance.

505 - C - ASSOCIATION FOR THE OPERATION AND MAINTENANCE OF PRIVATE SYSTEMS.

1. When private sewage treatment systems and/or water supply systems are installed by the developer, an association or other organization must be established by the developer to operate and maintain the systems.
2. Any and all legal documents involved in establishing this association or any other organization must be submitted and approved by Berwick Township prior to approval of the Final Plan.
3. Financial surety shall be provided to the Township in the amount to be determined by the Township Engineer in accordance with Chapter 71 of the Pennsylvania Department of Environmental Protection's Rules and Regulations, to ensure operation and maintenance of privately owned wastewater treatment facilities. This must be provided prior to final plan approval.

506 - FIRE PROTECTION

Fire hydrants or other means of fire protection as approved by the Township shall be provided as an integral part of any public or private community water supply system or as a part of any water system to serve an industrial use. The water system shall be of adequate supply and shall be designed to provide pressure adequate for the use of Fire Hydrants or other approved Fire Protection Systems. Water supply shall be adequate for fire flow demands. The developer shall be required to prepare and submit all necessary engineering studies to ensure that adequate water pressure and volume will be available.

- A. Fire hydrants shall be installed in accordance with the requirements of the local fire authority. The applicant shall submit proof that the couplings on said hydrants are of a design which is compatible with local fire equipment. Fire hydrants shall conform to the standards of the Township Municipal Authority and the National Fire Protection Association.
- B. Fire hydrants shall be placed at intervals of not more than six hundred (600) feet and in locations acceptable to the Township and local Fire Authority.
- C. Where deemed necessary, the Township may require submittal of design information for fire protection systems. For review and approval. Standards for Fire Protection Systems shall be as specified by the Township.

- D. The developer shall obtain written concurrence of the fire protection system from the local fire authority having jurisdiction over the area.

507 - STORM DRAINAGE SYSTEMS AND STORMWATER MANAGEMENT

Construction of storm drainage and stormwater management facilities shall be in accordance with the Berwick Township Stormwater Management Ordinance and/or as approved by the Township Engineer.

508 - EROSION AND SEDIMENTATION CONTROL

All development applications which involve grading or excavation shall conform to the requirements of the Adams County Conservation District or the Pennsylvania Department of Environmental Protection pertaining to erosion and sedimentation control. It shall be the responsibility of the applicant to secure approval of the Adams County Conservation District or the Department of Environmental Protection as is appropriate. Approval of plans by the Township shall not be construed as approval under such regulations.

In addition, the construction of erosion and sediment control facilities and land grading shall conform to the standards of this Ordinance and the Township Stormwater Management Ordinance.

509 - FLOODPLAINS

- A. The floodplain corridor shall be defined and established as the area of inundation which functions as a storage or holding area for flood water to a width required for a one hundred (100) year flood, as delineated in one of the following reports:
 - 1. FEMA Flood Insurance Rate Maps.
 - 2. A hydrologic report prepared by an individual registered in the Commonwealth of Pennsylvania to perform such duties.
 - 3. A hydrologic report prepared by an agency of the U.S. Government.
- B. In case of any dispute concerning the boundaries of a flood plain corridor, the Township shall determine the ultimate location.

- C. Whenever a floodplain corridor is located within or along a proposed land development, the plan shall include the location of the floodplain corridor with a plan note that:
1. The floodway shall be kept free of structures, fill, and other encroachments.
- D. In the event construction is to take place in the floodway fringe area, the following shall apply:
1. Any structures located within the floodway fringe shall be flood-proofed to the limits of the floodplain corridor.
 2. The lowest floor (including basements) in any residential building or structure shall be constructed at an elevation greater than the established Regulatory Flood Elevation; and in any non-residential building or structure elevated the same or flood-proofed up to that height.

Any structure, or part thereof, which will not be completely or adequately elevated, shall be flood-proofed in accordance with the provisions of this article. Additional information may be obtained from the publication entitled "Flood-Proofing Regulations" (U.S. Army Corps of Engineers, June 1972).
 3. Fill material shall extend laterally at least fifteen feet (15') from the building line from all points and shall not be steeper than one (1) vertical foot to two (2) horizontal feet.
- E. No building is allowed in the floodplain without approval from Berwick Township Board of Supervisors in accordance with the applicable Floodplain Ordinance or regulation.
- F. All floodplain lands shall be excluded in the minimum lot area calculations. Additionally, the floodplain and/or floodway area shall be identified by elevation or by approximate distance from the centerline of the stream channel. Floodplain and floodway lines need not be identified by distances and bearings.

- G. No subdivision and/or land developments, or part thereof, shall be approved if the proposed development and/or improvements will individually or collectively, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
- H. If the Township determines that only a part of a proposed subdivision can be safely developed, the Township shall limit development to that part and shall require that development proceed consistent with this determination.

510 - UNDERGROUND UTILITY LINES

Electric, telephone, and all other utility facilities shall be installed underground, and shall be flood proofed up to the regulatory flood elevation. The developer shall be required to obtain a letter from the appropriate utility company confirming that the developer has *entered into* an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission Investigation docket #99, as amended, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

511 - PETROLEUM LINES

When any petroleum or petroleum products transmission line traverses a Land Development, the developer shall confer with the applicable transmission or distributing company to determine the minimum distance which shall be required between each dwelling unit and the centerline of such petroleum or petroleum products transmission line.

512 - NATURAL GAS LINES

The minimum distance from a natural gas line to a dwelling unit shall be as required by the applicable transmission or distributing company, or as shall be required by the applicable regulations issued by the Department of Transportation under the Natural Gas Pipe Line Safety Act of 1968, as amended, which ever is greater.

513 - PROVISION FOR REQUIREMENT OF LANDS FOR RECREATION AND OTHER PUBLIC SITES

- 1. In approval of subdivisions and Land Development, the Township shall consider the need for suitable open areas for recreation and shall make recommendations thereon.

2. The land to be reserved or dedicated shall be suitable in size, shape, topography and general character for the proposed use.

<u>Families to be Served</u>	<u>Minimum Playground and Neighborhood Park Acreage to be Recommended</u>
0 - 50	1.0
50 - 100	3.0
100 - 200	5.0
200 - 400	7.0
for each additional 100 families	1.0

3. In lieu of reservation or dedication of recreation areas, the Township may require capital contribution in the amount of \$1,200.00 per lot or unit to be made by the developer to an existing or future Recreation Program. The Township may also at its option accept any combination of money and land.
4. Dedication of Recreation Areas or fees in lieu of shall be in accordance with the Township Recreation Plan.

514 - WATER AREAS

In a development abutting a lake, river, or other significant water body, the Board of Supervisors, upon consultation with the Planning Commission, may request the dedication or reservation of:

1. Any title to the water body the developer may possess beyond the wharf or dock line for public use.

515 - RESERVATIONS

- On sites for eventual public acquisition, no building development is permitted during the period of reservation. Said period of time shall not extend more than twelve (12) months without the consent of the developer. Such reservations shall be noted on the Final Plan.

516 - COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF;
PREREQUISITE TO FINAL PLAN APPROVAL

516 - A COMPLETION OF IMPROVEMENTS

1. No subdivision and/or land development application shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition, or improved as 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 required by this Ordinance have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for Final Plan approval, including improvements or fees required, the developer shall deposit financial security with the Township 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, recreational facilities, open space improvements, or buffer or screen plantings which are or may be required.
2. 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 Plan contingent upon the developer obtaining a satisfactory financial security. The Final Plan (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 landowner or developer.

516 - B COMPLETION GUARANTEE

1. To satisfy the completion of improvements required as a condition for the final approval of the Subdivision and/or Land Development Plan as set forth in this Ordinance, the landowner or developer shall deposit financial security acceptable to the Board of Supervisors in an amount sufficient to cover the costs of such improvements, estimated, calculated and determined as set forth below.
2. Without limitation as to other types of financial security which the Township 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.
3. 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.
4. 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.
5. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the landowner or developer. The Township may adjust the amount of the financial security annually, 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 90th day after either the original date scheduled for completion or a rescheduled date of completion.

Subsequent to said adjustment, the Township may require the landowner or developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the landowner or developer in accordance with this subsection.

6. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by a landowner 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 Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the landowner or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the landowner or developer. The estimate certified by the third engineer shall be presumed fair and reasonable, and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the landowner or developer.
7. If the party posting the financial security requires 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 percent (10%) 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 percent (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 procedure.

8. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stages of development as it finds essential for the protection of any finally approved section of the development.
9. 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, 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 who 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 plan. 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 shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.
10. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board may require the posting of financial security in the form of a maintenance bond to secure structural integrity improvements of said as well as the functioning of said improvements in accordance with the design and specifications as depicted on the Final Plan 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 percent (15%) of the actual cost of installation of said improvements.

11. 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 Township, 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.

12. If financial security has been provided in lieu of the completion of improvements required as a condition for the Final Plan approval, the Township 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 Plan upon actual completion of the improvements depicted upon the approved Final Plan. Moreover, if said financial security has been provided, occupancy permits for any building of buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved Final Plan, 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.

13. Failure to complete any construction or development of the proposed subdivision or land development within five (5) years following the approval of a final plan by the Township shall automatically render the approval of the plat null and void, unless an extension of time has been requested in writing by the applicant and a written approval granted by the Berwick Township Board of Supervisors. Further, failure of the applicant to comply with the requirements of Section 508(4) of the "Pennsylvania Municipalities Planning Code:, as amended (53 P.S. 10508(4)), the contents of which are also hereby incorporated herein by reference, shall subject the subdivision or land development to any and all changes in zoning, subdivision and other governing ordinances enacted by the Township subsequent to the date of the initial preliminary plan submission.

516 - C RELEASE FROM IMPROVEMENT BOND

1. When the landowner or developer has completed all of the necessary and appropriate improvements, the landowner or 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 landowner or 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.

2. The Board of Supervisors shall notify the landowner or developer, within fifteen (15) days of receipt of the Township Engineer's report, in writing by certified or registered mail of the action of the Board of Supervisors with relation thereto.
3. 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 landowner or developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the landowner or developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the landowner's or developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township Engineer.
6. Where herein reference is made to the municipal engineer, he shall be a duly registered professional engineer employed by the municipality or engaged as a consultant thereto.
7. The municipality may prescribe that the applicant shall reimburse the municipality for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a *schedule* established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the municipal engineer or consultant for work performed for similar services in the community,

but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the municipalities when fees are not reimbursed or otherwise imposed on applicants.

- a. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten working days of the date of billing, notify the municipality that such expenses are disputed as unreasonable or unnecessary, in which case the municipality shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.
- b.. If, within 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 municipality shall jointly, by mutual agreement, appoint another professional 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.
- c. 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 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- d. In the event that the municipality and applicant cannot agree upon the professional engineer to be appointed within 20 days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the municipality is located (or if at the time there be no President Judge,

then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the municipal engineer nor any professional engineer who has been retained by, or performed services for, the municipality or the applicant within the preceding five years.

- e. 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 \$ 1,000 or more, the municipality shall pay the fee of the professional engineer, but otherwise the municipality and the applicant shall each pay one-half of the fee of the appointed professional engineer.

517 - INSPECTION OF IMPROVEMENTS

- A. Construction of all improvements shall be subject to inspection for conformity with this Ordinance and the approved plans.
 - 1. Construction of all improvements covered by this Ordinance are subject to inspection by the Township or it's authorized representative.
 - 2. Where inspection of improvements is required to determine compliance with approved plans, the cost and fees for said inspection shall be paid by the developer in accordance with the fee schedule as adopted by the Township.
 - 3. No person shall interfere with or obstruct the ingress or egress to or from any such site or premises by an authorized representative or agent of the Township of Berwick engaged in the inspection of work for compliance with the approved plans.

517 - B - AS BUILT PLAN

1. Within forty-five (45) days after completion of improvements and approval of same by the Township, the landowner or developer shall submit to the Board of Supervisors, a set of As Built Plans and profiles in accordance with Section 310. In the event the As Built Plan is not submitted in complete and accurate form, all funds being withheld by means of a completion guarantee shall not be released, until such plan has been satisfactorily completed.
2. The As Built Plan shall be reproducible and drawn to the same scale as the Final Plan, and shall be certified to by an Engineer or Surveyor and approved by the Township Engineer.
3. Said Plan shall indicate the actual location, dimensions and/or elevations of all completed improvements, including but not limited to those set forth in Section 310.

518 - REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

In the event that any improvements which may be required under this Ordinance, or in accordance with the approved Final Plan, the Board of Supervisors may enforce the 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 correction to all the improvements covered by such bond or security, the Board of Supervisors may, at its option, install or repair part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover from the land developer the monies necessary to complete the remainder of the improvements. All of the proceeds whether resulting from the security or from any legal or equitable action brought against the landowner or developer, or both, shall be used solely for the installation of improvements covered by such security.

519 - A - DEDICATION AND ACCEPTANCE OF IMPROVEMENTS

Upon completion of the construction of improvements in accordance with the approved subdivision and/or land development plan, the following conditions shall apply to any offer of dedication of the same and the acceptance thereof:

1. The Board of Supervisors shall have no obligation to take over and make public any street, or other improvement in or abutting a subdivision and/or land development. If the Board of Supervisors elect to accept an offer of dedication, such acceptance shall not occur unless and until:
 - a. The required improvements, monuments and markers as shown on the approved Subdivision and/or Land Development Plan shall have been certified by the Township *Engineer* as having been constructed and installed in accordance with the provisions of this Ordinance, and other ordinances, codes, regulations, plans and maps of the Township; and accurately delineated in an As Built Plan.
 - b. A maintenance guarantee is provided through the posting of financial security, such as that deemed to be acceptable to the Township as set forth in Section 516.A. Such guarantee shall assure the structural integrity of required improvements as well as the functioning of said improvements, in accordance with the design and specifications as depicted on the approved Final Plans for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be in an amount equivalent to fifteen (15) percent of the actual cost of installation of the required improvements.
 - c. A deed or deeds of dedication for all improvements, prepared and executed by the landowner or developer in accordance with be presented to the Board of Supervisors, together with a certificate from the contractor or contractors evidencing the payment of all labor and material costs, and a policy of title insurance insuring the fee title to the said improvements as free and clear of all liens and encumbrances and other objections to the title.
 - d. Any offer of a deed of dedication must be accompanied by a maintenance bond and the As Built Plan(s) and shall be submitted at least ninety (90) days prior to the anticipated date for the acceptance of the deed of dedication.

2. The Board of Supervisors shall have no responsibility with respect to any improvements, not with standing any public use there of, unless and until such improvements are accepted for dedication by duly enacting or adopting an Ordinance or Resolution therefore.

519 - B - MAINTENANCE GUARANTEE

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 Plan 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 percent (15%) of the actual cost of installation of said improvements.

Defective improvements include any defect in material or workmanship that was latent in character and not discernible at the time of final inspection or acceptance by the Township and/or any damage to improvements by reason of the settling of ground, base or foundation thereof.

ARTICLE VI - FEES

601 - PRELIMINARY PLAN

At the time of filing, the Preliminary Plan shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for consideration of Preliminary Plans set forth in the fee schedule currently in force in the Township. In addition, costs for engineering and legal fees incurred in the consideration of the Plan, shall be paid by the applicant.

602 - FINAL PLAN

At the time of filing, the final Plan shall be accompanied by a check, payable to the Township, in the amount equal to the fee schedule currently in force in the Township. In addition, costs for engineering and legal fees incurred in the consideration of the Plan, shall be paid by the applicant.

603 - FEES FOR REVIEW AND IMPLEMENTATION OF PLAN

- A. The landowner or developer shall pay to the use of the Township, and upon invoice rendered by the Township, the actual cost of all reasonable and necessary fees incurred by the Township for the review and report thereon to the Township of all subdivision and/or land development plans by the Township Engineer, Consultants, Township Solicitor and such other professional as are engaged by the Township to review and evaluate subdivision and/or land development plans. The need for such professionals, and the selection thereof, shall be determined solely by the Board of Supervisors.
- B. Review fees shall be based upon a schedule established by ordinance or resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township Engineer or Consultants for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Township Engineer or consultants to the Township when fees are not reimbursed or otherwise imposed on applicants.

1

C. The Township may require that the developer pay a deposit to cover the cost of engineering and legal review of the plan. If following approval of the plan and satisfaction of any agreements, any portion of such deposit which is unused shall be returned to the developer. If the amount of the deposit is insufficient to cover the cost of such engineering and legal review, the developer may be required to submit additional funds or to reimburse the Township the additional costs for review of the plan.

1. In the event the Applicant disputes the amount of any such review fees, the Applicant shall, within ten (10) working days of the billing date, notify the Township that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the Applicant's request over disputed fees.
2. In the event that the Township and the Applicant cannot agree on the amount of review fees which are reasonable and necessary, then the Applicant and the Township shall follow the procedure for dispute resolution as outlined in the Municipalities Planning Code as most recently amended.

C. MATERIAL TESTS

The landowner or developer shall pay to the use of the Township and upon invoice rendered by the Township, the cost of performing all material tests determined by the Board of Supervisors to be necessary or desirable in connection with the inspection or approval of all subdivision and/or land development plans or improvements.

D. INSPECTION FEES

The developer or applicant shall, as part of the land development agreement, submit to the Township an amount as estimated by the Township Engineer, a fee to be placed in an escrow account to cover the cost of inspection of construction to certify that subdivisions and land developments are constructed in accordance with the approved plans. This shall include any necessary inspection services to process reduction in improvement bonds or surety.

E. OTHER FEES

The landowner or developer shall pay the Township for all fees incurred by the Township in the preparation and review of the Subdivision and Land development Agreements, Improvement and Maintenance Bonds, Escrow Agreements and other instruments deemed necessary or desirable by the Board of Supervisors in connection with subdivisions or land developments.

ARTICLE VII WAIVERS AND MODIFICATIONS

701 - MODIFICATIONS

The Board of Supervisors may grant a modification of the requirements of one or more of the 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 the Ordinance is observed.

- A. All requests for a modification shall be in writing and shall accompany and be a 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 the Ordinance involved, and the minimum modification necessary.
- B. The request for modification may be referred to the Planning Commission for advisory comments.
- C. The Board of Supervisors and the Planning Commission shall keep a written record of all action on all requests for modifications.
- D. No modification shall be granted solely upon proof that the applicant's land would increase in value or that the applicant could use the land more profitably upon grant of the modification.

702 - PROCEDURE

- A. Any request for a waiver or modification shall be in writing and shall accompany and be a part of the submission of the Plan, Preliminary and/or Final, to which it refers. The request shall state in full the ground and facts of unreasonableness or hardship on which the request is based, the provision(s) of this Ordinance involved, and the exact waiver or modification there from which is requested.

- B. All proposals for waiver or modification from the provisions of this Ordinance shall be reviewed and a recommendation made by the Township Planning Commission, whether requested by the developer or deemed necessary by the Board of Supervisors.

- C. A record of the action on all waiver or modification from the provisions of this Ordinance shall appear in the official minutes of the Planning Commission and of the Board of Supervisors.

ARTICLE VIII - ADMINISTRATION, ENFORCEMENT, AND PENALTIES

801 - ADMINISTRATION

- A. The Board of Supervisors shall have the duty and authority for the administration and general enforcement, of the provisions of this Ordinance, as specified or implied herein.
- B. Officials of the Township having regulatory duties and authorities connected with, or pertinent to, the subdivision, use or development of land shall have the duties and authorities for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other Ordinances of the Township.
- C. Permits required by the Township for the erection or alteration of buildings, the installation of sewers or sewage disposal systems, or for other appurtenant improvements to, or use of, the land shall not be issued by the Township official until it has been ascertained that the site for such building, alteration, improvement or use is located in a development approved and publicly recorded in accordance with the provisions of this Ordinance.
- D. Such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded Final Plan or other land description acceptable in accordance with the provisions of this Ordinance, and that it is in compliance with all applicable provisions of this Ordinance.
- E. The Township building permit officer shall require that application for building permits contain all the information necessary to ascertain that, and shall not issue any building permit until it is determined that, the site and plan for the proposed building, alteration or other improvement is acceptable in accordance with the provisions of this Ordinance.

- F. The Township Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information necessary for him to ascertain that, and he shall not issue any sewage disposal system permit until he determines that, the site for the proposed system is acceptable in accordance with the provisions of this Ordinance.
- G. A 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 or real property in violation of any ordinance adopted pursuant to this article. This authority to deny such a permit or approval shall apply to any of the following applicants:
- (1) The owner of record at the time of such violation.
 - (2) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - (3) The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - (4) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the 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.

802 - ENFORCEMENT AND PENALTIES

Any person, partnership, or corporation who or which being the owner or agent of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees to enter into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon, unless and until a Final Plat has been prepared in full compliance with the provisions of this Ordinance, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or agent of any of them, responsible for such violation pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel, but in no event shall the fine be less than one hundred dollars (\$100). All fines collected for such violations shall be paid over to Berwick Township.

The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transfer or from such penalties or from the remedies herein provided.

The Board of Supervisors may initiate and maintain civil action to obtain a writ of injunction against the owner or agency who is in violation of any provision of this Ordinance, or who attempts the improper sale or conveyances of land; and in proper cases to set aside and invalidate any conveyances or agreements to convey land made prior to Final Plan approval of any subdivision or land development.

Nothing herein shall prevent the Board of Supervisors from taking such other action necessary to prevent or remedy any violation.

- A. Duly authorized representatives of Berwick Township have the right to enter private property at reasonable times to investigate any condition associated with this ordinance.
- B. Any person who violates any of the provisions of this Ordinance shall, upon being found liable therefore in civil enforcement proceedings commenced by Berwick Township, shall be subject to a fine not exceeding One Thousand (\$1,000) Dollars, plus all court costs, including reasonable attorney fees incurred by Berwick Township.

C. Upon discovery of any violation of this Ordinance, Berwick Township may, at its option, forgo any prosecution here-under, and may grant to the owner a period of seven (7) calendar days to comply with the provisions of this Ordinance. Upon failure of the owner to effect such compliance, the Township may initiate prosecution as hereinabove set forth.

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.

803 - APPEALS

Decisions made by the Township may be appealed in accordance with the Pennsylvania Municipalities Planning Code.

804 - REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

805 - 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 provision, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors of Berwick Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ARTICLE IX - MOBILE HOMES AND MOBILE HOME PARKS

This article contains provisions setting forth minimum standards for:

1. The design, construction, alteration, extension, and maintenance of mobile home parks and related utilities and facilities.
2. Regulations for the erection of single mobile homes.
3. Provisions are included authorizing the issuance of permits for construction, alteration and/or extension of mobile home parks, the licensing of those who operate mobile home parks, the inspection of mobile home parks by authorized township officials, and the fixing of penalties for any violation of any provision of this Article.

901 - DEFINITIONS

1. COMMON OPEN SPACE - Land within a mobile home park, not including streets, off-street parking areas, private yard space, and areas set aside for public facilities, which shall be designed and set aside for the use of all residents of the mobile home park. This area shall be identified by separate parcel(s).
2. INTERNAL STREET - A street in a mobile home park privately owned, constructed and maintained, which functions only to provide direct access to individual mobile home lots.
3. LICENSE - Written annual approval, in whatever form, as issued by the Township, authorizing a person to operate and maintain a mobile home park.
4. MOBILE HOME - A transportable, single family dwelling intended for permanent occupancy, office or place of assemble contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

5. MOBILE HOME LOT - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased to the occupants of the mobile home erected on the lot.
6. MOBILE HOME PARK - A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.
7. MOBILE HOME STAND - The part of an individual mobile home space which has been reserved for the placement of a mobile home and appurtenant structures and connections.
8. PERSON - Any individual, firm, trust partnership, public or private association or corporation, or other entity.
9. PLANNING COMMISSION - The planning commission of Berwick Township.
10. RECREATIONAL VEHICLE - A vehicle which is designed for human occupancy under transient circumstances, such as camping, travel or other recreation, sometimes variously know as a "travel trailer" or a "camping trailer".
11. SERVICE OR RECREATIONAL BUILDING - A structure housing operational office, recreational, park maintenance and other facilities built to conform to required local standards.
12. SEWER CONNECTION - The sewer connection consists of all pipes, fittings, and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe.
13. SEWER RISER PIPE - The sewer riser pipe is that portion of the sewer lateral which extends vertically to the ground elevation and terminates at each mobile home space.
14. USABLE SITE AREA - The usable site area is that portion of a mobile home park which is free of water surfaces, flood plains, severe high water table areas, quarries and slopes over twenty per cent (20%), and including structures or obstructions unrelated to the mobile home park usage.

15. WATER CONNECTION - The water connection consists of all pipes, fittings, appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.
16. WATER RISER PIPE - The water riser pipe is that portion of the water service pipe which extends vertically to the ground elevation and terminates at the designated point on each mobile home lot.
17. WATER SERVICE PIPE - The water service piping consists of all pipes, fittings, valves and appurtenances from the water main of the park distributing system to the water outlet of the distributing system within the mobile home.
18. TRAVEL TRAILER - Denotes a trailer which does not have a flush toilet or bath and shower enclosed within. Travel Trailer shall not be allowed to be placed in Mobile Home Park as a means of residence.

902 - PERMITS FOR MOBILE HOME(S) AND MOBILE HOME PARK CONSTRUCTION, ALTERATION, OR EXTENSION

902 - A - APPROVAL REQUIRED

It shall be unlawful for any person to construct, alter, extend or operate any mobile home park within the limits of Berwick Township unless a valid permit and/or license issued by Berwick Township is obtained.

Design and improvements standards shall be consistent with the Berwick Township Subdivision and Land Development Ordinance. In the event that there is a conflict, the more stringent shall apply.

902 - B - APPLICATION FOR MOBILE HOME PERMITS/MOBILE HOME PARK LICENSES

1. APPLICATION TO BERWICK TOWNSHIP - The applicant shall submit an application to Berwick Township for a permit to place a mobile home or to operate a mobile home park in Berwick Township.
2. MOBILE HOME PERMIT - The following procedures shall apply solely for the proposed placement of a mobile home on a single parcel (separately deeded) or within a mobile home park.
 - a. Any person desiring to locate a mobile home shall submit an application for a Mobile Home Permit (see Attachment IX-1) to Berwick Township.

- b. The Township shall review the application for compliance with this Ordinance and other applicable Ordinances of the Township. The Township may request the assistance of the Township Zoning Officer, Engineer, Solicitor, and other municipal officials in order to determine approval, conditional approval or disapproval of the application.

The Township shall, within forty-five (45) days from the receipt of an application, issue a permit or disapprove the application and transmit the decision in writing to the applicant. A notice of disapproval shall cite the reasons for disapproval.

- c. The Mobile Home Permit is not assignable and terminates within one (1) year from the date of issuance, unless the mobile home is installed as prescribed in this Ordinance.

3. MOBILE HOME PARK LICENSE - The following procedure shall apply to all new and expansions of existing mobile home parks.

- a. DESIGN PLAN APPROVAL - Any person desiring to establish a new mobile home park or expand an existing mobile home park shall secure approval under the Berwick Township Subdivision and Land Development Ordinance prior to applying for a Mobile Home Park License. The Township shall reserve the right to require financial security to guarantee installation of improvements in accordance with Section 516 of the Subdivision and Land Development Ordinance.

- b. APPLICATION REQUIREMENTS - All requests for a Mobile Home Park License shall include the following:

- 1) An application for a Mobile Home Park license (see Attachment IX - 2).

- 2) Identification of the Adams County Recorder of Deeds reference numbers for the approved land development plan.

- 3A filing fee as set by resolution of the Township.

4 Copies of the following permits where applicable; Erosion Control Permit, Highway Occupancy Permit, Water Supply Permit, Wastewater Permit(s), and any other Local, State, or Federal Permits.

c. REVIEW PROCEDURES

- 1) The Township shall review the application for compliance with this Ordinance and other applicable ordinances of the Township. The Township may solicit the assistance of the Township Zoning Officer, Engineer, Solicitor, and other municipal officials in order to determine approval, conditional approval or disapproval of the application.
- 2) The Township shall, within sixty (60) days from the receipt of an application, issue a permit or disapprove the application and transmit the decision in writing to the applicant. A notice of disapproval shall cite the reasons for disapproval.

A Mobile Home Park Permit shall not be assignable and shall terminate (2) two years following its issuance unless an extension is approved by the Township. The Permit shall authorize construction of the Mobile Home Park.

- 3) Prior to issuance of a Mobile Home Park License, the Township shall inspect finished construction of all improvements to ensure compliance with the approved plans. The cost for review and inspection shall be paid by the Applicant in accordance with the requirements of Article VI of this Ordinance and shall be paid prior to issuance of a license. Following satisfactory inspection of improvements and payment of all license review and inspection fees, a Mobile Home Park license will be issued. The license will be issued within forty-five (45) days following certification of improvements by the Township Engineer. The Township, following recommendations of the Township Engineer, shall reserve the right to require that an As-Built plan be submitted in accordance with the requirements of Section 310 of this Ordinance.

The Mobile Home Park license shall be valid for a period of (1) one year and shall be renewed on an annual basis.

4. RENEWAL LICENSES

Application for renewal of a mobile home park license shall be made to the Township at least sixty (60) days prior to the expiration date of the license. Renewal of a mobile home park license shall be issued by the Township upon certification by the Owner that the park continues to meet the standards and requirements hereunder for the issuance of an original license.

It shall be unlawful for any person to operate a mobile home park without a valid license, renewed annually by the Township in the name(s) of the landowner and manager.

Prior to annual renewal of any Mobile Home Park license there shall be an inspection by the Township. If it is determined there are deficiencies or that the Mobile Home Park does not comply to the Township's Ordinances, the Township shall reserve the right to require that improvements be made to bring the Mobile Home Park into compliance and to establish reasonable time limits for those improvements.

The Township shall reserve the right to deny renewal of license, if there is not compliance.

Individual lots in a mobile home park shall not be sold separately. Any sale of lots in a mobile home park shall be for the park as a whole.

5. TRANSFER OF OWNERSHIP

Any transfer of ownership, interest or control of the mobile home park, including the merger, sale of shares of capital stock, sale of capital, shares of stock or otherwise, shall invalidate the license. The licensee shall give notice in writing to the Township, within twenty-four (24) hours or on the next business day after a change in land ownership. Such notice shall include the name and address of the person succeeding ownership.

6. SUSPENSION - Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provision of this Ordinance, or of any regulations adopted pursuant thereto, the Township Supervisors shall give written notice to the person whom the Certificate of Registration and license were issued advising him that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license to operate in the Township shall be suspended. At the end of such period, such mobile home park shall be inspected, and if such conditions or practices have not been corrected, and the licensee has not requested a hearing, the Township Supervisors shall suspend the license and give notice, in writing, of such suspension to the person to whom the certificate and/or license was issued. Any person, partnership or corporation who is in violation of any provisions of this Ordinance shall be subject to the penalties stated in section 802 of this Ordinance.

903 - COMPLIANCE OF EXISTING MOBILE HOME PARKS

- A. Mobile home parks in existence at the date of adoption of this Ordinance and being duly authorized to operate as same by the Township be continued so long as they otherwise remain in compliance with this and any other pertinent ordinances currently in force in the Township.
- B. Existing mobile home parks shall be required to submit an existing plot plan, drawn to scale, when applying for a Mobile Home Park License renewal. The plot plan shall contain information as required for a final land development plan as it relates to existing features.
- C. Any subsequent new construction, alteration, or extension of as existing mobile home park shall comply with the provisions of this Ordinance.
- D. Any existing mobile home park which, in the judgement of the Board of Supervisors creates a fire or health hazard shall be required to comply with this Ordinance within a reasonable period of time as determined by the Board of Supervisors.

904 - INSPECTION OF MOBILE HOME PARKS

The Township Supervisors or other authorized Township representative may inspect a mobile home park periodically to determine compliance with this Ordinance. As a result of such inspection, the Township Supervisors may give notice for any violations of this Ordinance.

905 - DESIGN AND IMPROVEMENT STANDARDS

The location, design, and improvement standards for all mobile home parks shall comply with the following minimum requirements. Site design and improvement standards shall conform to the standards of the Adams County or Berwick Township Zoning Ordinance (whichever may be applicable), and the Berwick Township Subdivision and Land Development Ordinance.

905 - A - SITE DESIGN

1. Site Area - The site area of any mobile home parks shall not be less than thirty (30) contiguous acres.
2. Density - The overall density of any mobile home park shall not exceed four (4) dwelling units per acre of the site area. Site area shall exclude all streets and public rights-of-way, recreation areas, flood plains, wetlands, areas of slopes greater than 15%, and common parking areas. Additionally;
 - a. No mobile home park shall contain more than one hundred (100) mobile homes, lots, or stands.
 - b. All lots shall abut and be accessible from a park street.
 - c. Mobile home lots within the park shall have a minimum area of seven thousand - five hundred (7,500) square feet and a minimum width of seventy (70) feet frontage (with a maximum of 4 units per acre, or as otherwise required).
 - d. Each mobile home lot shall be improved to provide a mobile home stand and adequate frost free foundation for the placement of the mobile home unit.

3. Buffering - A fifty (50) foot wide buffer yard shall be provided along the entire perimeter of any mobile home park. Within such buffer yard a planting screen at least fifteen (15) feet wide shall be provided. Buffer yards shall be naturally landscaped and shall not be used for building, parking, loading or storage purposes. Except for access drives or pedestrian interior walkways permitted by the Township, a buffer yard shall be continuous for the entire length of a property line.
4. Site Location - The location of all mobile home parks shall comply with the following minimum requirements. The parks must be:
 - a. The site shall be free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.
 - b. The area shall not be subject to flooding.
 - c. The site shall not be subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.

905 - B - SITE DRAINAGE

1. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts, and related facilities shall be provided to insure the adequate drainage of all locations within the park.
2. A Stormwater Management Plan shall be prepared in accordance with the requirements of this Ordinance and submitted for review and approval by the Township prior to the granting of a permit to construct any mobile home park.
3. All storm water facilities shall be kept completely separate from any sanitary waste facilities.
4. Surface water collectors and other bodies of standing water shall not be susceptible to the breeding of mosquitoes and other insects.

905 - C - SOIL AND GROUND COVER REQUIREMENTS

1. Exposed ground surfaces in all parts of every park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
2. All paving and/or planting shall be designed in accordance with the storm drainage plan.
3. Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or other pests.
4. An Erosion Control Plan shall be submitted to the Township for review. The Erosion Control Plan shall **be** approved by the Adams County Conservation District.
5. A landscaping plan shall be submitted for review and approval by the Township.

905 - D - PARK AREAS FOR NON-RESIDENTIAL USES

1. No part of any park shall be used for non - residential purposes, except such uses that are required for recreation, direct servicing, management, or maintenance of the park and its residents.
2. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

905 - E BUILDING SETBACK REQUIREMENTS

Mobile homes shall be located to conform with the building set-back requirements of the Adams County or Berwick Township Zoning Ordinance (whichever is applicable). In addition, the following shall apply;

1. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home, including accessory structures attached thereto, and adjoining pavement of a park street, or common parking area or other common areas and structures.
2. Mobile homes shall be located at least fifty (50) feet from any park property line and at least ten (10) feet from any side or rear mobile home lot line.

3. Mobile home parks located adjacent to any industrial or commercial land use shall be required to provide screen planting (trees, shrubs) along the property boundary line separating the park from such adjacent use.

905 - F - BLOCKS

The size and shape of blocks in mobile home parks shall be determined with regard to:

- 1) Need for convenient access, automotive and pedestrian movement.
- 2) Providing desirable lot depths for pedestrian interior walkways and easements for utilities to be located within the block.
- 3) Blocks shall not exceed a maximum length of sixteen hundred (1,600) feet.

905 - G - PLACEMENT OF MOBILE HOMES

1. Mobile homes, including any additions or accessory structures attached thereto, shall be separated from each other and from other buildings by at least twenty (20) feet on all sides.
2. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

3. CONSTRUCTION OF MOBILE HOME STANDS

- a. The area of the mobile home stand shall be improved to provide an adequate frost proof foundation for the placement of the mobile home, thereby securing the superstructure against uplift, sliding, or rotation, and in no event shall the mobile home be erected on jacks, loose blocks, or other temporary materials. The mobile home stand shall not heave, shift, or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.
- b. The mobile home stand shall be provided with anchors and tie-downs such as cast in place concrete "deadmen."

These anchors and tie-downs shall be placed at least at each corner of the mobile home stand and each shall be able to sustain a minimum tensile strength of twenty-eight hundred (2,800) pounds. In the event that the Mobile Home is greater than 50' the Township shall reserve the right to increase the number of tie-downs required.

- c. Where required by the Township, the Applicant shall submit a design including drawings of the Mobile Home stand for review and approval.

905 - H - PARK STREET SYSTEM

1. GENERAL REQUIREMENTS

- a. A minimum of Two (2) vehicular accesses shall be provided. All accesses shall abut a public street.
- b. The entrance road, connecting the park with a public street or road shall have a minimum pavement width of thirty-six (36) feet.
- c. Other internal streets shall:
 - 1) Streets shall have a minimum width of thirty-two feet.
 - 2) Dead end or Cul-De-Sac streets shall be provided at the closed end with a paved turnaround having an outside diameter of at least one hundred (100) feet.
 - 3) All street within mobile home park shall have concrete curbs and sidewalks in accordance with the Subdivision and Land Development Ordinance.
- d. Design and Construction of all streets within the mobile home park shall be in accordance with the Subdivision and Land Development Ordinance. All mobile home park streets shall be private streets.
- e. All mobile home lots shall be connected to a common street by means of a sidewalk or walkway. Such individual sidewalks shall have a minimum width of three (3) feet.

f. Street Names and Lot Numbers - Each street within a mobile home park shall be provided with street names and street name signs in accordance with this Ordinance. Lot numbers shall be displayed in an easily visible location on each mobile home in a common place on the front yard side of the mobile home at least six (6) feet above the ground.

2. Parking Areas

- a. Two (2) paved off-street parking spaces for motor vehicles shall be provided on each mobile home lot. Required parking spaces shall be so located as to provide convenient access to the mobile home, and shall not exceed a distance of two hundred (200) feet from the mobile home that it is intended to serve.
- b. A separate parking area for recreational vehicles shall be provided in each mobile home park.
- c. Paved off-street parking areas must also be provided to serve recreation areas, utility or service buildings, and the park office.
- d. Layout, design, and the number of spaces for all types of common parking areas shall be subject to review and approval by the Township in accordance with Township Ordinances.

905 - I - REQUIRED RECREATION AREAS OR FEES

1. In all mobile home parks a recreation area, or areas, with suitable facilities shall be maintained within the park for the use of all park residents.
2. Land required for such recreation areas shall be not less than ten percent (10%) of the gross site area. Such land should generally be provided in a centralized location or in decentralized locations in larger mobile home parks.
3. Recreation areas shall be so located as to be *free* of traffic and environmental hazards and should, where the topography permits, be centrally located on relatively level ground.

4. If a suitable recreation area cannot be properly provided for the park, as determined by the Board of Supervisors, payment of a recreational purpose fee is required. Such fee shall be in conformance with Section 416 of this ordinance.
5. A Recreation plan shall be submitted for review and approval per Section 416 of this Ordinance.

906 - WATER SUPPLY

906 - A - GENERAL REQUIREMENTS

If the mobile home park can be served by the extension of an existing public water supply system of satisfactory quantity, quality and pressure and is within one thousand (1,000) feet of the proposed development, the applicant shall connect to the Municipal System. The distribution system within the proposed development shall be subject to review and approval in accordance with the provisions of this Ordinance. Where a satisfactory public municipal water supply system is not available, a community water supply system shall be provided in accordance with requirement of the Subdivision and Land Development Ordinance

The water system design shall be approved by the Pennsylvania Department of Environmental Protection and Berwick Township and/or the applicable Municipal Authority.

906 - B - DESIGN AND CONSTRUCTION STANDARDS

Water supply and distribution systems shall be designed and constructed in accordance with Township standards and the requirements of the Subdivision and Land Development Ordinance. Where there is a conflict between this section and other sections of this Ordinance or other rules and regulations of the Township and/or the applicable municipal authority, the more stringent shall apply. Standards shall also be as recommended by the Township Engineer.

906 - C - SOURCE OF SUPPLY

1. The water supply shall be capable of supplying a minimum of four hundred (400) gallons per day per mobile home.
2. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source and will not be constructed beneath any sewer line.

3. 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 of the ground.
4. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Protection.

906 - D - WATER STORAGE FACILITIES

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

906 - E - WATER DISTRIBUTION SYSTEMS

1. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations.
2. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back siphonage.
3. The system shall be so designed and maintained as to provide a pressure of not less than twenty-five (25) pounds per square inch, under normal operating conditions, at each Mobile Home, service buildings and other locations requiring potable water supply. The developer is required to provide all necessary engineering studies to ensure that there will be sufficient water pressure and flow to meet such requirement and for operation of fire protection systems.
4. Individual Water Riser Pipes and Connections
 - a. Individual water riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

- b. The water riser pipe shall have a minimum inside diameter of 3/4 inch and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
- c. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
- d. A shut-off valve below the frost line shall be provided near the water riser pipe on each mobile home lot. Underground stop-and-waste valves are prohibited unless their type of manufacturer and their method of installation are approved.

907 - SEWAGE DISPOSAL

907 - A - GENERAL REQUIREMENTS

If the mobile home park can be served by the extension of an existing public sanitary sewer system located within one thousand (1,000) feet of the proposed development and adequate treatment capacity is available, a complete sanitary sewage collection system must be installed and connected by the developer to the existing public sanitary sewer system. Such system shall be designed, constructed and maintained in accordance with the Pennsylvania Department of Environmental Protection and the applicable Municipality or Municipal Authority regulations. If adequate treatment capacity is not available or connection to the existing public sanitary sewer system cannot be made, a community sewer system shall be provided. The system design shall be approved by the Pennsylvania Department of Environmental Protection and Berwick Township and/or the appropriate Municipal Authority. It shall be required as a condition of Plan approval, that the owner agree to the provision that when public sewers are made available to the site, that the Mobile Home Park be connected to such system and that all privately owned Wastewater Treatment Facilities be abandoned.

Regardless of the proposed method of sewage disposal, all systems shall be in conformance with the Berwick Township ACT 537 Official Sewage Facilities Plan. On-lot sewage disposal systems are not acceptable for mobile home parks.

907 - B - DESIGN AND CONSTRUCTION STANDARDS

Sanitary Sewer Systems and Wastewater Treatment Facilities shall be designed and constructed in accordance with Township standards and the requirements of the Subdivision and Land Development Ordinance. Where there is a conflict between this section and any other section of this Ordinance or other rules and regulations of the Township and/or the applicable Municipal Authority, the more stringent shall apply. Standards shall also be as recommended by the Township Engineer.

1. INDIVIDUAL SEWER CONNECTIONS

- a. Each mobile home lot shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand so that the sewer connection to the mobile home drain outlet will approximate a vertical position.
- b. The sewer connection shall have a nominal inside diameter of not less than four (4) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. All joints shall be watertight.
- c. All materials used for sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent and durable; the inner surface shall be smooth.
- d. Provisions shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half (1/2) inch above ground elevation.
- e. If Sanitary Traps are not provided within the individual Mobile Home Unit, it shall be installed in the Sanitary Sewer laterals.

2. SEWER LINES - 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.

908 - ELECTRICAL DISTRIBUTION SYSTEM

908 - A - GENERAL

Every mobile home park shall contain an electrical wiring system consisting of wiring, fixtures equipment and appurtenances which shall be installed and maintained in accordance with the local electric power company's specifications regulating such systems. All electrical system materials and installation shall be consistent with the National Electric Code as most recently amended.

908 - B - POWER DISTRIBUTION LINES

All power distribution lines shall be installed underground in accordance with the suppliers regulations. All other utilities, such as telephone, community cable television service, etc., shall also be installed underground in accordance with the individual utility's specifications governing such systems.

908 - C - INDIVIDUAL ELECTRICAL CONNECTIONS

Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

908 - D - REQUIRED GROUNDING

All exposed noncurrent-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

909 - SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

909 - A - APPLICABILITY

The requirements of this section shall apply to service buildings, recreational buildings and other community service facilities when constructed such as:

1. Management offices, repair shops and storage area.
2. Laundry facilities.
3. Indoor recreation areas.
4. Commercial uses supplying essential goods or services for the exclusive use of park occupants.

909 - B - STRUCTURAL REQUIREMENTS FOR BUILDINGS

1. All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.
 2. All rooms containing laundry facilities shall:
 - a. Have at least one (1) window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten percent (10%) of the floor area served by them.
 - b. Have at least one (1) window which can be easily opened, or a mechanical device which will adequately ventilate the room.
3. Toilets shall be located in separate compartments equipped with self-closing doors. Toilets shall have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions in lavatories and other plumbing fixtures shall be constructed of dense, non-absorbant, waterproof material or covered with moisture-resistant material.

910 - REFUSE HANDLING

The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution. All applicable local, state, and federal regulations shall be complied with. The plans shall outline the proposed method of refuse disposal.

911 - INSECT AND RODENT CONTROL

Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination and other methods of rodent control shall comply with any applicable local, state, and federal regulations.

912 - FUEL SUPPLY AND STORAGE

912 - A - NATURAL GAS SYSTEMS

1. Natural gas piping systems when installed in mobile home parks shall be approved by the utility company providing the service.
2. Each mobile home lot provided with piped gas shall have an approved shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

912 - B - LIQUIFIED PETROLEUM GAS SYSTEM

1. Liquified Petroleum Gas Systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with any applicable rules and regulations and shall include the following;
 - a. Systems shall be approved with safety devices to relieve excessive pressure and shall be arranged so that the discharge terminates at a safe location.
 - b. Systems shall have at least one (1) accessible means of shutting off the gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.
 - c. All LPG piping outside the mobile home shall be buried and protected against mechanical injury. Undiluted liquified petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile home.
 - d. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home, or any other structure unless such installations are specifically approved by the Township.

912 - C - FUEL OIL SUPPLY SYSTEMS

1. All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with any applicable rules and regulations.
2. All storage tanks shall be protected from physical damage.
3. All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall have shutoff valves located within five (5) inches of storage tank.
4. All fuel storage tanks and cylinders shall be securely placed and under no circumstances located less than five (5) feet from any mobile home exit.

912 - D - STORAGE TANK FOUNDATIONS

All fuel tanks not withstanding the type of fuel shall be provided with a stable foundation of compacted stone or concrete and anchoring, or as may be required by any applicable regulation whichever is more stringent.

913 - FIRE PROTECTION

- A. Fire protection systems shall be provided per Section 506 of this Ordinance.
- B. In addition the following shall apply;
 1. All applicable Local, State, and Federal regulations, shall be complied with.
 2. Each individual Mobile Home shall be equipped with two (2) working fire extinguishers.
 3. In the event the Applicant wishes to provide alternate means of fire protection, design information shall be subject to review by the Township, Township Engineer, and the local fire agency, and shall be subject to approval by the Township.

914 - SINGLE MOBILE HOMES

1. Any single mobile home shall meet the specifications for manufacture of mobile homes as set forth in U.S. Standard A 119.1-1969, NFPA No. 501B-1968, and any subsequent modification or amendment of such standards. Certification to such shall be submitted with the Mobile Home Permit application.
2. If a mobile home is erected and maintained as a single family dwelling other than in a mobile home park, the lot size, setback, sewer, and water requirements shall be the same as for a single family home, and in addition, placement and base enclosure requirements shall be the same as for mobile homes placed in mobile home parks.

915 - RESPONSIBILITIES OF THE PARK MANAGEMENT

- A. The person to whom a license for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair, and in clean and sanitary condition.
- B. The park management shall supervise the placement of each mobile home on its mobile home lot. This includes securing its stability and installing all utility connections. All mobile homes shall be inspected by the Township.
- C. The park management shall give the Township Officials free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspections.
- D. The management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park.
- E. A permit shall be obtained by the park management prior to placement of all structures and mobile homes in accordance with applicable Township Ordinances.

916 - GUIDELINES FOR RULES, REGULATIONS AND AGREEMENTS
BETWEEN MOBILE HOME PARK OPERATORS AND TENANTS

The following is a listing of minimum requirements that shall be included within a set of rules and regulations developed by each mobile home park operator to inform each prospective tenant of the park's operating policies.

The tenants/owner agreement shall be submitted to the Township for review and recommendation. The agreement shall be reviewed and approved by the Township prior to final plan approval and shall be recorded with the Final Plan. A copy which shall be on file at the Mobile Home Park and Township Office.

1. Number of pets allowed and other restrictions.
2. Speed limits and traffic control within the park.
3. Rent payment provisions and sub-letting policies.
4. Garbage collection schedules.
5. Vehicular ownership and maintenance restrictions.
6. Responsibilities of the tenant regarding behavior, including that of children and visitors.
7. Policies regarding swimming pools, mobile home skirting and other lot improvements required by operator or desired by tenants.
8. Maintenance responsibilities of each tenant.
9. Maintenance and use of common areas (i.e. recreation areas).
10. Requirement that tenant inspect and maintain in adequate operation gas, electric, and fire protection systems and equipment.

917 - FACILITIES

- A. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.
- B. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

918 - REMOVAL OF MOBILE HOMES

No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Township without first obtaining a Permit from the Township Tax Collector as required by Act 54, 1969, of the Pennsylvania General Assembly.

Such permit shall be issued upon payment of a fee as required by the fee schedule currently in force in the Township, and any real estate tax assessed against the home and unpaid at the time the permit is requested.

919 - NOTICES AND REVOCATION OF LICENSE

919 - A - NOTICES

Whenever the Township Supervisors or other authorized Township representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation to the person to whom the permit, and/or certificate and/or license was issued, as hereinafter provided. Such notice shall (a) be in writing; (b) include a statement of reasons for its issuance; (c) allow a reasonable time for the performance of any act it requires; (d) be served upon the owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state; (e) contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance, or any part thereof, and with the regulations adopted pursuant thereto.

919 - B - REVOCATION OF LICENSE

In addition to the provisions and penalties for violations as given in sections 916 and 917 of this Ordinance, the Township may give reasonable notice for the remedying of violations and if such violations are not remedied within the prescribed period of time, the Township may declare the license revoked.

920 - ENFORCEMENT **AND** PENALTIES

Duly authorized representatives of Berwick Township have the right to enter private property at reasonable times to investigate any condition associated with this Ordinance.

Anyone violating the provisions of this ordinance shall be guilty of an offense, and upon conviction shall be subject to a fine of not more than six hundred dollars (\$600.00) for each violation, recoverable with costs, and in default of payment, imprisonment of not more than thirty (30) days. Each day that the violation continues shall be a separate offense.

In addition, Berwick Township may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

ATTACHMENT IX -1

**APPLICATION FOR MOBILE HOME PERMIT
BERWICK TOWNSHIP, ADAMS COUNTY, PA**

The undersigned hereby applies for approval under the Berwick Township Subdivision and Land Development Ordinance for the placement of one mobile home, as described below;

1. Name of Property Owner _____
Address _____
Phone No. _____

2. Name of Applicant (if other than Owner) _____
Address _____
Phone No. _____

3. Name of Occupant _____
Current Address _____

4. Unit Location 5. _____ 6. _____ 7. _____ 8
Section _____ Lot No. _____

9. Mobile Home Registration No. _____

10. Please attach a Plot Plan containing the items shown on page 2

The undersigned hereby represents that they are authorized to execute this application and that the information provided herein is true and correct to the best of their knowledge.

Signature

Date

<p>MOBILE HOME PERMIT Berwick Township Adams County, Pennsylvania</p> <p>PERMIT NO. _____</p> <p>The property of _____ located at _____ has received approval for the placement of one mobile home, as described herein, and in accordance with the Berwick Township Subdivision and Land Development Ordinance.</p> <p style="text-align: right;">Approved By: _____ Date: _____</p> <p>Expiration Date: _____</p>

ATTACHMENT IX -1

GENERAL PLAN

1



SCALE: 1"

(4 SQUARES PER INCH)

The following shall be shown on the Plan:

**Buildings/Mobile Home
Driveways
Lot Configuration**

**Parking
Sanitary Sewer
Storm Sewer**

**Streets
Water Supply
Swales**

ATTACHMENT IX - 2

**APPLICATION FOR MOBILE HOME PARK LICENSE
BERWICK TOWNSHIP, ADAMS COUNTY, PA**

The undersigned hereby applies for approval under the Berwick Township Subdivision and Land Development Ordinance for a permit to construct and a license to operate a mobile home park, as described below:

1. Name of Property Owner _____
Address _____
Phone No. _____
2. Name of Applicant (if other than Owner) _____
Address _____
Phone No. _____
3. Name of Mobile Home Park _____
Location _____
4. Adams County Recorder of Deeds Mobile Home Park Plan
Book No. _____ and Page _____
5. Name of Operator / Manager _____
Address _____
Phone No. _____

6. The undersigned hereby acknowledges the following:

- The mobile home park will conform with the rules and regulations stated in the Berwick Township Subdivision and Land Development Ordinance, hereinafter referred to as the "Ordinance";
- An easily identifiable and permanent mobile home park management office will be provided on-site;
- All mobile home units will be anchored to a mobile home stand, in accordance with the Ordinance;
- Skirting will be installed and hitching removed for all mobile homes, in accordance with the Ordinance;
- The storage, collection, and disposal of refuse in the mobile home park will be managed in accordance with the Ordinance;
- The mobile home park will be kept free of litter, rubbish, and other unprotected flammable materials;
- Portable, hand-operated fire extinguishers will be provided in each community building and mobile home, in accordance with the Ordinance;
- The mobile home park manager will consult annually with the appropriate fue company;
- The mobile home park will continually maintain in functional condition all facilities, including but not limited to cartways, parking areas, drainage, water supply, sewage disposal, skirting, storage buildings, and community buildings;
- A register of all occupants will be maintained;
- Burning of trash and rubbish will be prohibited;
- Mobile homes will not be occupied by a greater number of occupants than which they are designed to accommodate;
- Representatives of Berwick Township have permission to enter the mobile home park for the purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

Signature

Date

ATTACHMENT IX - 2

MOBILE HOME PARK PERMIT TO CONSTRUCT

**Berwick Township
Adams County, Pennsylvania**

PERMIT NO. _____

The property of _____
located at _____ has
received approval for construction of a mobile home park as described herein, and
in accordance with the Berwick Township Subdivision and Land Development
Ordinance and *approved* Final Land Development Plan.

Approved: _____

Date: _____

Expiration Date: _____

ATTACHMENT IX-2

**MOBILE HOME PARK LICENSE
Berwick Township
Adams County, Pennsylvania**

LICENSE NO. _____

The property of _____
located at _____
has received a license for operation of a mobile home park as described herein, and in
accordance with the Berwick Township Subdivision and Land Development Ordinance
and approved Final Land Development Plan.

Approved: _____ **Date:**

Expiration Date: _____

ARTICLE X - ENACTMENT

This subdivision and Land Development Ordinance shall become effective on Cc/Oy, fia-"e', , and shall remain in force until modified, amended, and/or rescinded by the Board of Supervisors of Berwick Township, Adams County, Pennsylvania. Enacted and Ordained this _____ day of S erfe..4iek 1998.

BERWICK TOWNSHIP

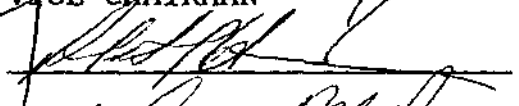
BOARD OF SUPERVISORS

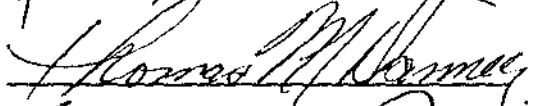


CHAIRMAN



VICE-CHAIRMAN







Attest:



Secretary

ARTICLE X - ENACTMENT

This subdivision and Land Development Ordinance shall become effective on _____, and shall remain in force until modified, amended, and/or rescinded by the Board of Supervisors of Berwick Township, Adams County, Pennsylvania. Enacted and Ordained this _____ day of _____ 1998.

BERWICK TOWNSHIP
BOARD OF SUPERVISORS

CHAIRMAN

VICE-CHAIRMAN

Attest:

Secretary

CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA SS: DATE: /0 3/.

I HEREBY CERTIFY that the following is a true and correct copy of Ordinance 41,
Subdivision and Land Development Ordinance, adopted by the Board of Supervisors of Berwick
Township, Adams County, Pennsylvania, at a meeting held on the 28th day of September, 1998,
notice of intention to adopt said Ordinance having been given by publication as required by law.

SEAL,



A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be the name of the Secretary of Berwick Township.

Secretary of Berwick Township
Adams County, Pennsylvania

BERWICK TOWNSHIP, ADAMS COUNTY, PA SUBDIVISION AND LAND DEVELOPMENT PLAN PROCEDURE

SKETCH PLAN

C

Applicant Submits Sketch Design to Twp. Planning Commission

Planning Commission Provides Initial Recommendation to Subdivider

Applicant Submits (1) Prelim. Plan, Application Fee, a Supporting Info, to Twp.

Applicant Presents Preliminary Plan to Planning Commission

PRELIMINARY PLAN

Z

Review by Adams County Planning Comm.

Review by PA DEP (2)

Review by Township Engineer

Review by PENNDOT

Review by Twp. Solicitor

Review by S.E.O.

Review by Applicable Public Utilities and/or Municipal Authority

Review by Adams County Conservation District

Planning Commission Reviews Prelim. Plan & Assoc. Reports & Makes Recommendation

Twp. Supers Review Prelim. Plan & Take Formal Action

Applicant Submits Final Plan & Supporting Info. to Twp. (1)

Review by Adams County Planning Comm.	Review by PA DEP (2)	Review by Township Engineer	Review by Twp. Solicitor	REVIEW BY Applicable Public Utilities and/or Municipal Authority	Review by Adams County Conservation District
---------------------------------------	----------------------	-----------------------------	--------------------------	---	--

(REQUIRED FOR ALL SUBDIVISIONS & LAND DEVELOPMENTS)

Planning Commission Reviews Prelim. Plan & Assoc. Reports & Makes Recommendation

Township Supervisors Review Final Plan

Applicant Submits Copies of all Required Permits

Applicant instate Improvements or Post Bond

Township Supervisors Take Formal Action on Final Plan (4)

if Approved, Applicant to Record Plan

- (1) All plans must be submitted at least 15 Business days prior to a regularly scheduled Planning Commission Meeting.
- (2) PA DEP approval of an sewage planning module is a *requirement* for approval.
- (3) All applicable permits must be obtained prior to approval.
- (4) All outstanding fees must be paid before Township signs plans.

EXHIBIT I

**BERWICK TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA
APPLICATION FOR SUBDIVISION OR LAND DEVELOPMENT**

1. DATE: _____

2. SUBDIVISION OR DEVELOPMENT:

Name

Commercial/Residential/Industrial	Acres	No. Lots
-----------------------------------	-------	----------

3. DEVELOPER:

Name / Address / Phone

4. LOCATION OF SUBDIVISION OR DEVELOPMENT:

5. STATUS OF PLAN: Sketch _____

Preliminary _____

Final _____

6. SUPPLEMENTARY INFORMATION SUBMITTED:

Sewage Planning Module

Stormwater Management Plan

Additional (Specify) _____

7. APPLICATION FEE (Per Township Fee Schedule):

Administrative _____

Engineering/Legal (Deposit)

Total

8. SUBMITTED BY (Signature):

Name/Title

9. ACCEPTED BY (Signature):

Name / Title / Date

EXHIBIT 2