



**Indiana Twp.
SUBDIVISION
ORDINANCE
#215
and
CURRENT
AMENDMENTS**

TOWNSHIP OF INDIANA

ORDINANCE NO. 215

AN ORDINANCE---AMENDING THE CODIFIED ORDINANCES OF INDIANA TOWNSHIP, 1980: REGULATING THE SUBDIVISION OF LAND FOR THE PURPOSE OF SALE OR BUILDING DEVELOPMENT; DEFINING TERMS; PROVIDING REGULATIONS, REQUIREMENTS AND DESIGN STANDARDS; PRESCRIBING PROCEDURES FOR THE PRESENTATION, APPROVAL AND RECORDING OF PLATS; SETTING FEES; PRESCRIBING PENALTIES FOR VIOLATIONS; AND REPEALING ANY CONFLICTING ORDINANCES

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Indiana, Allegheny County, Pennsylvania, as follows:

1. The Codified Ordinances of the Township of Indiana, 1980, are hereby amended by adding a New Title Six (Subdivision and Land Development) to Part Twelve - Planning and Zoning Code - as follows:

CODIFIED ORDINANCES OF INDIANA TOWNSHIP

PART TWELVE - PLANNING AND ZONING CODE

TITLE SIX - Subdivision and Land Development	Page No.
Chap. 1260. General Provisions	1
Chap. 1262. Definitions	3
Chap. 1264. Procedure for Submission of Plats	8
Chap. 1266. Plot Specifications	13
Chap. 1268. Design Standards	17
Chap. 1270. Improvements	22
Chap. 1272. Inspections, Permits & Enforcement	28
Exhibits B - Q	33-39

CHAPTER 1260
General Provisions

1260.01	Short Title	1260.04	Exceptions because of
1260.02	Purpose		Hardship
1260.03	Compliance Required	1260.05	Conflicts

CROSS REFERENCES

Generally - see Municipalities Planning Code Secs. 105 and 106
Grant of Power to Supervisors - Municipalities Planning Code
Sec. 501

1260.01 SHORT TITLE.

This ordinance shall be known and may be cited as the Indiana Township Subdivision and Land Development Ordinance.

1260.02 PURPOSE.

This ordinance is adopted for the following purposes:

(a) To assist the orderly and efficient development of the Township.

(b) To promote the health, safety, morals and general welfare of the residents of the Township.

(c) To secure equitable handling of all subdivision plans by providing uniform procedures and standards.

[Ord. 131 passed 5-15-73]

1260.03 COMPLIANCE REQUIRED.

No lot in a subdivision shall be sold, no permit to erect, alter or repair any building upon land in a subdivision shall be issued, and no building shall be erected in a subdivision, unless and until a subdivision plan has been approved and, where required, recorded, and until the improvements required by the Board of Township Supervisors in connection therewith have either been constructed or guaranteed, as herein provided.

[Ord. 131 passed 5-15-73]

1260.04 EXCEPTIONS BECAUSE OF HARDSHIP.

Where, owing to special conditions, a literal enforcement of this ordinance would result in unnecessary hardship, the Board of Supervisors may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot, issuance of a permit, and erection of a building, subject to conditions necessary to assure adequate streets and other public improvements. Financial hardship alone shall not be the basis for this

exception. A subdivision of any property into no more than two lots may be approved by the Planning Commission and Board of Supervisors without meeting the requirements of Chapter 1264.07.

[Ord. 215 passed 7-23-85]

1260.05 CONFLICTS.

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

[Ord. 131 passed 5-15-73]

CHAPTER 1262
Definitions

1262.01 Word Usage

1262.02 Definitions

CROSS REFERENCES

Generally - See Municipalities Planning Code Sec. 107
Comprehensive Plan - See Municipalities Planning Code Article III
Planning Commission - See ADM Chapter 268
Engineer - See ADM Chapter 230
Secretary - See ADM Chapter 226, 2nd Class Sec. 540
Board of Supervisors - See ADM Chapter 210
Floodplain Management - See BHC Chapter 1442

1262.01 WORD USAGE.

Words used in the present tense shall include the future. The singular number shall include the plural, and the plural the singular. The word "person" includes a corporation and unincorporated association. The word "shall" is mandatory.

[Ord. 131 passed 5-15-73]

1262.02 DEFINITIONS.

For the purpose of this Ordinance, the following terms shall have the meaning indicated, unless otherwise specifically stated.

- (1) As Built Plans. Plans and Profiles prepared by the Subdivider's Engineer or Surveyor showing the exact location, size, grade and depth of all the improvements after completion including "Y" branches and laterals for future house connections. Said plans shall be on reproducible linen or plastic.
- (2) Building. Any structure having a roof supported by columns or walls, for the shelter of persons, animals, chattels or property.
- (3) Building Setback Line. A line extending across a lot establishing the minimum open space to be provided between the front line of buildings and the front lot line.
- (4) Cartway. Paved area of right-of-way exclusive of curb structure.
- (5) 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 street lines.
- (6) Cluster Development. A concept of design and site planning in which several houses are grouped together on a tract of land.

Each cluster of houses is set off from others by an intervening space, often held for the common enjoyment of the neighboring residents or the community at large, and helps give visual definition to each individual group.

(7) Commission or Planning Commission. Indiana Township Planning Commission, Indiana Township, Allegheny County, Pennsylvania.

(8) Comprehensive Plan. The comprehensive development plan of Indiana Township indicating the general locations recommended for circulation facilities, community improvements, and land uses.

(9) Cross Walk. A public right-of-way which crosses a block to furnish access for pedestrians to adjacent streets or properties.

(10) Cul De Sac. A short street having one (1) end open to traffic and being permanently terminated by a vehicle turnaround.

(11) Culvert. Any structure not classified as a bridge which provides an opening under the roadway.

(12) Developer. Any subdivider or owner of land.

(13) Development Bond. A bond in cash or other form of acceptable financial security guaranteeing the satisfactory completion of all the improvements to the land in accordance with this Ordinance.

(14) Drawings. All drawings, cross sections, applicable standard drawings, or reproductions thereof, pertaining to the construction of the project.

(15) Dwelling Unit. Any structure or part thereof, designed to be occupied as the living quarters of a single-family or house-keeping unit.

(16) Easement. An interest in land in the possession of another which entitles the owner of such interest to a limited use or enjoyment of the land in which the interest exists.

(17) Elevation. A point or series of points (contours) which are a common distance above sea level or some other alternative point of reference which has a predetermined elevation. In terms of regulations only United States Geological Survey (U.S. G.S.) datum will be utilized.

(18) Engineer. The Indiana Township Engineer or Engineering Consultant of the Board of Supervisors of Indiana Township, Allegheny County, Pennsylvania, who shall be a registered professional engineer in the Commonwealth of Pennsylvania.

(19) Floodplain. Those areas identified as being subject to the one-hundred (100) year flood in the Flood Insurance Study and accompanying maps prepared for the Township by the Federal Emergency Management Agency, Federal Insurance Administration.

(20) Half Street. One (1) side of a street divided longitudinally by a property line.

(21) Health Department. Allegheny County Health Department.

(22) House Number. A number assigned by the Post Office or local engineer to a specific lot or parcel to be used as an address.

(23) Inspector. An authorized representative of the Indiana Township Board of Supervisors assigned to make any or all inspections of the work performed and materials used in construction.

(24) Lot. A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership or for development. In determining the size of a lot, no part of a street right-of-way or cross walk may be included.

(25) Lot Depth. The mean horizontal distance between the front and rear lines of a lot.

(26) Lot, Double Frontage. A lot, the generally opposite ends of which both abut on streets.

(27) Lot Width. The mean horizontal distance between side property lines of a lot.

(28) Maintenance Bond. A Bond in cash or other form of acceptable financial security guaranteeing repairs and replacement to the improvements for a period of eighteen (18) months from the date the improvements are adopted or taken over by the Township.

(29) Monument. As utilized in the context of these regulations, a monument shall designate survey reference points utilized in laying out a given subdivision. Each monument shall be constructed and placed as detailed in this Ordinance.

(30) Plan, Preliminary. The preliminary map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of this Ordinance.

(31) Plan, Sketch. The outline representation of a proposed subdivision.

(32) Planned-Unit Development. An area of land, controlled by a landowner, to be developed as a single entity for a variety of residential and related uses, the development plan for which does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established by the zoning ordinance or amendment heretofore or hereafter enacted.

(33) Plat. A map or plan of a subdivision or land development, whether preliminary or final.

(34) Right-of-Way. That portion of land dedicated to public use for street or utility purposes.

(35) Secretary. The Secretary of Indiana Township.

(36) Service Road. A permanent service way providing secondary means of access to abutting lands.

(37) Street. A right-of-way which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, drive or other appropriate name. A street may also be identified according to its type of use as follows:

Regional Street. A street which serves or is designed to serve heavy flows of traffic and which provides for traffic movements between traffic generation areas.

Collector Street. A street which serves or is designed to serve moderate flows of traffic and which provides for traffic movements between regional streets or between regional and local streets.

Local Street. A street which serves or is designed to serve low flows of traffic and which serves primarily as access to abutting properties and is not intended as a major artery carrying through traffic.

(38) Subdivider. Any person who undertakes the subdivision of land as defined herein. The subdivider may be the owner or the authorized agent of the owner of the land to be subdivided.

(39) Subdivision. The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development.

(40) Supervisors. The Board of Supervisors of the Township.

(41) Topographic Map. A map showing ground elevations by contour lines and the location of important natural and other objects.

(42) Township. The Township of Indiana, Allegheny County, Pennsylvania and its successors.

(43) Township Construction Standards. A set of Detail Plans and Specifications prepared by the Township Engineer and adopted by the Board of Supervisors by resolution, showing the size, dimensions, shape, and type of materials to be used in the construction of the improvements required herein.

(44) Watercourse. Includes channel, creek, ditch, drain, river and stream.

[Ord. 215 passed 7-23-85]

CHAPTER 1264
Procedure for Submission of Plats

1264.01	General	1264.05	Final Plat Application
1264.02	Advisory Meeting	1264.05	Review Procedure for
1264.03	Preliminary Plat Application	1264.07	Final Plats Recording
1264.04	Review Procedure for Preliminary Plats		

CROSS REFERENCES

Approval of Plats - Municipalities Planning Code Sec. 508
Public Hearing - Municipalities Planning Code Secs. 508(5) and 107(8)
Acceptable Financial Security - Municipalities Planning Code Sec.
509
Excavation, Filling or Grading - See S, U & PS Chapter 1022

1264.01 GENERAL.

(a) No person proposing a subdivision shall proceed with any grading or improvements until the preliminary plat is approved by the Board of Supervisors and all the proper Bonds are posted, fees paid and development agreement executed by the Subdivider. Any grading or improvement undertaken following approval of the preliminary Plan, prior to approval of a final plat, shall require special permission of the Board of Supervisors.

(b) No person proposing a subdivision shall sell, transfer, lease or otherwise convey any lot, parcel or tract in a subdivision, or construct or commence the construction of any building in a subdivision until the final plat of the proposed subdivision is approved by the Supervisors and recorded in accordance with the provisions hereof.

[Ord. 131 passed 5-15-73]

1264.02 ADVISORY MEETING.

(a) A person desiring approval of a plat of a subdivision shall make an appointment with the zoning officer at least fourteen (14) days prior to the date of the meeting to appear before the Planning Commission to discuss his proposal before filing an application for preliminary plat approval. No fee or formal application is required for this meeting. Its purpose is to save the subdivider time and money. The subdivider shall be prepared to discuss the details of his proposed subdivision including such items as the proposed use, existing features of the area, existing covenants, land characteristics, availability of community facilities and utilities, size of development, play areas or public areas, proposed protective covenants, proposed utilities and street improvements.

(b) The subdivider shall submit a sketch plan to the Zoning Officer for advisory review by the Planning Commission at least seven (7) days prior to the Planning Commission Meeting to allow him time to assemble any pertinent data for complete review by the Planning Commission. This plan may be drawn as a free-hand pencil sketch and does not require precise dimensions or any special sheet size. The plan shall, however, include topographic information as available from United States Geologic Survey or other maps. This sketch plan shall be used to show the Planning Commission the location, proposed street and lot layout and any other significant features of the proposed subdivision.

[Ord. 215 passed 7-23-85]

1264.03 PRELIMINARY PLAT APPLICATION.

After the advisory meeting, the subdivider shall submit an application for approval of a preliminary plat to the zoning officer, on the form provided by the Township. In order to be considered at a Planning Commission Meeting, the complete application for preliminary plat approval must be submitted and accepted by the zoning officer at least twelve (12) days prior to the commission meeting.

The application shall be accompanied by the following:

(a) Eight (8) copies of all maps and data set forth in Chapter 1266.02 of this Ordinance shall be delivered to the Township office at least twelve (12) days prior to the Planning Commission meeting at which the application will be considered.

(b) Payment of all fees and deposits required by this Ordinance, as established from time to time by resolution of the Board of Supervisors.

[Ord. 215 passed 7-23-85]

1264.04 REVIEW PROCEDURE FOR PRELIMINARY PLATS.

(a) The Planning Commission shall review the preliminary application and all comments received and submit its recommendation to the Supervisors not later than sixty (60) days after such application is filed. The Planning Commission may consult with the Township Planning Consultant and Engineer and use other technical assistance as required. A copy of the Preliminary Plat will be forwarded to the Allegheny County Planning Commission at the time of submittal for review and comments. Exception to the sixty (60) days may be made when the size, complexity, character or location of the proposed subdivision constitutes in the opinion of the Planning Commission a significant change in the characteristics of the area considered. The notification period will then be increased as needed, with appropriate notification and concurrence by all parties being the responsibility of the Planning Commission.

(b) The Supervisors shall review the preliminary application and render a decision not later than forty (40) days after such application and recommendation has been received from the Planning Commission.

(1) The decision of the Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. If the plat is disapproved, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall in each case cite the provisions of the statute or ordinance relied upon. If the plat is disapproved by the Supervisors the subdivider shall submit a new preliminary plat to the Planning Commission.

(2) Failure of the Supervisors or Planning Commission to render a decision and communicate it to the applicant within the time and manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension; failure to meet the extension shall have like effect.

(3) From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this chapter, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (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 application for such approval was duly filed.

(4) The Planning Commission or Board of Supervisors may require that a public hearing be advertised and conducted concerning the proposed subdivision, within the time periods permitted by this chapter. Upon the scheduling and prior to the conducting of such hearing, a fee as established by resolution of the Board of Supervisors shall be paid by the applicant.

[Ord. 215 passed 7-23-85]

1264.05 FINAL PLAT APPLICATION.

(a) The Final Plat shall be submitted to the zoning officer for consideration by the Planning Commission within twelve (12) months after the Preliminary Plat was approved by the Board of Supervisors and shall have incorporated all the changes required by the Supervisors. The Final Plat shall conform to the requirements set forth in chapter 1266.03 and shall constitute only that portion of the Preliminary Plat which the Subdivider proposes to record and develop at that time. In order to be considered at a Planning Commission meeting, the complete application for Final Plat approval must have been submitted and accepted by the zoning officer at least twelve (12) days prior to the commission meeting.

(b) The Final Plat shall be accompanied by at least seven (7) black or blue line prints and one (1) reproducible print of the Final Plat and seven (7) prints of all other exhibits and Engineering Data required for approval.

[Ord. 215 passed 7-23-85]

1264.06 REVIEW PROCEDURE FOR FINAL PLATS.

(a) If the Planning Commission finds that the final plat is in accordance with the requirements of this Ordinance, the Chairman or other authorized member shall endorse the plat and submit it to the Supervisors within thirty (30) days of such endorsement.

(b) No plat shall be finally approved by the Supervisors unless the streets shown on such plat have been improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements or common amenities as required by this Ordinance or other Township Ordinance have been installed in accordance with such ordinances. In lieu of the completion of any improvements required as a condition for final approval of a plan, the subdivider shall:

- (1) enter into a Development Agreement with the Township;
- (2) post a Development Bond with the Township in an amount determined by the Township Engineer sufficient to cover the costs of any improvements which may be required; and
- (3) post a Cash Bond to cover the township costs of legal, engineering and inspection fees and the installation of concrete survey monuments and street name signs and traffic control signs and devices.

(c) In the case where development is projected over a period of years, the Planning Commission and Supervisors may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

(d) If the Supervisors approve the Final Plat, the Solicitor and Engineer shall be authorized to prepare an estimate of costs for the Development Bond and a Development Agreement for the subdivider to execute before the plat is signed by the Board of Supervisors and returned to the subdivider. If disapproved, the Mayor shall attach to the original tracing of the final plat a statement of the reasons for such action and return it to the subdivider not later than fifteen (15) days following the decision. Either action shall be taken not later than thirty (30) days after the plat has been submitted to the Supervisors.

[Ord. 215 passed 7-23-85]

1264.07 RECORDING.

The subdivider shall present a copy of the approved final plat to the Recorder of Deeds of the County. Said plat shall bear required Township and County official signatures. Unless the plat is duly recorded within ninety (90) days from the date of final plat approval, Township approval of the plat shall expire and shall be of no effect until subsequently reinstated.

(a) The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

(b) After a plat has been approved and recorded, all streets and public grounds on such plat shall be, and become a part of the official map of the Township without a public hearing. Streets will be adopted by Ordinance prepared by the Solicitor and Engineer after improvements are completed, public grounds will be conveyed to the Township by deed and a Bill of Sale prepared by the Solicitor and Engineer for all utilities which will be Township maintained; all expenses related thereto to be paid by the subdivider.

[Ord. 131 passed 5-15-73]

CHAPTER 1266
Plat Specifications

1266.01	General	1266.03	Final Plat and Construction
1266.02	Preliminary Plat		Drawings

CROSS REFERENCE

Generally - see Municipalities Planning Code Section 503
Requirement for Recreation and Open Spaces - see PZC Chapter 1280

1266.01 GENERAL.

In a subdivision for residential use of less than five lots and where the lots abut existing public roads and utilities, the Planning Commission and Supervisors may waive certain requirements such as topographic, street and utility specifications, in the instance such information is not required.

[Ord. 215 passed 7-23-85]

1266.02 PRELIMINARY PLAT.

The following maps and data shall be submitted with the application for preliminary plat approval. A report from the United States Soil Conservation Service District Office with regards to soil erosion and sedimentation control may be requested by the Planning Commission or Supervisors. These maps and data may be on separate sheets or combined on one (1) sheet, depending on the size and complexity of the proposed subdivision. The overall size of the sheets shall be determined by the Planning Commission.

(a) A location map of the proposed subdivision showing:

- (1) location within the Township;
- (2) zoning of the tract and adjacent properties;
- (3) relationship to existing community facilities, such as main traffic arteries, public transportation, schools, recreation areas, shopping areas and industrial areas.

(b) A map of the proposed subdivision and all lands within fifty (50) feet of its boundaries at a scale of one (1) inch equals fifty (50) feet where feasible but no smaller than one (1) inch equals one hundred (100) feet showing:

- (1) Contours of the site at vertical intervals of two (2) feet if the general slope is less than ten (10) percent, and at intervals of five (5) feet if the general slope is greater than ten (10) percent;

(2) The character and location of natural or artificial features existing on the land which would affect the design of the subdivision, such as wooded areas, streams, direction

and gradient of ground slope, embankments, retaining walls, buildings, or non-residential usage of land;

(3) Names of owners of properties adjacent to the subdivision and sufficient information to show that none of the adjacent properties will be landlocked as a result of the proposed project;

(4) Existing and proposed streets and rights of way, including dedicated widths, roadway widths, approximate gradients; types and widths of pavements, curbs and sidewalks;

(5) Existing and proposed easements, including widths and purposes;

(6) All existing and proposed utilities, including the size, capacity, and location of sanitary sewers, storm sewers, drainage facilities, waterlines, gas mains, and power lines;

(7) Floodplain areas subject to periodic overflow of flood or storm waters;

(8) Subsurface conditions, including information about past and possible future coal mining activity. If seams of mineable coal are located within five hundred (500) feet of the subdivision surface, the subdivider shall be required to prove that he owns rights of support;

(9) Tract boundary lines by calculated distances and bearings;

(10) Title, graphic scale, north point and date.

(c) A subdivision plat of the proposed subdivision drawn at a scale no smaller than one hundred (100) feet to one (1) inch which may be drawn on the site map, showing:

(1) Subdivision name;

(2) Names and addresses of owner and subdivider, and the names of the city planner, land planning consultant, engineer or surveyor who prepared the plan;

(3) The street pattern within two hundred (200) feet of the proposed subdivision boundaries including the names (which shall not duplicate existing streets in the Township unless it is an extension of an existing street), widths of rights of way of streets, widths of easements for alleys, approximate grades of streets.

(4) Layout of lots, including dimensions to scale, numbers, building set-back lines or front yard lines;

(5) Parcels of land to be dedicated or reserved for schools, parks, playgrounds or other public or community use; or for local recreation or open space.

(6) Key plan, legend, notes, graphic scale, north point and date.

(d) Engineering plans for the proposed subdivision showing:

(1) Profiles, cross-sections and specifications for proposed street improvements within the plan and at a distance of two hundred (200) feet beyond the plan. Also, a general grading plan shall be submitted which shows the major cut and fill areas.

(2) Profiles and other explanatory data concerning installation of water distribution systems, storm sewers, and sanitary sewers. Where existing utility systems are to be utilized, either through tap-ins or extensions, letters of authorization from the appropriate utility or authority shall be included.

(3) A storm water management plan to be approved by the Township Engineer.

(4) A written report on the feasibility of connection to an existing Township sewage system or to the Deer Creek Drainage Basin Authority sewage system, including distances to the nearest public sewer, service load of the subdivision, and capacity of the treatment plant;

(5) If connection to a public sewerage system is not feasible, a report on the feasibility of a separate sewerage system and treatment works, including the design population type and location of the treatment, and receiving stream.

(6) If connection to a public or a private sewerage system is not feasible, a report on the feasibility of on-lot sewage disposal, including a detailed map of the physical conditions of the site, contours, finished grades, water courses, ground water table elevations, and the results of soil absorption tests for each individual lot conducted in accordance with the recommended practices and requirements of the Health Department and the Pennsylvania Department of Environmental Resources.

(e) A draft of the protective covenants or private restrictions to be incorporated in the final subdivision plat. See exhibits "B" thru "Q".

(f) Any additional information as required by the Planning Commission or Board of Supervisors necessary to evaluate the character and impact of the proposed subdivision.

[Ord. 215 passed 7-23-85]

1266.03 FINAL PLAT AND CONSTRUCTION DRAWINGS

The final plat shall be drawn at a scale no smaller than one hundred (100) feet equals one (1) inch. All plans shall be drawn on sheets of the following sizes as required; 17 x 22, 22 x 34, 34 x 44 inches or multiples of these sizes. The final plat shall show:

(a) Subdivision name, name and address of owner and subdivider, source of title of land as shown by the books of the County Recorder, graphic scale, north point, date, certificate of approval of Planning Commission and Supervisors.

(b) Survey date with certification by a registered professional land surveyor, showing;

(1) Calculated distances and bearings of the subdivision boundaries, lots, utility easements, streets, alleys, building set-back lines, and parcels of reserved or dedicated land for community purposes;

(2) Location and distances to the nearest established street corners or official monuments, and of the streets intersecting the boundaries of the subdivision;

(3) Location, type, material and size of monuments;

(4) Complete curve data;

(5) Lot numbers and street names;

(6) Area of lots;

(7) Area of public lands dedicated;

(8) Total area of plan;

(9) House numbers.

(c) Notations as to whether improvements are dedicated or not.

(d) All portions of property being subdivided should be shown as lots, streets, public lands or other uses so that landlocked areas will not be created.

[Ord. 215 passed 7-23-85]

CHAPTER 1268
Design Standards

1268.01	General	1268.06	Water and Sewer Systems
1268.02	Natural Features	1268.07	Fire Hydrants
1268.03	Streets	1268.08	Shade Trees
1268.04	Lots	1268.09	Street Lights
1268.05	Easements	1268.10	Sidewalks

CROSS REFERENCES

1268.01 GENERAL.

The Supervisors shall not approve any plat unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire, flood or other hazard.

[Ord. 131 passed 5-15-73]

1268.02 NATURAL FEATURES.

Existing natural features such as trees, steep slopes, water-courses, significant areas of natural vegetation, areas of critical ecological importance, and historic spots shall be preserved as a conservation measure except to the extent that their removal or modification is functionally related to the harmonious design of the subdivision, and such removal or modification has been agreed to in writing by the Planning Commission.

[Ord. 215 passed 7-23-85]

1268.03 STREETS.

The Supervisors shall not approve any plat unless all streets shown thereon shall be of sufficient width and proper grade, and shall be so located as to accommodate the probable volume of traffic thereon, facilitate fire protection, provide access of fire fighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's plan of streets.

(a) Local streets shall be so planned as to discourage through traffic.

(b) Wherever there exists a dedicated or platted portion of a street or alley along a boundary of the tract being subdivided, the remainder of said street or alley, to the prescribed width, shall be platted within the proposed subdivision.

(c) Half streets shall not be provided, except where it is essential to the reasonable development of the subdivision in conformity with the other requirements of this Ordinance.

(d) Cul-de-sacs will not be approved when in the opinion of the Supervisors a through street is more practicable and shall

not be longer than eight hundred (800) feet including a turn-around which shall be provided at the closed end with an outside curb radius of not less than forty (40) feet and a right-of-way radius of not less than fifty (50) feet. The maximum grade of the turnaround portion of the cul-de-sac shall be five (5) percent. There shall be a minimum lot frontage of fifty (50) feet on a cul-de-sac and a minimum building line of thirty-five (35) feet. The Supervisors may approve a cul-de-sac longer than eight hundred (800) feet if it is determined by the Supervisors that such additional length improves the subdivision design, results in a better relationship of the proposed development to the natural landscape and does not create any hardships for the subdivisions residents or the Township.

(e) Service roads shall not be provided in residential districts, but shall be included in commercial and industrial areas where needed for loading and unloading or access purposes when a potential traffic hazard exists.

(f) The minimum distance between center lines of parallel or approximately parallel streets intersecting a cross street from opposite directions shall be one hundred fifty (150) feet.

(g) Intersections of more than two (2) streets at one (1) point shall be avoided.

(h) Dead-end streets shall be prohibited unless provided with a turnaround or cul-de-sac arrangement.

(i) The required width of a right-of-way may be increased where anticipated traffic flow warrants it, or if drainage easements should reasonably parallel such thoroughfares. Such increased width will be established by the Township Supervisors with the advice of the Planning Commission and Township Engineer.

(j) Guard posts and rails of a type approved by the Township shall be installed at the outer edge of the road shoulder whenever the elevation at the ground within twenty (20) feet of that edge is five (5) feet or more below the elevation of the edge.

(k) Minimum right-of-way widths, paving widths, angle of intersection, curb radius, distances along sides of sight triangles, horizontal alignments, vertical alignments, as well as maximum grades shall be in accordance with the following table:

	Regional Streets	Collector Streets	Local Streets	Culs-de-Sac	Cross Walks	Service Roads
Right-of- Way Width	80	60	50	50	15	40
Cartway Paving Width	30	26	24	24	4	20
Maximum Grade	7.5%	10%	12%	12%	-	12%
Minimum Grade No Less than 1%						
Minimum An- gle for In- tersection	80°	80°	75°	75°	-	70°
Minimum Curb radius	40'	40'	20'	20'	-	5'
Grades for 25' before intersec- tion	3%	3%	3%	3%	-	3%
Site Triangles (Distance a- long sides of)						
Through St./Stop St.	500 /30	400 /30	250 /25	250 /25		50 /20
Horizontal Alignment (Mini- mum Radii of Center Line)	600	400	200	125	-	100
Vertical Curves (Minimum Sight Distance)	500	350	200	100	-	100

(1) Cross streets shall be placed at convenient intervals consistent with topography so as to provide convenient cross circulation between longitudinal streets.

[Ord. 215 passed 7-23-85]

1268.04 LOTS.

The lot and yard sizes shall conform with the requirements of the Township Zoning Ordinance and the lots shall be designed in accord with the following design standards:

(a) Every lot shall be provided with access adequate for the use of public safety vehicles and other public and private purposes and shall be served by a public or private street system, improved in accordance with this Ordinance and connected to the general street system.

(b) Side lines of lots shall be approximately right angles to straight streets and on radial lines on curved streets wherever feasible. Pointed or very irregular lots shall be avoided unless such variations shall improve the overall neighborhood design.

(c) No access shall be permitted to regional streets from single family drives.

(d) When a tract is subdivided into larger than required building lots and there is no covenant preventing resubdivision of the lots, such lots or parcels shall be so arranged as to permit a logical location and opening of future streets and resubdividing with provision for adequate utility connections for each subdivision.

(e) There shall be a minimum distance of twenty-five (25) feet, measured in the shortest distance, between any proposed dwelling unit and any petroleum products or natural gas transmission or high pressure line which may traverse the subdivision.

[Ord. 215 passed 7-23-85]

1268.05 EASEMENTS.

Easements for utilities and drainage shall have a minimum width of twenty (20) feet. Where a subdivision is traversed by a water course, there shall be provided a stormwater easement or drainage right-of-way of width sufficient for the purpose.

(Ord. 131 passes 5-15-73)

1268.06 WATER AND SEWER SYSTEMS.

The water supply and sewage disposal systems for the subdivision shall meet the design standards and requirements of all public boards or bodies having jurisdiction.

(Ord. 131 passed 5-15-73)

1268.07 FIRE HYDRANTS.

In all plans where public water is provided, fire hydrants shall be installed at accessible appropriate locations to give adequate fire protection as outlined by the National Board of Fire Underwriters and in all cases shall be provided within six hundred (600) feet of each proposed structure.

(Ord. 131 passed 5-15-73)

1268.08 SHADE TREES.

Shade trees shall be planted in newly developed areas of the Township where trees do not exist along the public street approximately fifteen (15) feet from the municipal street right-of-way. Trees shall be planted at a maximum of fifty (50) feet apart on street frontage.

(Ord. 215 passed 7-23-85)

1268.09 STREET LIGHTS.

Street lights may be required by the Planning Commission and Board of Supervisors at street intersections. Street light standards and fixtures shall meet the design standards of the electric utility having jurisdiction and shall be approved by the Planning Commission.

(Ord. 215 passed 7-23-85)

1268.10 SIDEWALKS.

Sidewalks shall be provided along public streets where deemed necessary for public safety, as determined by the Board of Supervisors based on recommendations of the Planning Commission in the following instances:

- (a) Along streets classified as regional or collector;
- (b) In commercial areas; and
- (c) When the density of development or the potential volume of pedestrian traffic requires sidewalks for safe pedestrian movement.

(Ord. 215 passed 7-23-85)

CHAPTER 1270
Improvements

1270.01	General	1270.06	Sanitary Sewers
1270.02	Monuments	1270.07	Shade Trees
1270.03	Streets	1270.08	Street Lights
1270.04	Storm Sewers and Drainage Facilities	1270.09	Utilities
1270.05	Water Supply	1270.10	Sidewalks

CROSS REFERENCES

Naming of Streets - See 2nd Class Section 702 (37)

1270.01 GENERAL.

All of the required improvements specified in this Chapter shall be constructed and installed by the subdivider at no expense to the Township and shall be done in accordance with the Township Construction Standards and all other applicable Township, County and State regulations.

[Ord. 131 passed 5-15-73]

1270.02 MONUMENTS.

Concrete Monuments shall be installed at or near the beginning and ends of tangent sections of all streets to provide permanent horizontal control and shall be installed after all the grading of lots has been completed and referenced. All lot corner markers shall be permanently located and shall be marked by at least a three-fourth inch (3/4") metal pin not less than thirty (30) inches in length visible at grade at the time of transfer.

[Ord. 131 passed 5-15-73]

1270.03 STREETS.

The streets shall be graded to the grades and dimensions shown on plans and profiles and approved by the Supervisors and shall include the following improvements.

(a) Inlets of the type shown on the Township Construction Standards shall be placed at all low points, street intersections and at points along both sides of the street to insure adequate drainage, but in no case shall the distance between inlets along the street exceed three hundred (300) feet unless approved by the Township Engineer. Inlets at street intersections shall be placed on the tangent and not on the curved portion.

(b) Paved curbs or gutters shall be constructed on both sides of cartway in accordance with Township Construction Standards.

(c) All streets and service roads shall be paved to the minimum width outlined in Chapter 1268.03(k) and the base course

and wearing surface shall be constructed in accordance with Township Construction Standards and all materials used shall meet the latest Pennsylvania Department of Transportation Specifications. Additional cartway widths and additional base course depths may be required as the Township Engineer may determine to be necessary for the type of street that has been proposed.

(d) Permanent underdrains shall be installed as may be determined by the Township Engineer on the upper or high side of all roads and in cut areas to prevent the infiltration of water under the paved roadway. All underdrains shall parallel the roadway as nearly as possible.

(e) Street shoulders shall be graded for the full width of the right-of-way in accordance with the Township Construction Standards and thoroughly compacted by rolling. All shoulders and slopes shall be seeded to prevent erosion.

(f) Turnarounds on cul-de-sacs shall be graded and paved in accordance with Chapter 1268.03(d).

(g) All utilities crossing streets shall be installed and trenches backfilled and compacted with slag, and all other utilities within the right-of-way of streets shall be installed before paving is constructed.

(h) Street name signs of the type approved by the Township shall be placed at all street intersections at a location determined by the Township Engineer. Street names must be approved by the Planning Commission prior to submitting Final Plat.

(i) Driveways shall be constructed to conform to the grade of the finished shoulders. All descending or ascending grades on driveways shall begin at street right-of-way.

(j) No fences, hedges, shrubbery, walls, plantings or other obstructions, shall be located within the right-of-way. A clear-sight triangle shall be maintained at all intersections in accordance with Chapter 1268.03(k).

(k) Grade stakes shall be placed at intervals of not greater than fifty (50) feet apart at all changes in grades and alignment, and cut sheets prepared and presented to the Township Engineer before any work is done.

(l) Core borings shall be presented to show depth of road pavement prior to acceptance by the Township.

[Ord. 215 passed 7-23-85]

1270.04 STORM SEWERS AND DRAINAGE FACILITIES.

The construction of storm sewers and related drainage facilities shall be adequate for the anticipated run-off when the area is fully

developed and conform to the following requirements:

(a) Drainage ditches or channels shall only be used as may be directed by the Township Engineer to control surface drainage. When used, they shall have a minimum gradient of one (1) percent and be seeded to prevent erosion.

(b) Storm sewers installed shall have a minimum diameter of fifteen (15) inches and a minimum gradient of one (1) percent.

(c) Reinforced concrete pipe shall be used under the paved portion of all streets. Polymer coated or asphalt coated corrugated metal pipe, clay pipe, or PennDot - approved plastic pipe may be used along shoulders of streets and other areas as approved by the Township Engineer. Where corrugated metal pipe is authorized to be used, it shall meet the following minimum gauge requirements:

60" pipe must be 10 gauge
54" pipe must be 12 gauge
48" pipe must be 12 gauge
42" pipe must be 12 gauge
36" pipe must be 12 gauge
20" pipe must be 14 gauge
24" pipe must be 14 gauge
18" pipe must be 16 gauge
15" pipe must be 16 gauge

(d) Where storm sewers are not designed for the high side of any street, collector lines shall be installed and/or storm sewers extended to collect storm water run-off from roofs and drainage from foundation drains, driveway drains and other drains from all lots along the high side of all streets. The size of the collector lines and/or storm sewers shall be determined by calculation of the expected run-off from each structure and lot. Collector lines may be concrete pipe, coated corrugated metal pipe, or plastic pipe having a minimum diameter of six (6) inches.

(e) Inlets and castings of the type shown on the Township Construction Standards shall be installed along all streets as outlined in Chapter 1270.03(a). Additional inlets shall be constructed in areas as may be directed by the Township Engineer during construction to provide for proper control of surface water.

(f) Manholes and castings of the type shown on the Township Construction Standards shall be installed at all changes in alignment and grades in storm sewers as may be directed by the Township Engineer to provide for proper maintenance. Inlets may be substituted for manholes where practical.

(g) All roof drains, foundation drains, driveway and other drains and collection of any on-site storm water run-off from high side lots shall be extended to the street right-of-way and connected to the collector lines and/or storm sewers. At no time will roof drains, foundation drains, driveway and other drains or collection of any on-site storm water run-off be allowed to be connected to the sanitary sewer system or to be discharged onto the paved gutter of any street.

(h) Any springs encountered during construction shall be piped and connected to the storm sewer system or extended to a natural water course as may be approved by the Township Engineer.

(i) Concrete headwalls and splash aprons of the type and size shown on the Township Construction Standards shall be constructed at the outfall of all storm sewers. Where water courses are piped and filled, concrete headwalls and splash aprons shall be constructed at both ends of the pipe.

(j) Whenever construction stops or concentrates the natural flow of surface drainage in such a way as to affect adjoining properties, written approval must be obtained from the adjoining property owners. Where storm drainage is piped onto adjoining properties other than natural watercourses, written permission, a release of damages and right-of-way must be obtained from the adjoining property owners before the storm sewers are taken over by the Township. Approval of plans by the Township does not authorize or sanction drainage affecting adjoining properties.

(k) All bridges and culverts shall be designed to support expected loads, to carry expected flows and shall meet the current specifications and standards of the Commonwealth of Pennsylvania, Department of Transportation. A permit must be obtained from the Commonwealth of Pennsylvania, Department of Environmental Resources for any construction or changes in a watercourse which drains an area of more than one-half (1/2) square miles.

[Ord. 215 passed 7-23-85]

1270.05 WATER SUPPLY.

Where public water supply is within one thousand (1,000) feet of the subdivision, the subdivider shall connect to such public water supply and construct a system of water mains in accordance with the standards specified by the public water supplier to service each lot.

(a) Where public water is not available, the subdivider shall supply acceptable evidence of the availability of water. The subdivider may be required to make one (1) or more test wells in the area to be platted if such evidence is deemed not acceptable. Copies of well logs from said test wells which are obtained shall include the name and address of the well driller and shall be submitted with the plan to the Board of Supervisors.

(b) If a private water supply is permitted, individual private wells shall be located at least twenty-five (25) feet from the property lines; fifty (50) feet from all septic tanks; approximately one hundred (100) feet from all tile disposal fields and other sewage disposal facilities; ten (10) feet from all cast iron sewer lines; thirty (30) feet from any virtified sewer tile lines; and shall not be located within any floor plan of any building.

[Ord. 215 passed 7-23-85]

1270.06 SANITARY SEWERS.

Where the municipal sewer system is reasonably accessible to the subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system to be connected to the municipal sanitary system. Where the municipal sewer system is not reasonably accessible to the subdivision, and in the judgment of the Supervisors, extention of the municipal sewage system to the subdivision will not take place in the forseable future, a sewage disposal system utilizing an interim treatment plant may be permitted, if approved by the Health Department and the Pennsylvania Department of Environmental Resources. If an interim treatment plant is permitted, equitable agreements, approved by the Township Solicitor, shall be established concerning the operation of the treatment plant. If a sewage disposal system utilizing an interim treatment plant is not feasible, a private sewage disposal system consisting of septic tanks and tile absorption fields may be permitted, if approved by the Health Department.

[Ord. 215 passed 7-23-85]

1270.07 SHADE TREES.

Where required, trees to be installed shall have a minimum diameter (caliper) of one and one-half (1 1/2) inches at four (4) feet in height at time of planting. Species shall be suitable for local soil and climate conditions and shall be subject to approval of the Planning Commission.

[Ord. 215 passed 7-23-85]

1270.08 STREET LIGHTS.

Street lights where required shall be placed within the street right-of-way at a location determined by the Township engineer.

[Ord. 215 passed 7-23-85]

1270.09 UTILITIES.

Every lot in a subdivision shall be capable of being served by utilities. All utilities, including gas, water, electric, telephone and cable television lines and storm and sanitary sewers shall be installed within the berm area of the public street right of way or within properly designated easements, and shall be installed in the location

shown on the "utility plan" which shall be approved by all the utility companies and authorities servicing the subdivision.

[Ord. 215 passed 7-23-85]

1270.10 SIDEWALKS.

Where required, sidewalks shall be located within the street right-of-way at a minimum of three (3) feet from the curb. The minimum width shall be four (4) feet. Sidewalks shall be constructed of portland cement concrete and shall be continuous across driveways and the alignment and grade approved by the Township engineer. Sidewalks shall be a minimum four (4) inches thick except at driveway crossings where the thickness shall be increased to six (6) inches.

[Ord. 215 passed 7-23-85]

CHAPTER 1272
Inspection

1272.01	General	1272.07	Maintenance Bond
1272.02	Permit for Utility Connections	1272.08	Completion of Improvements; Inspection and Report
1272.03	Sanitary Sewage Permit	1272.09	Final Inspection
1272.04	Grade Stakes and Cut Sheets	1272.10	Appeals
1272.05	Notification of Township	1272.11	Validity
1272.06	Inspection Reports	1272.99	Violations and Penalties

CROSS REFERENCES

Posting of Maintenance Bonds - Municipalities Planning Code
Sec. 509

Issuance of Permits upon Posting of Financial Security - Municipalities
Planning Code - Sec. 509

1272.01 GENERAL.

No subdivider shall proceed with the construction of any utilities, improvements or make any connection to any existing Township facility without proper inspection by the Township Engineer or an authorized representative of the township and in accordance with the following procedure. General site grading may be done by special permission of the Board of Supervisors.

[Ord. 131 passed 5-15-73]

1272.02 PERMIT FOR UTILITY CONNECTIONS.

No person shall connect to any water line, storm or sanitary sewer without obtaining a permit and paying the proper connection charge as established by resolution of the Board of Supervisors.

[Ord. 215 passed 7-23-85]

1272.03 SANITARY SEWAGE PERMITS.

A sanitary sewage permit shall be obtained by the subdivider from the Pennsylvania [Department of Environmental Resources] and a copy furnished to the Township before any sanitary sewers are installed.

[Ord. 215 passed 7-23-85]

1272.04 GRADE STAKES AND CUT SHEETS.

Grade stakes shall be set and cut sheets prepared and a copy furnished to the Township before any work is started on the installation of streets, storm sewers, sanitary sewers, waterlines, etc.

[Ord. 215 passed 7-23-85]

1272.05 NOTIFICATION OF TOWNSHIP.

The subdivider shall notify the Township at least twenty-four (24) hours prior to his intention to proceed with the construction

or installation of streets and improvements or any other work related to the improvements.

[Ord. 131 passed 5-15-73]

1272.06 INSPECTION REPORTS.

Inspection reports shall be prepared by the inspector and countersigned by the subdivider. The reports shall be prepared in triplicate and shall show the type and quantity of materials installed, weather condition, type of soil encountered and all other data pertaining to the construction.

[Ord. 131 passed 5-15-73]

1272.07 MAINTENANCE BOND.

Prior to any street, or other improvement being accepted by the Township as hereinafter provided, the subdivider shall post a Maintenance Bond naming the Township as Obligee, in an amount deemed adequate by the Board of Supervisors to remedy any defects which are caused by defective or inferior materials or workmanship which may develop during a period of eighteen (18) months from date of acceptance by the Township.

[Ord. 131 passed 5-15-73]

1272.08 COMPLETION OF IMPROVEMENTS; INSPECTION AND REPORT.

When the developer has completed all of the necessary and appropriate improvements, the developer shall provide a set of "As Built" plans to the Township and notify the [Township] 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 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 Township and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the 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 nonapproval or rejection.

(a) The Supervisors shall notify the developer in writing, by certified or registered mail of the action of said governing body with relation thereto.

(b) If the Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved, and the developer shall be released from all liability pursuant to its performance guaranty bond.

(c) If any portion of said improvements shall not be approved or shall be rejected by the Township Engineer and Supervisors the developer shall proceed to complete the same, and upon completion, the same procedure of notification as outlined herein shall be followed.

(d) Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise any determination of the Township or the Township Engineer.

(e) In the event that any improvements which may be required have not been installed as provided in Chapter 1270 or in accord with the approved final plat, the Supervisors are hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Supervisors may, at their option, direct the installation of part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other purpose.

[Ord. 215 passed 7-23-85]

1272.09 FINAL INSPECTION.

After a period of eighteen (18) months and before the Maintenance Bond is released, the Township Engineer shall make a Final Inspection and certify in writing to the Board of Supervisors that all the improvements are in good order. If any repairs are required or maintenance needed, the subdivider will be notified in writing and such repairs or maintenance shall be done and approved prior to certification by the Township Engineer.

(Ord. 215 passed 7-23-85)

1272.10 APPEALS.

Any decision of the Supervisors with respect to the approval or disapproval of plats may be appealed by any aggrieved person directly to the Court of Common Pleas of Allegheny County or to the Township Zoning Hearing Board as provided by the Pennsylvania Municipalities Planning Code, Act 247, as amended, within thirty (30) days after the action of the Supervisors.

(Ord. 131 passed 5-15-73)

1272.11 VALIDITY.

Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or of any other provisions thereof.

(Ord. 131 passed 5-15-73)

1272.99 VIOLATIONS AND PENALTIES.

Any person, partnership, or corporation who or which being the

owner or agent of the owner of any lot, tract, or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof such person or the members of such partnership or the officers of such corporation, or the agent of any of them, responsible for such violation, pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the 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.

(Ord. 131 passed 5-15-73)

2. Any ordinance or part of an ordinance conflicting with the provisions of this ordinance shall be and the same is hereby repealed, insofar as it affects this ordinance.

3. This ordinance shall take effect ten (10) days from the date hereof.

THIS ORDINANCE ORDAINED and ENACTED into law by the Supervisors of the Township of Indiana this twenty third day of July, 1985.

TOWNSHIP OF INDIANA

Attest:

James S. Phillips
Secretary

By John S. Jesch
Mayor

Approved by:

Ronald L. Snyder
Solicitor

EXHIBIT B - CERTIFICATES AND APPROVALS

OWNERS ADOPTION: KNOW ALL MEN BY THESE PRESENTS, That (I or We)

_____ of the Township of Indiana, of
Name of individual owner
the County of Allegheny, Commonwealth of Pennsylvania, for (myself, ourselves), (my, our) heirs, executors, administrators and assigns, do hereby adopt this plan as (my, our) Plan of Lots of (my, our) property, situate in Indiana Township, Allegheny County, Pennsylvania, and for divers advantages accruing to (me, us), do hereby dedicate forever, for public use for highway purposes all slope areas and all drives, roads, streets, lanes, ways and other public highways shown upon the plan, with the same force and effect as if the same had been opened through legal proceedings, and in consideration of the approval of said plan, and any future acceptance of said public highways by the said Commonwealth of Pennsylvania, County of Allegheny and Township of Indiana, (I, We) hereby covenant and agree to and by these presents do release and forever discharge said Commonwealth of Pennsylvania, County of Allegheny and Township of Indiana, their successors or assigns from any liability for damages arising and to arise from any appropriation of said ground for public highways and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon _____
Name of owner
(my, our) heirs, executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I, We) hereunto set (my, our) hand and seal this _____ day of _____, 19__.

Attest:

Notary Public

Owner

EXHIBIT C - INDIVIDUAL ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF ALLEGHENY)

Before me, the subscriber, a Notary Public in and for said Commonwealth and County, personally appeared the above named

_____, who acknowledged the foregoing
(Name of owner)
release and dedication and plan to be (his, her, their) act and deed and desired the same to be recorded as such.

Sworn to and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL, THIS _____ day of _____,

19__.

My Commission Expires the _____ day of _____,

19__.

SEAL

Notary Public

EXHIBIT D

Corporation Adoption: KNOW ALL MEN BY THESE PRESENTS: that the _____, a corporation incorporated (Name of Corporation) under the laws of the Commonwealth of Pennsylvania, by virtue of a resolution of the Board of Directors, thereof, does hereby adopt this plan as its Plan of Lots of its property situate in Indiana Township, Allegheny County, Pennsylvania and for divers advantages accruing to it, does hereby dedicate forever, for public use for highway purposes, all slope areas and all drives, roads, streets, lanes and ways and other public highway shown upon the plan, with the same force and effect as if the same had been opened through legal proceedings, and in consideration of the approval of said plan, and any future acceptance of said public highways by the said Commonwealth of Pennsylvania, County of Allegheny, and Township of Indiana, _____ (Name of Corporation) by these presents does release and forever discharge said Commonwealth of Pennsylvania, County of Allegheny, and Township of Indiana, their successors or assigns from any liability for damages arising and to arise from the appropriation of said ground for public highways and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon _____, its successors and assigns and (Name of Corporation) purchasers of lots in this plan.

IN WITNESS WHEREOF, the said corporation has caused its corporate seal to be affixed by the hand of its president and same to be attested by its secretary this _____ day of _____, 19__.

Attest:

Name of Corporation

By _____
President

Secretary

(SEAL)

EXHIBIT E - CORPORATION ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF ALLEGHENY)

Before me, the subscriber, a Notary Public in and for said Commonwealth and County personally appeared _____

Name and Title

_____ of the _____

of Officer

(Name of Corporation)

who being duly sworn, deposed and saith that he was personally present at the execution of the adoption, release and dedication and saw the common and corporate seal of the said corporation duly affixed and that the above release and dedication was duly signed and sealed by and as for the act and deed of the said _____,

(Name of Corporation)

for the uses and purposes therein mentioned and that the name of this deponent subscribed to the said release and dedication as _____

Title of Officer

of said corporation, in attestation of the due execution and delivery of said release and dedication is this deponent's own and proper and respective handwriting.

Title of Officer

Sworn and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ day of _____, 19____. My Commission Expires the _____ day of _____, 19____.

Notary Public

(Seal)

EXHIBIT F - TITLE CLAUSE (NO MORTGAGE):

I, (or We) _____ owners of the _____
(Name of Owner) (Name
_____, do hereby certify that the title of this
_____ of Plan)
property is in the name of _____ as recorded
in Deed Book Volume _____ Page _____, Recorder of Deeds Office.
I (or We) further certify that there is no mortgage, lien or encumbrance
against this property.

Witness Owner

EXHIBIT G - TITLE CLAUSE

If the property embraced in this plan is encumbered by a mortgage,
judgment of record, or otherwise, the following certificates shall
appear.

I, (or We) _____ owners of the _____
(Name of Owner)
_____, do hereby certify that the title of
(Name of Plan)
this property is in the name of _____ as recorded in
Deed Book Volume _____, page _____ Recorder of Deeds Office.

Witness Owner

EXHIBIT H - MORTGAGE CLAUSE

I, (or We) _____, mortgagee of the property
(Name of Mortgagee)
embraced in this plan of subdivision, _____, do hereby
(Name of Plan)
consent to the recording of said plan in the Recorder's Office of
Allegheny County, Pennsylvania and to the dedications and covenants
appearing hereon.

Witness Mortgagee

EXHIBIT J - PROPERTY OWNERS CONSENT

I, (or We), the following owners of land within or adjacent to this plan of lots, do hereby agree to the recording of this plan insofar as it affects our properties. I, (or We), further agree to the dedications, acknowledgments, and covenants appearing hereon.

Witness

Owner

EXHIBIT K - SURVEYOR'S CERTIFICATION

I, _____, a Professional Land Surveyor of the Commonwealth of Pennsylvania, do hereby certify, to the best of my knowledge, information and belief, that this plan correctly represents the lots, lands, streets and highways as surveyed and plotted by me for the owners or agents.

Date

(SEAL) (Signature of Surveyor)
Registration Number

EXHIBIT L - MUNICIPAL ENGINEER'S CERTIFICATION

I, _____, a Registered Professional Engineer and officially appointed Engineer for the Township of Indiana do hereby certify that this subdivision plan meets all the engineering and design requirements of the Township of Indiana's subdivision and zoning ordinances.

Date

(SEAL)

Signature of Engineer
Registration Number

EXHIBIT M - LOCAL AUTHORITY STIPULATION

The Board of Supervisors of the Township of Indiana hereby gives public notice that in approving this plan for recording purposes only, the Township of Indiana assumes no obligations, legal or otherwise, expressed or implied either to accept said streets as Township streets or roads or grade, pave and curb the streets in said plan, or to construct sewers therein or to install any other such service ordinarily installed in Township streets or roads.

Secretary

(SEAL)

Mayor, Board of Supervisors

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYS 433

LECTURE 1

1.1

1.2

1.3

1.4

1.5

1.6

TOWNSHIP OF INDIANA

Ordinance No. 257

AN ORDINANCE AMENDING ORDINANCES NO. 131 AND NO. 215, THE INDIANA TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE; MODIFYING COMPLIANCE REQUIREMENTS; MODIFYING EXCEPTIONS DUE TO HARDSHIP; ADDRESSING BOUNDARY DISPUTES; ADDRESSING WORD USAGE; DELETING, REDEFINING AND ADDING CERTAIN DEFINITIONS; PROVIDING THE PROCEDURE FOR THE SUBMISSION OF AND APPROVAL OR REJECTION OF PRELIMINARY AND FINAL SITE PLANS; AMENDING PROVISIONS RELATING TO ACTIONS PRIOR TO APPROVAL; MODIFYING PROVISIONS FOR ADVISORY MEETINGS REGARDING PRELIMINARY PLAT APPROVAL; MODIFYING TIMING PROVISIONS; ESTABLISHING PROCEDURES FOR PAYMENT AND DISPUTE OF VARIOUS FEES; ESTABLISHING PROCEDURES FOR APPLICATION FOR AND APPROVAL AND REJECTION OF PRELIMINARY AND FINAL PLATS INCLUDING CONDITIONAL APPROVALS; INCLUDING PROVISIONS RELATING TO CHANGES IN THE ORDINANCE AFTER PRELIMINARY APPROVAL; AMENDING PROVISIONS RELATING TO PUBLIC HEARINGS; AMENDING PROVISIONS RELATING TO DEVELOPMENT BONDS; AMENDING PROVISIONS RELATING TO DEVELOPMENT IN STAGES; REQUIRING NECESSARY HIGHWAY OCCUPANCY PERMITS; ADDRESSING WHEN PUBLIC STREETS AND PUBLIC GROUNDS BECOME PART OF THE OFFICIAL MAP; ADDING AND MODIFYING REQUIREMENTS TO BE SHOWN ON PLANS AND PLATS; AMENDING REQUIREMENTS REGARDING EVIDENCE OF UTILITIES; REGULATING USE OF DANGEROUS LAND AND WETLANDS; AMENDING PROVISIONS RELATING TO PUBLIC STREETS; INCLUDING PROVISIONS RELATING TO PRIVATE STREETS; INCLUDING PROVISIONS RELATING TO LOT FRONTAGE ON STREETS; INCLUDING PROVISIONS RELATING TO FLAG LOTS; PROVISIONS RELATING TO STREET SIGNS; AMENDING PROVISIONS RELATING TO TREES; MODIFYING PROVISIONS RELATING TO CONCRETE MONUMENTS; INCLUDING PROVISIONS RELATING TO OFF-STREET PARKING; ADDING PROVISIONS RELATING TO STREET NAMES; MODIFYING PROVISIONS RELATING TO STORM SEWERS AND DRAINAGE FACILITIES; INCLUDING PROVISIONS RELATING TO FINAL MATTERS; INCLUDING PROVISIONS RELATING TO DEDICATION OF PARKS AND RECREATION AREAS OR FEES IN LIEU THEREOF; MODIFYING REQUIREMENTS FOR SANITARY SEWAGE PERMITS AND PERMITS FOR UTILITY CONNECTIONS; AMENDING PROVISIONS RELATING TO NOTIFICATION PRIOR TO COMMENCEMENT OF WORK; MODIFYING PROVISIONS RELATING TO INSPECTION REPORTS; AMENDING PROVISIONS RELATING TO MAINTENANCE BONDS; MODIFYING PROVISIONS RELATING TO ACCEPTANCE OF IMPROVEMENTS; INCLUDING PROVISIONS RELATING TO PREVENTATIVE REMEDIES; AMENDING PROVISIONS RELATING TO VIOLATIONS AND PENALTIES; CLARIFYING DEFINITIONS AND CAPITALIZED TERMS; CORRECTING TYPOGRAPHICAL ERRORS AND REPEALING ORDINANCE NO. 192.

WHEREAS, the Board of Supervisors of the Township of Indiana, Allegheny County, Pennsylvania, desires to amend the Indiana Township Subdivision Ordinance, Ordinance No. 131 and Ordinance No. 215 (the "Subdivision Ordinance");

NOW THEREFORE:

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Indiana Township, Allegheny County, Pennsylvania, as follows:

SECTION 1. Section 1260.03 of the Subdivision Ordinance is deleted in its entirety and the following is inserted in lieu thereof:

"1260.03 COMPLIANCE REQUIRED. No Lot in a Land Development shall be sold, no permit to erect, alter or repair any building upon land in a Land Development shall be issued, no building shall be erected and no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon in a Land Development, unless and until a Plat or Plan, as appropriate, has been approved, and, where required, recorded, and until the aforementioned improvements required by the Supervisors in connection therewith have either been constructed or guaranteed, as herein provided. Additionally, every Developer shall comply with all Federal, state, county and local ordinances and regulations as they apply to Land Development"

SECTION 2. Section 1260.04 of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"1260.04 EXCEPTION BECAUSE OF HARDSHIP. Where, owing to special conditions, a literal enforcement of this Ordinance would result in unnecessary hardship, be unreasonable or where an alternative standard can be demonstrated to provide equal or better results, the Supervisors may make such reasonable exception of the requirements of one or more provisions of this Ordinance as will not be contrary to the public interest and may permit the sale of a Lot, issuance of a permit, and erection of a building, subject to conditions necessary to assure adequate streets and other public improvements. Financial hardship alone shall not be the basis for this exception. A Subdivision of any property into no more than two lots may be approved by the Planning Commission and Supervisors without meeting the requirements of Section 1264.07. Additionally, the Planning Commission or Supervisors may waive the

preliminary application in reviewing Land Developments where only one review of such application is deemed to be necessary.

- a) All requests for such exception shall be in writing and shall accompany and be a part of the application for development. The application shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Ordinance involved, and the minimum exception necessary.
- b) The Supervisors reserve the right to refer the request for exception to the Planning Commission for advisory comments.
- c) The Supervisors or the Planning Commission, if so directed by the Supervisors, shall keep a written record of all action on all requests for modification."

SECTION 3. The following Section 1260.06 is hereby inserted following Section 1260.05 of the Subdivision Ordinance:

"SECTION 1260.06 BOUNDARY DISPUTES SATISFIED BY DEEDS. It is the intent of this Section to permit a resolution of boundary disputes without requiring a Subdivision. A one-time transfer of land through deed(s) between abutting property owners without recording a revised Plat is permissible when the involved property of any one owner:

- a) Does not exceed 5% of that property, and
- b) Does not exceed 500 square feet, and
- c) Is unbuildable under the applicable Township ordinances."

SECTION 4. Section 1262.01 of the Subdivision Ordinance is deleted in its entirety and the following is inserted in lieu thereof:

"1262.01 WORD USAGE. Words used in the present tense shall include the future. The singular shall include the plural and the plural, the singular. The word "shall" is mandatory. Any terms defined herein whether capitalized or otherwise shall have the meaning given to such term in Chapter 1262 and Section 1271.02 of this Subdivision Ordinance."

SECTION 5. The term "Subdivider's" is deleted from Section 1262.02(1) of the Subdivision Ordinance and the term "Developer's" is inserted in lieu thereof.

SECTION 6. Section 1262.02(12) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(12) Developer. Any person, including a Subdivider, who undertakes Subdivision or Land Development. A Developer may be the owner, authorized agent of the owner or tenant with the permission of the owner, of the land to be subdivided or developed."

SECTION 7. The following Sections 1262.02(18)(A) and (B) are inserted following Section 1262.02(18) of the Subdivision Ordinance:

"(18)(A) Final Plat. A final plan of a Subdivision.

(18)(B) Final Site Plan. The final map(s) of a proposed Land Development, other than a Subdivision, drawn and submitted in accordance with the requirements of this Ordinance."

SECTION 8. Section 1262.02(23) is deleted and replaced in its entirety by the following Sections 1262.02(23) and 1262.02(23)(A):

(23) Inspector. An authorized representative of the Supervisors or the Engineer assigned to observe and record the work performed and materials used in construction.

"(23)(A) Land Development. Land Development shall mean any of the following activities:

- (i) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (a) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (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.

(ii) A Subdivision of land."

SECTION 9. Section 1262.02(30) is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(30) Person. Any individual, partnership, corporation, association, institution, cooperative enterprise, state institution and agency or any other legal entity which is recognized by law as the subject of rights and duties. In any provisions of this Ordinance prescribing a fine or penalty, or any combination of the foregoing, the term person shall include the officers and directors, the partners of a partnership and the members of an unincorporated association."

SECTION 10. Section 1262.02(31) is hereby deleted in its entirety and replaced by the following:

"(31) Plan, Sketch. The outline representation of a proposed Subdivision or Land Development.

SECTION 11. Section 1262.02(32) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(32) Planned Residential Development. An area of land controlled by a landowner, to be developed as a single entity for a variety of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk or type of dwelling, or use density or intensity, lot coverage and required open space, to the regulations established for each zoning district in the Zoning Ordinance of Indiana Township or any amendment heretofore or hereafter enacted."

SECTION 12. Section 1262.02(33) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(33) Plat. A Preliminary or Final Plat."

SECTION 13. The following Sections 1262.02(33)(A), (B), (C), (D), (E) and (F) are inserted following Section 1262.02(33) of the Subdivision Ordinance:

"(33)(A) Preliminary Plat. A preliminary map or plan of a Subdivision.

(33)(B) Preliminary Site Plan. The preliminary map or maps of a proposed Land Development, other than a

Subdivision, drawn and submitted in accordance with the requirements of this Ordinance.

(33)(C) Private Street. A street that shall not be dedicated to the public nor accepted by the Township.

(33)(D) Public Hearing. A formal meeting held pursuant to Public Notice by the Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

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

(33)(F) Public Street. A street that has been or shall be dedicated to the public and accepted by the Township. A Public Street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, drive or other appropriate name. A Public Street may also be identified according to its type of use as follows:

Regional Street. A street which serves or is designed to serve heavy flows of traffic and which provides for traffic movements between traffic generation areas.

Collector Street. A street which serves or is designed to serve moderate flows of traffic and which provides for traffic movements between regional streets or between regional and local streets.

Local Street. A street which serves or is designed to serve low flows of traffic and which serves primarily as access to abutting properties and is not intended as a major artery carrying through traffic.

SECTION 14. Section 1262.02(34) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(34) Right of Way. That portion of land put to public use for street or utility purposes."

SECTION 15. The following Section 1262.02(36)(A) is inserted following Section 1262.02(36) of the Subdivision Ordinance:

"(36)(A) Site Plan. A Preliminary Site Plan or a Final Site Plan."

SECTION 16. Section 1262.02(37) of the Subdivision Ordinance is deleted in its entirety and the following is inserted in lieu thereof:

"(37) Street. A right of way which affords access to abutting property.

SECTION 17. Section 1262.02(38) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(38) Subdivider. Any person who undertakes the subdivision of land as defined herein. The subdivider may be the owner, authorized agent of the owner or tenant with the permission of the owner, of the land to be subdivided."

SECTION 18. Section 1262.02(39) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(39) Subdivision. The division or redivision of a lot, tract or parcel of land by any means into other lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by court for distribution to heirs or devisees, transfer of ownership or building or lot development."

SECTION 19. The following Chapter 1263 shall be inserted at the end of Chapter 1262 of the Subdivision Ordinance:

"CHAPTER 1263

Procedure for Submission
of Site Plans

1263.01	General	1263.05	Review Fees
1263.02	Site Plan Review	1263.06	Contents of Preliminary Application
1263.03	Advisory Meeting	1263.07	Review Procedure for Preliminary Site Plan
1263.04	Submission for Preliminary Approval	1263.08	Final Site Plan Application

1263.09 Review Procedure for
Final Site Plan

CROSS REFERENCES

Generally - see Municipalities Planning Code Secs. 508
and 509.

SECTION 1263.01 GENERAL.

- a) This chapter 1263 shall apply to all Land Development other than Subdivision.
- b) Except as otherwise provided herein, no Developer proposing a Land Development shall proceed with any grading or improvements until all permits required by law in connection with the Land Development have been obtained and the Preliminary Site Plan is approved by the Supervisors. Any grading or improvement undertaken following approval of the Preliminary Site Plan, prior to approval of the Final Site Plan, shall require special permission of the Supervisors.
- c) No Developer proposing a Land Development shall construct or commence construction of any building in such Land Development until the Final Site Plan of the proposed Land Development is approved by the Supervisors.

SECTION 1263.02 SITE PLAN REVIEW. No Building Permit or Zoning Occupancy Permit, as those terms are defined in the Indiana Township Zoning Ordinance, shall be issued for any Land Development which is a principal use upon any Lot except a single family home or two family home until a Site Plan has been submitted, reviewed and approved in accordance with the following provisions:

SECTION 1263.03 OPTIONAL ADVISORY MEETING.

- a) A person desiring approval of a Site Plan may make an appointment with the Zoning Officer at least fourteen (14) days prior to the date of the meeting to appear before the Planning Commission to discuss his proposal before filing an application for Preliminary Site Plan approval. No fee or formal application is required for this meeting. The Developer shall be prepared to discuss the details of his proposed Land Development, including such items as the proposed use, existing features of the area, existing covenants, land characteristics, availability of community facilities and utilities,

size of development, play areas or public areas, proposed protective covenants, proposed utilities and street improvements.

- b) In the event the Developer makes such appointment, the Developer shall submit a Sketch Plan to the Zoning Officer for advisory review by the Planning Commission at least fourteen (14) days prior to the Planning Commission Meeting to allow him time to assemble any pertinent data for review by the Planning Commission. This plan may be drawn as a free-hand pencil sketch and does not require precise dimensions or any special sheet size. The plan shall, however, include topographic information as available from United States Geologic Survey or other maps. This Sketch Plan shall be used to show the Planning Commission the location, street and lot layout and any other significant features of the proposed Land Development.

SECTION 1263.04 SUBMISSION FOR PRELIMINARY APPROVAL.

The application for approval of a proposed Preliminary Site Plan shall be submitted in the office of the Zoning Officer no later than fourteen (14) days prior to the Planning Commission's regularly scheduled meeting at which the application is to be reviewed, and shall be accompanied by a fee established by resolution of the Supervisors to cover the cost of review. In the event that the application is not complete, the application will not be deemed to be filed in accordance with the Municipalities Planning Code, as amended, until it has been appropriately revised by the Developer.

SECTION 1263.05 REVIEW FEES. Payment of all review fees and deposits required by this Ordinance shall be as established from time to time by resolution of the Supervisors. In the event that the Developer disputes the review fees so assessed, the Developer shall proceed with such dispute in accordance with the dispute resolution procedure governing such dispute, as set forth in the Pennsylvania Municipalities Planning Code, as amended.

SECTION 1263.06 CONTENTS OF PRELIMINARY APPLICATION.

The application shall consist of not less than two (2) copies of the letter of application together with not less than eight (8) prints of each drawing submitted as part of the proposed Preliminary Site Plan. The proposed Site Plan shall be drawn in accordance with standard architectural and engineering practices as

defined in the Act of May 23, 1945 (P.L. 913, No. 367) as from time to time amended and known as the "Professional Engineers Registration Law", to clearly indicate the following:

- a) Property lines and total acreage of parcel proposed for development;
- b) All existing Streets, Rights-of-Way, and easements related to the development;
- c) The location of existing driveways on adjacent properties;
- d) The location of relevant natural features, including, but not limited to, wetlands, streams or other natural water courses and adjacent lands which are subject to flooding, and significant stands of existing trees;
- e) The location of existing structures, including structures located on abutting property if within fifty feet of the common property line;
- f) Required front, side and rear yard lines;
- g) Contour lines at two foot intervals where average slope is ten percent (10%) or less, and five foot intervals where average slope exceeds ten percent (10%);
- h) Location of proposed structures, walkways, driveways, entrances, parking facilities, loading spaces, landscaping, signs, lighting facilities, fences or walls, and other site improvements or amenities;
- i) A tabulation including the following information:
 - (i) The Zoning Classification of the Land Development;
 - (ii) The proposed use of the Land Development;
 - (iii) The source or provider of the sewage system, water, electric, telephone and gas;
- j) A statement indicating that in "The Township by approving and/or executing this Plan in no way undertakes any responsibility with regard to storm water runoff or wetlands and/or other environmental requirements or matters. Further, the Township

undertakes no responsibility for operating any activities at the Land Development."

- k) Contours and sufficient cross sections to show proposed gradings and data to show gradient of access drives and parking facilities;
- l) Location and approximate size of utilities to serve the development. If water is to be provided by means other than private wells, applicants shall present evidence that the Land Development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment agreement to the area in question, whichever is appropriate, shall be acceptable evidence.

SECTION 1263.07 REVIEW PROCEDURE FOR PRELIMINARY SITE PLAN. The Planning Commission shall review the preliminary application and render a decision not later than sixty (60) days after such application is filed. The Planning Commission may consult with the Township Engineer and use other technical assistance as required. A copy of the Preliminary Site Plan will be forwarded to the Allegheny County Planning Department at the time of submittal for review and comments within thirty (30) days of such submittal. Exception to the sixty (60) days may be made when the size, complexity, character or location of the proposed development constitutes in the opinion of the Planning Commission a significant change in the characteristics of the area considered. The notification period will then be increased as needed, with appropriate notification to all parties being the responsibility of the Planning Commission.

- a) The decision of the Planning Commission shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than (i) fifteen (15) days following the decision or (ii) ninety (90) days following the regular meeting of the Planning Commission next following the date the preliminary application is filed, whichever is earlier. If said Planning Commission meeting is to occur later than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth day following the day the application is filed. If the Preliminary Plan is disapproved, the decision shall specify the

defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon. If the Preliminary Site Plan is disapproved by the Planning Commission, the Developer shall submit a new Preliminary Site Plan to the Planning Commission.

- b) Failure of the Planning Commission to render a decision and communicate it to the applicant within the time and manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension; failure to meet the extension shall have like effect.
- c) From the time an application for approval of a Site Plan, whether preliminary or final, is duly filed as provided in this chapter, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a Site Plan, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the aforesaid 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 application for such approval was duly filed. Where the Developer has

substantially completed the required improvements as depicted on upon the Final Site Plan within the aforesaid five (5) year limit, or any extension thereof as my be granted by the Planning Commission or Supervisors, as appropriate, no change of Township ordinance or plan enacted subsequent to the date of filing of the Preliminary Site Plan shall modify or revoke any aspect of the approved Final Site Plan pertaining to zoning classification or density, lot, building, street or utility location.

- d) The Supervisors may require that a Public Hearing be conducted, upon Public Notice, concerning the proposed Land Development, within the time period permitted by this chapter. Upon the scheduling and prior to the conducting of such hearing, a fee as established by resolution of the Supervisors shall be paid by the applicant.
- e) Preliminary approval may be conditioned upon the grant of a variance or of a special exception by the Zoning Hearing Board of Indiana Township where such variance or special exception is required, but such conditional approval by the Planning Commission shall not be binding on the Zoning Hearing Board, and the conditional approval shall be canceled if the requested variance or special exception is denied by the Zoning Hearing Board.

SECTION 1263.08 FINAL SITE PLAN APPLICATION.

- a) The Final Site Plan shall be submitted to the Zoning Officer for consideration by the Planning Commission within six (6) months after the Preliminary Site Plan was approved and shall have incorporated all the changes required by the Planning Commission. The Final Site Plan shall conform to the requirements set forth in Section 1263.06 and shall constitute only that portion of the Preliminary Site Plan which the Developer proposes to develop at that time. In order to be considered at a Planning Commission meeting, the complete application for Final Site Plan approval must have been submitted and accepted by the Zoning Officer at least fourteen (14) days prior to the commission meeting. In the event that the application is not complete, the application will not be deemed to be filed in accordance with the Municipalities Planning Code, as amended, until it has been appropriately revised by the Developer.
- b) The application for approval of the Final Site Plan shall be accompanied by at least eight (8) prints

of the Final Site Plan and eight (8) prints of all other exhibits required for approval.

SECTION 1263.09 REVIEW PROCEDURE FOR FINAL SITE PLAN.

- a) The Zoning Officer shall forward a copy of the Final Site Plan to the county planning agency for review and report, together with a fee paid by the applicant sufficient to cover the costs of review and report. The Planning Commission shall not forward the Final Site Plan to the Supervisors until receipt of the county planning agency's report or until thirty days after such Final Site Plan was submitted to the county planning agency.
- b) If the Planning Commission finds that the Final Site Plan is in accordance with the requirements of this Ordinance, the Planning Commission shall submit it to the Supervisors within thirty (30) days of such finding.
- c) If the Planning Commission recommends disapproval of the proposed Final Site Plan, said Plan may be modified or changed for further review by the Planning Commission, or all copies of the proposed Final Site Plan may be returned to the Zoning Officer for appeal to the Supervisors with the recommendations of the Planning Commission attached. The Supervisors may approve the proposed Final Site Plan or request changes and modifications, in which case the revised Final Site Plan must be resubmitted to the Planning Commission for its review and recommendation regarding approval or disapproval.
- d) The Supervisors may approve a Final Site Plan subject to the Developer agreeing to comply with certain conditions. Such conditional approval shall be forwarded to the Developer in compliance with subsection (f) hereunder. The Developer shall have ten (10) days following notification by the Township within which to accept or reject the conditional approval. If the Developer fails to accept or reject such conditional approval within the time provided for herein, the approval of the Plan shall be automatically rescinded.
- e) The Supervisors shall notify the Developer of its decision of approval or requested modification regarding the Final Site Plan in writing delivered either personally or mailed to his last known address not later than (i) fifteen (15) days following its decision or (ii) ninety (90) days following the regular meeting of the Planning

Commission next following the date the final application is filed, whichever is earlier. If said Planning Commission meeting is to occur later than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth day following the day the application was filed. If the Final Site Plan is disapproved, the decision shall specify the defects found in the Final Site Plan and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance or statute relied upon.

- f) In the case where development is projected over a period of years, the Supervisors may authorize submission of Final Site Plans by section or stages of development subject to such requirements as to improvements in future sections or stages of development as they find essential for the protection of any finally approved section of the development; provided however that conceptual drawings illustrating the location of roads and other improvements for the portions of development that shall occur in later phases shall be included as part of the Preliminary Plan for the portion of the Land Development that is subject to final review by the Supervisors at such time and shall have been submitted for review and approval by the Township in accordance with Sections 1263.04 and 1263.06.

SECTION 1263.10 DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS.

- a) The Planning Commission and Supervisors shall not approve a Final Site Plan unless the following standards are met:
- (i) Screening: A planted visual barrier, or landscape screen shall be provided and maintained by the owner or lessee of a property located between any commercial or industrial district and contiguous Residential Districts, as such districts are defined in the Township Zoning Ordinance, except where natural or physical man made barriers exist. This screen shall be composed of plants and trees arranged to form both a low level and a high level screen. The high level screen shall consist of a mixture of deciduous and conifer trees planted with specimens between four and six feet in height and at least three inches in diameter at four (4) feet in height. Conifer trees should be spaced fifteen (15) feet on center and deciduous trees offset twenty (20) feet. A heterogenous mixture of

indigenous species that have proven disease tolerant and that thrive in this climate should be used. The low level screen shall consist of shrubs or hedges planted at an initial height of not less than two feet, placed in alternating rows to produce a dense visual barrier. Any plant not surviving three years after planting shall be replaced.

(ii) Storage: Any article or material stored temporarily outside an enclosed building as an incidental part of the primary commercial or industrial operation, shall be so screened by opaque ornamental fencing, walls or evergreen planting, that it cannot be seen from adjoining public streets or adjacent lots, when viewed by a person standing on ground level. All organic rubbish or storage shall be contained in air-tight, vermin-proof containers which shall also be screened from public view.

(iii) Landscaping: Every portion of the site which is not used for structures or paving shall be planted with an all-season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan. Any off-street parking area with five or more spaces, shall retain at least five percent of the area for landscaping which shall be in addition to open area requirements of the district. Not less than one tree shall be installed within the parking area for every five parking spaces.

(iv) Lighting: All parking areas, driveways and loading areas, shall be provided with a peripheral lighting system which shall furnish an average minimum of 0.5 foot candles within such areas during hours of operation, with lighting standards in parking areas being located not more than eighty feet apart. All lighting shall be completely shielded from traffic on any public right of way and from any residential district.

(v) Interior Circulation: The interior circulation of traffic in areas shall be designated so that no driveway or access lane servicing parking spaces, shall be used as a through street. If parking spaces are indicated by lines with angles other than 90°, then traffic lanes shall be restricted to one-way permitting head-in parking. No driveway or street used for interior circulation shall have traffic lanes less than ten feet in width, per direction.

(vi) Access: Areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of shops by refuse collection, fuel and other service vehicles, shall be adequate in size and shall be so arranged that they may be used without blockage, or interference with the use of public streets or sidewalks, other accessways or automobile parking facilities.

(vii) Traffic Control: No design shall be approved which is likely to create substantial traffic hazards endangering the 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 Supervisors may require a traffic study in connection with the same. The Developer shall be responsible for the construction of any such traffic control devices.

(viii) Highway Occupancy Permit: If the Plan will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation, the Plan shall contain notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as from time to time amended, and known as the "State Highway Law", before driveway access to a state highway is permitted.

b) Additionally, the following requirements shall also be satisfied by the Developer in connection with Final Site Plan approval:

(i) No cut or fill grade shall exceed the "Standards For Excavation" set forth in Section 12 of the Township Grading, Excavation and Fill Ordinance, as amended.

(ii) All lands, regardless of their slope, from which structures or natural cover has been removed or otherwise destroyed, shall be appropriately graded and seeded within a reasonable time of such clearance activity. The phrase "a reasonable time" shall be interpreted to be within two weeks during the growing season and shall be rigidly applied to construction activities in order to accomplish the intent of keeping erosion to an absolute minimum.

(iii) Any person, partnership or corporation proposing to dump wastes or hazardous materials on any land within Indiana Township must first obtain

permits from the United States Environmental Protection Agency and appropriate Pennsylvania and Allegheny County agencies, and must certify that such wastes are not hazardous to the health, safety and welfare of residents of the Township.

(iv) No cutting, fill, or other disturbing of land and mature tree cover is permissible within 100 feet of the edge of natural drainage courses except as permitted by action of the Township Zoning Hearing Board or approved by the Department of Environmental Resources or other appropriate agency. In such cases, the Township Zoning Hearing Board may grant permission provided special precautions are taken to insure against continuing erosion or other circumstances which may be harmful to the immediate watercourse or in any way pollute the stream or watercourse. All activity shall comply with the provisions of the Township Stormwater Management Ordinance, as amended.

SECTION 20. Section 1264.01(b) is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(b) Except as otherwise provided herein, no Person proposing a Subdivision shall sell, transfer, lease or otherwise convey any Lot, parcel or tract in a Subdivision or construct or commence the construction of any building in a Subdivision until all permits required by law in connection with the Subdivision have been obtained and the Final Plat of the proposed Subdivision is approved by the Supervisors and recorded in accordance with the provisions hereof."

SECTION 21. The first three sentences in Section 1264.02 of the Subdivision Ordinance are deleted and replaced by the following two sentences:

"1264.02 OPTIONAL ADVISORY MEETING.

(a) A Subdivider desiring approval of a Plat of a Subdivision may make an appointment with the zoning officer at least fourteen (14) days prior to the date of the meeting at which he will appear before the Planning Commission to discuss his proposal before filing an application for Preliminary Plat Approval. No fee or formal application is required for this meeting."

SECTION 22. The first sentence in Section 1264.02(b) is deleted in its entirety and replaced with the following sentence:

"(b) In the event the Subdivider makes such appointment, the Subdivider shall submit a Sketch Plan to the Zoning Officer for advisory review by the Planning Commission at least fourteen (14) days prior to the Planning Commission meeting to allow him time to assemble any pertinent data for complete review by the Planning Commission."

SECTION 23. Section 1264.03 is deleted in its entirety and replaced by the following:

"1264.03 PRELIMINARY PLAT APPLICATION.

The Subdivider shall submit an application for approval of the proposed Preliminary Plat to the Zoning Officer no later than fourteen (14) days prior to the Planning Commission's regularly scheduled meeting at which the application is to be reviewed. In the event that the application is not complete, the application will not be deemed to be filed in accordance with the Municipalities Planning Code, as amended, until it has been appropriately revised by the Subdivider.

The application shall be accompanied by the following:

(a) Eight (8) copies of all maps and data set forth in Chapter 1266.02 of this Ordinance shall be delivered to the Township office at least fourteen (14) days prior to the Planning Commission meeting at which the application will be considered.

(b) Payment of all fees and deposits required by this Ordinance, as established from time to time by resolution of the Board of Supervisors. In the event that the Developer disputes the review fees so assessed, the Developer shall proceed with such dispute in accordance with the dispute resolution procedure governing such disputes, as set forth in the Pennsylvania Municipalities Planning Code, as amended."

SECTION 24. The second sentence in Section 1264.04(a) is hereby deleted and is replaced with the following sentence:

"The Planning Commission may consult with the Township Planning Consultant or Engineer and use other technical assistance as required."

SECTION 25. Section 1264.04(b) of the Subdivision Ordinance is hereby amended by deleting the term "forty (40)" and inserting the term "thirty (30)" in lieu thereof.

SECTION 26. Section 1264.04(b)(1) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(1) The decision of the Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than (i) fifteen (15) days following the decision or (ii) ninety days following the regular meeting of the Planning Commission next following the date the preliminary application is filed, whichever is earlier. If said Planning Commission meeting is to occur later than thirty (30) days following the filing of the preliminary application, the said ninety (90) day period shall be measured from the thirtieth day following the day the preliminary application is filed. If the Preliminary Plat is disapproved, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon. If the Preliminary Plat is disapproved by the Supervisors, the Subdivider shall submit a new Preliminary Plat to the Planning Commission."

SECTION 27. The following sentences are hereby inserted at the end of Section 1264.04(b)(3) of the Subdivision Ordinance:

"Where the landowner has substantially completed the required improvements as depicted upon the Final Plat within the aforesaid five (5) year limit, or any extension thereof as may be granted by the Planning Commission or Supervisors as appropriate, no change of Township ordinance or plan enacted subsequent to the date of filing of the Preliminary Plat shall modify or revoke any aspect of the approved Final Plat pertaining to zoning classification or density, lot, building, street or utility location."

SECTION 28. Section 1264.04(b)(4) of the Subdivision Ordinance is hereby deleted and the following is inserted in lieu thereof:

"(4) The Planning Commission or Supervisors may require that a Public Hearing be conducted, upon Public Notice, concerning the proposed Subdivision, within

the time periods permitted by this chapter. Upon the scheduling and prior to the conducting of such hearing, a fee as established by resolution of the Supervisors shall be paid by the applicant."

SECTION 29. Section 1264.05(a) is deleted in its entirety and replaced with the following:

"(a) The Final Plat shall be submitted to the Zoning Officer for consideration by the Planning Commission within six (6) months after the Preliminary Plat was approved by the Board of Supervisors and shall have incorporated all the changes required by the Supervisors. The Final Plat shall conform to the requirements set forth in chapter 1266.03 and shall constitute only that portion of the Preliminary Plat which the Subdivider proposes to record and develop at that time. In order to be considered at a Planning Commission meeting, the complete application for Final Plat approval must have been submitted to the Zoning Officer at least fourteen (14) days prior to the Planning Commission meeting. In the event that the application is not complete, the application will not be deemed to be filed in accordance with the Municipalities Planning Code, as amended, until it has been appropriately revised by the Subdivider.

SECTION 30. All references in Section 1264.05(b) to the term "seven (7)" are hereby deleted and replaced by the term "eight (8)".

SECTION 31. The following sentences are inserted at the beginning of Section 1264.06(a):

"The Zoning Officer shall forward a copy of the Final Plat to the county planning agency for review and report, together with a fee to be paid by the applicant sufficient to cover the costs of review and report. The Planning Commission shall not forward the Final Plat to the Supervisors until receipt of the county planning agency's report or until thirty (30) days after such Final Plat was submitted to the county planning agency."

SECTION 32. The term "storm drains" is hereby deleted from Section 1264.06(b) of the Subdivision Ordinance and the term "storm sewers" is inserted in lieu thereof.

SECTION 33. Section 1264.06(b)(2) of the Subdivision is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(2) Post a Development Bond with the Township in the amount of 110% of the cost of completion of the improvements required by the Township, estimated as of 90 days following the date scheduled for completion by the Developer.

(i) The amount of financial security required for the Development Bond shall be based upon an estimate of the cost of completion of the required improvements or other costs, submitted by a Developer and prepared by a professional engineer licensed as such in this Commonwealth, which engineer may be the Township Engineer, and certified by such engineer to be a fair and reasonable estimate of such cost. If such estimate is not prepared by the Township Engineer, the Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the 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 Developer. The estimate certified by this engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that such an engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the Developer.

(ii) When requested by the Developer, in order to facilitate financing, the Supervisors or Planning Commission, if designated, shall furnish the Developer with a signed copy of a resolution or other documentation indicating approval of the Final Plat contingent upon the Developer obtaining satisfactory financial security. The Final Plat shall not be signed or recorded until the documents providing the required security are executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the documents providing such financial security are not executed within 90 days unless a written extension is granted by the Township; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the Developer.

(iii) Without limitation as to other types of financial security which the Township may approve with regard to any bond required by this Ordinance,

which approval shall not be unreasonably withheld, and unless such bond is to be specifically required to be in cash, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Ordinance.

(iv) 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 within the Commonwealth.

(v) 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.

(vi) As the work of installing the required improvements proceeds, the party posting the financial security may request the Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Supervisors, and the Supervisors shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved Plat. Upon such certification, the 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 Supervisors fail to act within said forty-five (45) day period, the Supervisors shall be deemed to have approved the release of funds as requested. The Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of the aforesaid improvements.

(vii) If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a Plat as set forth in this chapter, 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 Plat upon actual completion of the improvements depicted upon the approved Final Plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved Plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings."

SECTION 34. The following sentence is added to the end of Section 1264.06(b)(3):

"Any such fees shall be based upon a schedule established by resolution of the Supervisors. In the event the Developer disputes such fees, such dispute, as appropriate, shall be governed by the dispute resolution procedure set forth in the Municipalities Planning Code, as amended."

SECTION 35. Section 1264.06(c) is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(c) In the case where Development is projected over a period of years, the Supervisors may authorize submission of Final Plats by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development; provided however, that conceptual drawings illustrating the location of roads and other improvements for the portions of development that shall occur in later phases shall be included as part of the Preliminary Plat for the portion of the Subdivision that is subject to final review by the Supervisor's at such time, and shall have been submitted for review and approval by the Township in accordance with Sections 1264.03 and 1264.04 hereunder.

SECTION 36. Section 1264.06(d) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"d) The Supervisors may approve a Plat, whether Preliminary or Final, subject to the Developer agreeing to comply with certain conditions. Such conditional approval shall be forwarded to the Developer in compliance with Subsection (f) hereunder. The Developer shall then have ten (10) days following notification by the Township within which to accept or reject, in writing, the conditional approval. If the Developer fails to accept or reject such conditional approval within the time provided for herein, the approval shall be automatically rescinded."

SECTION 37. The following Section 1264.06(e) is inserted following Section 1264.06(d) of the Subdivision Ordinance:

"e) No Plat which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the Plat contains notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as from time to time amended, and known as the "State Highway Law", before driveway access to a state highway is permitted."

SECTION 38. The following Section 1264.06(f) is hereby inserted following Section 1264.06(e) of the Subdivision Ordinance:

"f) If the Supervisors approve the Final Plat, the Solicitor shall be authorized to prepare a Development Agreement for the Subdivider to execute before the Plat is signed by the Supervisors and returned to the Subdivider. If disapproved, the Supervisors shall specify the defects found in such Final Plat and describe the requirements which have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon. Either decision shall be placed in writing and communicated to the Subdivider not later than (i) thirty (30) days after the Plat has been submitted to the Supervisors or (ii) ninety (90) days following the regular meeting of the Planning Commission next following the date the Final Plat is submitted to the Planning Commission, whichever

is earlier. If said Planning Commission meeting is to occur later than thirty (30) days following the submission of the Final Plat, the said ninety (90) day period shall be measured from the thirtieth day following the day the Final Plat is submitted."

SECTION 39. Sections 1264.07(a) and (b) of the Subdivision Ordinance are deleted in their entirety and the following sentence is added to the end of Section 1264.07:

"After a Plat has been approved and recorded, all Public Streets and public grounds on such Plat shall be, and become a part of the official map of the Township without a Public Hearing, but the Public Streets and other public grounds will be accepted only by the Township as hereinafter provided."

SECTION 40. Section 1266.02(c) is deleted and replaced by the following:

"A Subdivision Plat of the proposed Subdivision drawn at a scale no smaller than one hundred (100) feet to one (1) inch and shall be prepared by engineers in accordance with the Act of May 23, 1945, (P.L. 913. No. 367) as from time to time amended and known as the "Professional Engineer Registration Law."

SECTION 41. Section 1266.02(c)(1) is deleted and replaced by the following:

"(1) Subdivision Name, which name shall not be similar to the name of any other Development, approved or pending."

SECTION 42. Section 1266.02(d)(2) of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"(2) Profiles and other explanatory data concerning installation of water distribution systems, storm sewers and sanitary sewers. If water is to be provided by means other than private wells, applicants shall present evidence that the Subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. Where other existing utility systems are to be utilized, either through tap-ins or

extensions, letters of authorization from the appropriate utility or authority shall be included."

SECTION 43. Section 1266.02(d)(3) is deleted in its entirety and replaced by the following:

"(3) A stormwater management plan prepared in accordance with the Indiana Township Stormwater Management Ordinance to be approved by the Engineer."

SECTION 44. Section 1266.02(d)(4) of the Subdivision Ordinance is deleted in its entirety and replaced by the following:

"(4) A written report on the feasibility of connection to an existing Township sewage system or another public sewage system, including distances to the nearest public sewer, service load of the Subdivision, and capacity of the treatment plant;"

SECTION 45. The following Sections 1266.03(e) and (f) are inserted following Section 1266.03(d) of the Subdivision Ordinance:

- e) Tabulations including the following information:
 - (i) The zoning classification of the Subdivision;
 - (ii) The proposed use of the Subdivision;
 - (iii) The source or provider of the sewage system, water, electric, telephone and gas.
- f) The following statement:

"The Township, by approving and executing this Final Plat, in no way undertakes any responsibility with regard to storm water runoff or wetlands and/or other environmental requirements or matters. Further, the Township undertakes no responsibility for operating any activities at the Subdivision."

SECTION 46. Section 1268.01 of the Subdivision Ordinance is hereby deleted and the following is inserted in lieu thereof:

SECTION 1268.01 GENERAL. The Supervisors shall not approve any Plat or Plan for land subject to flooding, subsidence, underground fires or other perils unless such land is either made safe for the purpose for which such land is proposed to be used, or such land is set aside for uses which shall not endanger life or property or further aggravated or increase the existing peril."

SECTION 47. The term "Wetlands" is inserted following the phrase "areas of critical ecological importance," and prior to the phrase "and historic spots" in Section 1268.02 of the Subdivision Ordinance.

SECTION 48. The following new Section 1268.03 is inserted following Section 1268.02 of the Ordinance:

"SECTION 1268.03 STREETS. The Supervisors shall not approve any Plat unless all Public Streets shown thereon meet the requirements for Public Streets contained in this Ordinance and all Private Streets shown thereon meet the requirements for Private Streets contained in this Ordinance."

SECTION 49. Section 1268.03 is hereby changed to Section 1268.03A due to the previous insertion of the new Section 1268.03 and the title and first sentence in Section 1268.03 of the Subdivision Ordinance are hereby deleted and the following are inserted in lieu thereof:

"Section 1268.03A PUBLIC STREETS. The Supervisors shall not approve any Plat unless all Public Streets shown thereon shall be of sufficient width and proper grade, and shall be so located as to accommodate the probable volume of traffic thereon, facilitate fire protection, provide access of fire fighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's plan of streets."

SECTION 50. The first sentence in section 1268.03A(d) is deleted in its entirety and replaced with the following sentence:

"(d) Cul-de-Sacs will not be approved when in the opinion of the Supervisors a through street is more practicable and shall be longer than 250 feet, but not greater than eight hundred (800) feet, measured from the edge of roadway intersection to centerline of turn around. Cul-De-Sacs shall include a turn around which shall be provided at the closed end with not less than a forty (40) foot radius excluding curb and a right-of-way radius of not less than fifty (50) feet."

SECTION 51. The following Sections 1268.03A(m) and (n) are inserted following Section 1268.03A(l):

- "(m) The Township shall determine the need for and location of all street signs. All street signs shall be in accordance with the Township's standard for such signs or as approved by the Supervisors.
- (n) All Streets shall be centered in the Right of Way provided for each Street."

SECTION 52. The following Section 1268.03B is hereby inserted following Section 1268.03A of the Subdivision Ordinance:

"1268.03B. PRIVATE STREETS. For purposes of this Section 1268.03B only the term "Lot" shall mean any Lot that is occupied by only one Dwelling Unit and the Supervisors shall not approve a Plat with a Private Street serving any Lot unless the following conditions are present:

a) In instances where one (1) or more Private Streets are created after the effective date of this Section 1268.03B and said Private Street(s) shall serve more than five (5) Lots:

(i) All standards and requirements for Public Streets contained in the Subdivision Ordinance shall be satisfied by the Subdivider.

(ii) The Subdivider shall sign and record a maintenance agreement creating a Homeowners' Association to maintain such Private Streets, which maintenance agreement shall cover any and all Private Streets on the Subdivision Plat and bind all owners of Lots in the Subdivision, and their heirs, successors and assigns, and which agreement shall be in form and substance satisfactory to the Township.

b) In instances where the Private Street is created after the effective date of this Section 1268.03A and shall serve five (5) or fewer Lots:

(i) The Private Street shall comply with the requirements of Section 1268.03A(k) hereunder (other than any paving requirements) or the recorded Plat for such Subdivision shall contain a legend stating that "The Private Street(s) contained on this Plat shall never become Public Street of the Township of Indiana."

(ii) The Cartway shall be centered in such right of way and shall be constructed to permit access by emergency vehicles and provide for the general safety of users of such Private Street.

(iii) The Subdivider shall install a street sign on such Private Street in accordance with Township requirements for street signs to provide identification for emergency vehicles.

(iv) The recorded Plat for such Subdivision shall contain a legend stating that "There shall be no further subdivision of the Lots shown on this Plat."

c) In instances where the Private Street was in existence prior to the effective date of Section 1268.03B of the Subdivision Ordinance, Subdivision and further Subdivision shall be permitted on such Private Street in accordance with the following:

(i) All requirements of the Subdivision Ordinance, other than the requirements regarding Public Streets, shall be satisfied by the Subdivider.

(ii) Such Private Street shall be adequate to permit access by emergency vehicles and shall not exhibit obvious hazards.

(iii) In the instance where Streets are created or utilized on the Land subject to such Subdivision but five (5) or fewer Lots are contained in such Subdivision, then the requirements of Section 1268.03B(b) shall be satisfied with regard to those Streets in such Subdivision.

(iv) In the instance where Streets are created or utilized on the Land subject to such Subdivision and more than five (5) Lots are contained in such Subdivision, then the requirements of Section 1268.03B(a) shall be satisfied with regard to those Streets in such Subdivision.

(v) Any time that a Private Street which is not a part of the Subdivision is the only means of access between such Subdivision and a Public Street, the recorded Plat for such Subdivision shall state that "The Township of Indiana is not responsible for the Private Street that links this Subdivision to a Public Street."

d) In all instances where a Private Street, which is not currently, and has never been, within the control of the Subdivider, is the only access from a Public Street to the Subdivision, the requirements of Sections 1268.03B(c)(iii), (iv) and (v) shall be satisfied.

e) In all instances where a Private Street is created only as an extension of a driveway on a Lot to serve one additional, adjacent Lot:

(i) The driveway serving as a Private Street shall be constructed so as to permit access by emergency vehicles.

(ii) The right to use such Private Street shall be transferred by grant of title or an easement.

f) All Private Streets shall meet the following requirements:

(i) Except with regard to Private Streets described in Section 1268.03B(e) above, neither the area of the Lot to be served by the Private Street, nor the area remaining of the original property from which the Lot or Lots were divided, shall be less in any respect than the area and setback requirements of the zone district in which the property is located. The area of the Private Street right of way shall not be included in calculating Lot area.

(ii) The location and width of the Private Street shall be recorded with the Lot it serves, including its connection to a Public Street and the full extent and ownership of the property crossed by the Private Street, together with a written statement included on the Plat for recording, containing language similar to the following, as shall be approved by the Supervisors:

By approval of this Plat, the Township of Indiana does not assume any obligations with respect to the Private Street(s) shown hereon, and the owners of the lots in the Plat shall solely be responsible for the construction and maintenance of said Street(s) to a standard that will permit safe ingress and egress by emergency vehicles. The owners, for themselves, their heirs and any purchasers of lots on the Plat, hereby release the Township of Indiana from any liability or obligation whatsoever arising from any said Private Street(s) or the use thereof.

(iv) The Planning Commission shall have the right to recommend reasonable conditions on the creation and use of Private Streets.

(v) Subdividers and users of Private Streets shall make adequate provision for controlling and preventing stormwater runoff and debris from being deposited onto Public Streets or adjacent private property.

(vi) All Private Streets other than those in existence prior to the effective date of this Ordinance shall have indicated on the street sign of such Street that it is a Private Street.

SECTION 53. The following Sections 1268.04(f) and (g) are inserted following Section 1268.04(e) of the Ordinance:

"(f) All Lots located on a Public Street shall have at least a fifty (50) foot frontage on such Public Street."

"(g) All Lots commonly known as "Flag Lots" shall have the driveway centered on the Public Street frontage so as to have at least a twenty (20) foot buffer zone between said Lot and an adjacent Lot on either side of a driveway or sidewalk along said Public Street frontage."

SECTION 54. Section 1268.08 of the Ordinance is deleted in its entirety and replaced by the following:

"SECTION 1268.08 TREES. In the event that twenty-five percent (25%) or more of the trees at least four (4) inches in diameter at approximately four and one-half (4-1/2) feet in height are cut down during or on account of development the number of trees in excess of said twenty-five percent (25%) shall be replaced by trees complying with the requirements of Section 1270.07 hereunder at locations in the Subdivision selected by the Developer. Additionally, in newly developed areas where trees do not exist along Public Streets or Private Streets, trees complying with the requirements of Section 1270.07 hereunder shall be planted at a maximum of fifty (50) feet apart approximately fifteen (15) feet from the Public Street or Private Street right of way."

SECTION 55. Section 1268.11 is hereby inserted following Section 1268.10:

"SECTION 1268.11 OFF STREET PARKING. All of the requirements of Section 306 of the Zoning Ordinance shall be satisfied in connection with any Subdivision."

SECTION 56. The first sentence of Section 1270.02 is deleted in its entirety and replaced by the following sentence:

"Concrete monuments shall be installed at the outside boundary corners and at or near the beginning and end of tangent sections of all streets to provide permanent horizontal control and shall be installed after the grading of lots has been completed and referenced."

SECTION 57. The title and first sentence of Section 1270.03 are hereby deleted and the following is inserted in lieu thereof:

"1270.03 PUBLIC STREETS. Public Streets shall be graded to the grades and dimensions shown on Plats and profiles and approved by the Supervisors and shall include the following improvements:"

SECTION 58. The reference to "Chapter 1268.03(k)" in Section 1270.03(c) is changed to "Section 1268.03A(k)."

SECTION 59. The first sentence of Section 1270.03(e) is hereby deleted and the following sentence is inserted in lieu thereof:

"Public Street shoulders shall be graded for the full width of the right of way in accordance with the Township Construction Standards and thoroughly compacted by rolling."

SECTION 60. The reference to "Chapter 1268.03(d)" in Section 1270.03(f) is changed to "Section 1268.03A(d)."

SECTION 61. The last sentence of Section 1270.03(h) of the Subdivision Ordinance is hereby deleted and the following sentence is inserted in lieu thereof:

"Street names and numbers must be approved by the Planning Commission prior to submitting the Final Plat and all street numbers shall be odd on one side of the Street and even on the other."

SECTION 62. The reference to "Chapter 1268.03(k)" in Section 1270.03(j) is changed to "Section 1268.03A(k)."

SECTION 63. The second sentence of Section 1270.04(c) of the Subdivision Ordinance is deleted and replaced by the following sentence:

"Polymer coated corrugated metal pipe, clay pipe, or PennDot-approved plastic pipe may be used along shoulders of Public Streets and other areas as approved by the Engineer."

SECTION 64. The last sentence of Section 1270.04(j) of the Subdivision Ordinance is hereby deleted and the following sentence is inserted in lieu thereof:

"Approval of Plats by the Township does not authorize or sanction drainage affecting adjoining properties."

SECTION 65. Section 1270.07 of the Subdivision Ordinance is deleted in its entirety and replaced by the following:

"SECTION 1270.07 SHADE TREES. Where required, trees to be installed shall have a minimum diameter of three (3) inches at four (4) feet in height at the time of planting. A mixture of deciduous and conifer trees shall be planted. A heterogeneous mixture of indigenous species that have a proven disease tolerance and thrive in this climate should be used."

SECTION 66. The following Section 1270.11 is inserted following Section 1270.10:

"SECTION 1270.11 FINAL MATTERS. Upon completion of any Subdivision to the extent applicable, the Developer shall satisfy the following:

- a) All street signage on Public Streets and Private Streets as required, including street signs, stop signs and other safety features, shall be installed prior to homes being occupied;
- b) All street monuments shall be installed;
- c) Core borings of at least four (4) inches in diameter shall be taken at locations dictated by the Township Engineer. A minimum of two core borings shall be required in each Public Street and for Public Streets longer than two hundred feet, core borings shall not be taken more often than every 100 feet.
- d) All storm sewers shall be cleaned prior to dedication to the Township.
- e) A legal description for each Public Street that is to be dedicated to the Township shall be prepared by a Registered Professional Land Surveyor and shall include the following:
 - (i) Calculated distances of the length of road (paving) in linear feet or miles.
 - (ii) A deed describing the metes and bounds of each Street right-of-way.
 - (iii) Notation that said Street is centered within the right-of-way.
- f) Construction (as-built) drawings of the Subdivision shall be provided."

SECTION 67. The following Chapter 1271 is inserted following Chapter 1270 of the Subdivision Ordinance:

"Chapter 1271

Parks and Recreational Areas

1271.01	General	1271.04	Location Criteria
1271.02	Definitions	1271.05	Dedication
1271.03	Requirements and Exemptions	1271.06	Fee in Lieu of Dedication

CROSS REFERENCES

Construction of Recreational Facilities or the Payment of Fees in Lieu Thereof - Municipalities Planning Code Sec. 503.

SECTION 1271.01 GENERAL. All Plats and Site Plans for residential Subdivisions submitted after the effective date of this Ordinance shall provide for suitable and adequate Parks and Recreational Areas in order to:

- a) Insure adequate Parks and Recreational Areas and facilities to serve the residents of new Subdivisions in the Township;
- b) Maintain compliance with recreational standards, as developed by the National Recreation and Parks Association;
- c) Reduce increasing usage pressure on existing Parks and Recreational Areas and facilities;
- d) Comply with the Parks, Recreation and Open Space (Comprehensive) Plan for the Township with regard to size and distribution of parks and recreational areas;
- e) Allow for acquisition and development of additional Parks and Recreational Areas as outlined by the Comprehensive Plan;
- f) Insure that all present and future Township residents have the opportunity to engage in many and varied leisure pursuits; and
- g) Reduce the possibility of the Township becoming overburdened with the development and maintenance of many small, randomly-planned, and widely-separated Parks and Recreational Areas.

SECTION 1271.02 DEFINITIONS. For the purpose of this chapter, the following terms, where capitalized shall have the following meanings ascribed to them:

- a) Active Recreation. Any activity that requires some physical exertion on the part of the participant. See Section 1271.02(g)(i) and (iii) for examples.
- b) Active Recreation Area. Any area developed in such a manner as to be conducive to those activities that fall within the range of active recreation. Examples: athletic fields and hard-surfaced courts, pools, large dams, bicycle and walking trails, open turf areas, and apparatus areas.
- c) Leisure. Time not committed to making a living or involved with other necessary support functions; discretionary or "free" time.
- d) Parks. Any area upon which either Passive or Active Recreation may be conducted.
- e) Passive Recreation. Any activity that requires little or no physical exertion on the part of the participant. See Section 1271.02(g)(ii) and (iii) for examples.
- f) Passive Recreation Area. Any area developed in such a manner as to be conducive to those activities that fall within the range of Passive Recreation. Examples: scenic vistas, natural areas, craft areas, meeting areas, sitting areas, walkways, sunbathing gardens, streams and impoundments, social events, picnicking, and spectator areas.
- g) Recreation. Any activity, whether structured or not, in which individuals voluntarily engage during their Leisure. Examples would include:
 - (i) Active - Sports (individual, dual, team, corecreational and combative), athletics; both land and water-based;
 - (ii) Passive - Arts and crafts, spectating, picnicking, nature study and board games;
 - (iii) Either, depending on specifics - dance, drama, music, games, skills, social recreation, special events, hiking/walking, cycling, hobbies, outdoor educational activities and cultural activities.

- h) Recreational Area. Active and or Passive Recreation Areas.

SECTION 1271.03 REQUIREMENTS AND EXEMPTIONS

- a) All residential Subdivisions, unless exempted by Section 1271.03(e) of the Ordinance, shall provide land for recreational purposes in the following amounts:
- (i) One Family Developments. If the Subdivision is for one-family dwellings, the Subdivider shall provide a minimum of one thousand five hundred (1,500) square feet per lot for Parks or Recreation.
 - (ii) Multiple-Family Developments. If the Subdivision is for multiple-family development (i.e., for dwellings housing two or more families), the Subdivider shall provide a minimum contiguous area of twenty percent (20%) of the total area of the land being developed, exclusive of roadways, for Parks or Recreation.
 - (iii) Mixed-Use Development. If the Subdivision is a mixed-use Subdivision, the Subdivider shall provide a minimum contiguous area of twenty percent (20%) of the total area being developed for residential purposes, exclusive of roadways, for Parks or Recreation.
- b) A maximum of twenty-five percent (25%) of the total land area required by this chapter to be provided for Parks or Recreation may consist of flood plain areas.
- c) Such land set aside shall be suitable to serve the purpose of Active or Passive Recreation by reason of its size, shape location, and topography and shall be subject to the approval of the Planning Commission, Parks and Recreation Board and the Supervisors.
- d) The Subdivider shall satisfy the Township that in the event the Developer does not dedicate the Park or Recreational Area to the Township, there are adequate provisions to assure retention and all future maintenance of such Parks or Recreational Areas by maintaining ownership in himself; or by providing for and establishing an organization or association for the ownership of the Park or Recreational Area and such organization or association shall not be dissolved nor shall it dispose of the Park or Recreational Area by sale or

otherwise, except to an organization or association established to own and maintain the Park or Recreational Area, without first offering to dedicate the same to the Township.

e) The following are exempt from this Chapter:

(i) Any Subdivision for which a Preliminary Plan or Preliminary Plat has been submitted prior to the effective date of this Ordinance is exempt from the provisions of this Chapter 1271.

(ii) Any residential Subdivision may be exempted by the Supervisors from the requirement of the dedication of land for Parks or Recreation purposes provided the Subdivider chooses to instead provide for the payment of a fee in lieu of dedication as provided in Section 1271.06.

(iii) Any residential Subdivision that contains less than five (5) dwelling units is exempt from the provisions of this Chapter.

SECTION 1271.04 LOCATION CRITERIA. The Planning Commission and the Supervisors in exercising their duties regarding the approval of Subdivisions shall consider the following criteria in determining whether to approve the proposed location of the Park or Recreational Areas in the Developer's Subdivision:

- a) Site or sites shall be easily and safely accessible to all areas of the development to be served, ingress and egress shall be accomplished without great delay, and the site shall have access to a public road; however, no Public Street shall traverse the site or sites.
- b) Site or sites should have suitable topography and soil conditions for use and development as a Park or Recreational Area.
- c) Size and shape for the site or sites should be suitable for development as a particular type of Park. Sites will be categorized by the Township using the standards established by the National Recreation and Parks Association (Publication No. 10005, latest edition).
- d) The design and development of these Recreational Areas should be done according to the standards established by the National Recreation and Parks Association, copies of which may be obtained from the Township Office.

- e) Site or sites shall, to the greatest extent practicable, be easily accessible to essential utilities, including water, sewer and power.
- f) Site or sites should meet minimum size in respect to usable acreage with respect to National Recreation and Parks Association Standards with seventy-five percent (75%) of such area having a maximum slope of seven percent (7%).
- g) Site or sites should be compatible with the objectives, guidelines and recommendations set forth in the Comprehensive Plan, as amended or restated from time to time.

SECTION 1271.05 DEDICATION.

- a) If the Subdivider does not wish to retain the required Park or Recreational Area, such area may be dedicated to the Township for public use.
- b) In addition to approving the site of Parks and Recreational Areas to be dedicated to the Township, the Planning Commission, after having conferred with the Parks and Recreation Board, shall make its recommendation to the Supervisors as to whether the dedication should be accepted by the Township.
- c) Such area dedicated to the Township for public use shall be suitable for Park or Recreation purposes by reason of size, shape, location, topography and access.
- d) The Planning Commission, after consultation with the Parks and Recreation Board, may find dedication to be impracticable because of the size, shape, location, access, topography, drainage or other physical features of the land; because such dedication would adversely affect the Subdivision and its future residents or occupants; or, because there is no land area within the proposed Subdivision which is practicable for dedication to the public because of its size, access, topography or other physical characteristics.
- e) When the Supervisors deem it to be in the public interest to accept dedicated land, such acceptance shall be by means of a signed resolution to which the property description of the dedicated recreation area shall be attached.

SECTION 1271.06 FEE IN LIEU OF DEDICATION.

- a) Where the Supervisors agree with the Subdivider that because of the size, shape, location, access, topography or other physical features of the land, that it is impracticable to dedicate land to the Township to set aside a Park or Recreational Area as required by this Ordinance, the Subdivider shall pay a fee in lieu of dedication of such land which shall be payable to the Township prior to approval of each final section of the overall Plat by the Supervisors. Such fee shall be calculated by multiplying the number of lots in each Subdivision by the fee per lot.
- b) The amount of the fee shall be four hundred dollars (\$400.00) per proposed lot of the entire tract and shall be paid prior to the recordation of the Plat.
- c) All fees paid to the Township pursuant to this Chapter shall be deposited in an interest-bearing account which shall specifically identify the Park or Recreational Area for which such fees are to be applied. Interest earned on such account shall become funds of that account.
- d) All monies withdrawn from recreational fee accounts and used for the specific Park or Recreational Area for which they were collected shall be withdrawn from each account in the same proportion as the total amount of funds collected for that specific park or recreational facility bears to the total amount of funds collected for Parks and Recreational facilities in the Township.
- e) Park or Recreational Area fees shall be kept in an individual account for a period of three (3) years from the date such fees were paid. Within six (6) months after the termination of that three (3) year period, upon the written request of the fee paying party, the Township shall refund such portion of such fee as has not been utilized, plus interest accumulated thereon from the date of payment. If such request is not made within the six (6) month period, such funds shall inure to the Township and shall become part of the Township's general fund. If the total amount of funds expended on a specific Park or Recreational Area equals or exceeds the total amount of funds collected for that Area, then in no event shall funds be refunded to parties paying a recreational fee."

SECTION 68. Section 1272.02 of the Subdivision Ordinance is deleted in its entirety and replaced by the following:

"1272.02 PERMIT FOR UTILITY CONNECTIONS. No person shall connect to any water line, storm or sanitary sewer without obtaining a permit and paying the proper connection charge as established by resolution by the Supervisors or the appropriate authority in accordance with Section 507-A of the Municipalities Planning Code, as amended."

SECTION 69. Section 1272.03 of the Subdivision Ordinance is deleted in its entirety and the following is inserted in lieu thereof:

"SECTION 1272.03 SANITARY SEWAGE PERMITS. All applicable sanitary sewage permits shall be obtained by the Developer from the Pennsylvania Department of Environmental Resources and any other issuing authority and a copy furnished to the Township before any sanitary sewers are installed."

SECTION 70. Section 1272.05 of the Subdivision Ordinance is hereby deleted in its entirety and the following is inserted in lieu thereof:

"SECTION 1272.05 NOTIFICATION OF TOWNSHIP. The Developer shall notify the Township at least forty-eight (48) hours prior to his intention to proceed with the construction or installation of streets or improvements or any other work related to the improvements."

SECTION 71. Section 1272.06 is hereby deleted in its entirety and the following is inserted in lieu thereof:

"1272.06 INSPECTION REPORTS. Inspection reports shall be prepared by the Inspector and countersigned by the Subdivider. The reports shall be prepared in triplicate and shall show the type and quantity of material installed, weather condition, and all other data pertaining to construction."

SECTION 72. Section 1272.07 of the Subdivision Ordinance is deleted in its entirety and the following is inserted in lieu thereof:

"SECTION 1272.07 MAINTENANCE BOND. Prior to any Street, or other improvement being accepted by the Township as hereinafter provided, the Developer shall post a Maintenance Bond naming the Township as Obligee in an amount equal to fifteen percent (15%) of the actual cost of the improvements. Said financial security shall be in such form as is provided for in Sections 1264.06(b)(iii) and (iv) and shall be available

to remedy any defects which may develop in the improvements during a period of eighteen (18) months from date of acceptance by the Township."

SECTION 73. The term "performance guaranty bond" in Section 1272.08(b) of the Subdivision Ordinance shall be replaced with the term "Development Bond".

SECTION 74. The following Section 1272.08(f) shall be inserted following Section 1272.08(e) of the Subdivision Ordinance:

"f) Once it has been determined that the improvements have been approved in accordance with this chapter, the Subdivider shall be released from all liability pursuant to his Development Bond."

SECTION 75. The following Section 1272.08A is hereby inserted following Section 1272.08 of the Ordinance:

SECTION 1272.08A ACCEPTANCE BY TOWNSHIP. Once the Township has approved the improvements in accordance with, and as referenced in, Section 1272.08 above, and has consented to accept any Parks or Recreational Areas in accordance with Chapter 1270, the Subdivider shall dedicate and the Township or appropriate authority shall accept the improvements and Parks and Recreational Areas as follows:

- (a) All Public Streets shall be dedicated to and accepted by the Township following completion of development of eighty percent (80%) of the Lots in the Subdivision.
- (b) All other improvements shall be dedicated to and accepted by the Township or the appropriate authority following such inspection and approval.
- (c) All Parks and Recreational Areas that the Township agreed to accept in accordance with Chapter 1270 hereunder shall be dedicated to and accepted by the Township at this time.
- (d) Appropriate documentation evidencing such dedications and acceptances shall be prepared by the Solicitor and Engineer, shall be executed by all required parties; the cost of such documentation and related work shall be borne by the Subdivider.

SECTION 76. Insert the following Section 1272.12 following Section 1272.11 of the Subdivision Ordinance:

"SECTION 1272.12 PREVENTATIVE REMEDIES.

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

b) The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

(1) The owner of record at the time of such violation.

(2) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

(3) The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

(4) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

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

SECTION 77. Section 1272.99 of the Subdivision Ordinance is hereby deleted and the following is inserted in lieu thereof:

"SECTION 1272.99 VIOLATIONS AND PENALTIES. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor, in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

SECTION 78. The following Section 1272.99A is inserted following Section 1272.99 of the Subdivision Ordinance:

"1272.99A SPECIFIC REPEAL. Ordinance No. 192 relating to dedication of parkland or payment of fees in lieu thereof is hereby repealed in its entirety."

SECTION 79. This Ordinance shall become effective in ten (10) days.

ORDAINED AND ENACTED INTO LAW, this 28th day of JULY, 1992.

ATTEST:

TOWNSHIP OF INDIANA

Mitchell T. Kowal
Secretary

George Cray
Mayor

[Signatures continued on next page.]

[Signatures continued from previous page.]

Approved as to form:

ATTEST:

Thomas R. Snyder
Solicitor

I, MITCHELL T. KOVEL, MANAGER/SECRETARY FOR THE BOARD OF SUPERVISORS AND THE TOWNSHIP OF INDIANA, ALLEGHENY COUNTY, PA., DO HEREBY CERTIFY AND ATTEST THAT THE ABOVE IS A TRUE AND ACCURATE COPY OF ORDINANCE NO. 257 ADOPTED BY THE BOARD OF SUPERVISORS AT A REGULAR MEETING HELD ON TUESDAY, JULY 28, 1992.

Mitchell T. Kovel
MITCHELL T. KOVEL
MANAGER/SECRETARY
AUGUST 04, 1992

CONFIDENTIAL - SECURITY INFORMATION

TOWNSHIP OF INDIANA
ALLEGHENY COUNTY, PENNSYLVANIA

Ordinance No. 289

AN ORDINANCE AMENDING ORDINANCES NOS. 131, 215 AND 257 INCORPORATED INTO THE TOWNSHIP CODE AS CHAPTER 1260 ET SEQ., THE INDIANA TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE; MODIFYING PROVISIONS RELATING TO BOUNDARY REVISIONS; MODIFYING CERTAIN DEFINITIONS; ELIMINATING NONRESIDENTIAL AS IT RELATES TO PLANNED RESIDENTIAL DEVELOPMENTS; COMPLETING INDEXES; CLARIFYING WHAT CONSTITUTES A LAND DEVELOPMENT; MODIFYING DESIGN STANDARDS AND REQUIREMENTS; PROVIDING GUARANTEE OF COMPLETION OF IMPROVEMENTS FOR SITE PLANS; MODIFYING PROVISIONS FOR SUBDIVISION PLATS; MODIFYING PROVISIONS RELATING TO GRADING, FILLING AND DISTURBANCE OF LAND; MODIFYING PROVISIONS RELATING TO PRIVATE STREETS; MODIFYING THE PROVISIONS RELATING TO PROTECTION OF TREES AND WOODLANDS; MODIFYING PROVISIONS RELATED TO STORM SEWERS; INSERTING A NEW CHAPTER RELATING TO TRAFFIC IMPACT STUDIES; CLARIFYING THE TIME OF ACCEPTANCE OF PUBLIC STREETS; CORRECTING TYPOGRAPHICAL ERRORS.

WHEREAS, the Board of Supervisors of the Township of Indiana, Allegheny County, Pennsylvania, desires to amend the Indiana Township Subdivision and Land Development Ordinance, Ordinance No. 131, adopted May 15, 1973, and Ordinance No. 215, adopted July 23, 1985, incorporated into the Township Code as Chapter 1260 et seq., as amended by Ordinance No. 257, adopted July 28, 1992 (collectively, the "Subdivision Ordinance");

NOW, THEREFORE:

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Indiana Township, Allegheny County, Pennsylvania, as follows:

Section 1. The index of Chapter 1260 is amended to include the following

"1260.06 Boundary Revisions Satisfied by Deeds"

Section 2. The title of Section 1260.06 is Amended to read "Boundary Revisions Satisfied by Deeds" and Section 1260.06 b) of the Subdivision Ordinance is hereby deleted and the following is inserted in lieu thereof:

"b) Does not exceed 1000 square feet, and"

Section 3. Section 1262.02(1) of the Subdivision Ordinance is deleted and the following is inserted in lieu thereof:

"(1) As Built Plans. Plans and Profiles prepared by the Developer's Engineer or Surveyor showing the exact location, size, grade and depth of all the improvements after completion including 'Y' branches and laterals for future house connections. Said plans shall be on reproducible linen or mylar and CADD disks shall be provided."

Section 4. The Title of Section 1262.02(23) of the Subdivision Ordinance, "Inspector", is deleted, and "Construction Representative" is inserted in lieu thereof.

Section 5. Section 1262.02(32) of the Subdivision Ordinance is amended by deleting the words "and nonresidential" at the end of the third line.

Section 6. The index to Chapter 1263 of the Subdivision Ordinance is amended to add the following:

"1263.10 Design Standards and Improvement Requirements

1263.11 Guarantee of Completion of Improvements"

Section 7. Section 1263.01 of the Subdivision Ordinance is amended to add the following subsection:

"d) Any grading, as defined in the Township's Grading, Excavating and Fill Ordinance and requiring a Grading Permit pursuant to said Ordinance, of two or more acres of land in the same parcel of land, shall be deemed a Land Development for the purposes of this Chapter 1263. Any grading occurring on the

same parcel of land over a ten (10) year period shall be counted cumulatively."

Section 8. Section 1263.10(b)(iv) of the Subdivision Ordinance is amended to delete the first sentence and to insert in lieu thereof the following:

"No cutting, fill or other disturbing of land and mature tree cover is permissible within 50 feet of the edge of natural water courses or from the edge of a wetland nor shall any building be constructed within fifty (50) feet of the top of the bank of any watercourse except as may be approved in writing by the Department of Environmental Protection or other agency having jurisdiction."

Section 9. Chapter 1263 of the Subdivision Ordinance is amended by adding the following section:

"Section 1263.11 GUARANTEE OF COMPLETION OF IMPROVEMENTS.

- a) Following final approval of the Site Plan the Developer shall enter into a Development Agreement with the Township.
- b) The Development Agreement shall require the Developer to post a Development Bond with the Township in conformity with the provisions of Section 1264.06(b)(2) of this Ordinance and a Cash Bond to cover the Township's costs for legal, engineering and inspection fees.
- c) Except as otherwise provided herein, no building or grading permits shall be issued and no work shall be commenced on the Site Plan until the Development Agreement has been fully executed and delivered and the Development Bond and the Cash Bond have been posted."

Section 10. Section 1266.02(d) of the Subdivision Ordinance is amended by inserting the words "at intervals of fifty (50) feet" after the term "cross-sections" in line one.

Section 11. The index to Chapter 1268 of the Subdivision Ordinance shall be amended as follows: (i) 1268.03 shall be renumbered and entitled "1268.03A Public Streets; (ii) a new section shall added as "1268.03B Private Streets"; and 1268.08 shall be entitled "Protection of Trees and Woodlands".

Section 12. Section 1268.02 of the Subdivision Ordinance is hereby amended to include the following:

"The following standards shall apply to all grading, filling and disturbance of land with slopes of twenty-five percent (25%) or greater:

(a) No more than twenty-five (25%) of slope areas with existing grades between 25 and 40 percent (25% and 40%) shall be stripped of vegetation or disturbed through grading or filling. Grading for roads shall be limited to the road right-of-way of fifty (50) feet.

(b) No development or disturbance shall be allowed on slopes exceeding forty percent (40%). Very limited disturbance for utilities may be allowed if the applicant demonstrates that no feasible alternative location exists.

(c) If any of the delineated steep slope areas include soils or geologic features which indicate possible instability, the following additional standards shall apply:

No grading, removing of vegetation, construction, or other disturbance shall be permitted on soils that are classified as slide-prone or unstable in the Soil Survey of Allegheny County, on any land that is delineated as unstable on the Landslide Susceptibility Map of Allegheny County, or on any other areas of a proposed development site that exhibit signs of instability, except in accordance with the following provisions of this subsection:

- (i) Unstable areas of a site may be set aside as common or private open space.
- (ii) Limited disturbance of unstable areas may be allowed if the applicant demonstrates to the satisfaction of the Planning Commission that the proposed disturbance will not cause sliding or movement or any unsafe condition either on the development site or on any property adjacent to it.
- (iii) Evidence of the safety of any proposed disturbance shall require site investigation and certification in writing by a registered soils engineer, engineering geologist, or professional engineer with experience in soils engineering that the proposed activity will not create or exacerbate unsafe conditions.

(d) All disturbance of steep slope areas shall be properly benched in accordance with sound engineering practice as approved by the Township Engineer.

(e) The Developer shall provide to the Township geo-technical reports prepared by a professional satisfactory to the Township confirming the stability and safety of the slope areas.

Further, no cutting, fill or other disturbing of land and mature tree cover is permissible within fifty (50) feet of the edge of natural water courses or from the edge of a wetland nor shall any building be constructed within fifty (50) feet of the top of the bank of any water course except as may be approved in writing by the Department of Environmental Protection or other agency having jurisdiction."

Section 13. Section 1268.03B(b) of the Subdivision Ordinance is amended by deleting the reference to "Section 1268.03A" and correctly inserting "Section 1268.03B" in lieu thereof, and by adding the following subsection:

"(v) where a Private Street is not constructed to Township standards, and, therefore, is subject to the restrictions set forth in this Section 1268B(b), said restrictions shall not apply if in the future the Private Street is brought up to Township standards and is approved by the Township."

Section 14. Section 1268B(c)(iv) of the Subdivision Ordinance is hereby deleted and the following is inserted in lieu thereof:

"(iv) In the instance where streets are created or utilized on, or adjacent to, the Land subject to such Subdivision and more than five (5) Lots are contained in such Subdivision or when the number of Lots in the Subdivision are added to other Lots utilizing said Streets exceed five (5) Lots, then the requirements of Section 1268.03 B (a) shall be satisfied with regard to those Streets in such Subdivision or to be utilized by the Lots in such Subdivision."

Section 15. Section 1268.04(e) of the Subdivision Ordinance is amended by substituting the word "traverse" for the incorrect word "troverse" in the last line.

Section 16. Section 1268.08 of the Subdivision Ordinance is deleted and the following is inserted in lieu thereof:

"Section 1268.08 Protection of Trees and Woodlands. The grading or clearing of more than 25% of a site for the purpose of constructing a subdivision or PRD shall require the submission of a tree survey. The tree survey shall identify the location and caliper of all trees larger than 8" over the entire area proposed to

be graded or cleared. The survey shall also indicate the Tree Density (trees/acre) being removed. The graded or cleared area which exceeds the 25% limit, as measured in acres or a fraction thereof, shall be multiplied by the Tree Density to calculate the number of Removed Trees. For every Removed Tree, three Replacement Trees shall be required to be planted within the subdivision by the developer in locations approved by the Township. Replacement Trees may be planted on individual lots, but shall be in addition to street trees which may be required by other sections of the Subdivision Ordinance. Replacement Trees shall have a minimum caliper of 3" and shall be a mix of evergreen and deciduous varieties. In addition to the above, trees with larger than 24" trunks shall not be removed unless they are diseased or the developer demonstrates there is no reasonable alternative to destroying the tree. No area of existing woodlands shall be removed prior to the granting of final subdivision approval. Additionally, no site shall be approved for a subdivision within five years after completion of a logging operation, done in accordance with Ordinance 231, unless a tree survey is done prior to the commencement of the logging operation. In such cases the requirement for replacement of trees as stated above shall apply. Additionally, in newly developed areas where trees do not exist along Public Streets or Private Streets, trees complying with the requirements of Section 1270.07 hereunder shall be planted at a maximum of fifty (50) feet apart approximately fifteen (15) feet from the Public Street or Private Street right of way."

Section 17. Section 1270.04(c) of the Subdivision Ordinance is amended to cause the words " 24" pipe must be 14 gauge" to be relocated and inserted prior to the words " 20" pipe must be 14 gauge".

Section 18. Section 1270.04(d) of the Subdivision Ordinance is amended by deleting the second sentence and inserting in lieu thereof the following:

"The size of the collection lines and/or storm sewers shall be determined by storm sewer routing calculation of the expected run-off from each structure and lot."

Section 19. Section 1270.04(k) of the Subdivision Ordinance is amended by adding the following sentence at the end thereof:

"All structures shall be constructed of reinforced concrete or proven equal."

Section 20. Chapter 1272 of the Subdivision Ordinance is hereby renumbered as Chapter 1273 and all sections in said Chapter are hereby appropriately renumbered.

Section 21. A new Chapter 1272 is hereby inserted in the Subdivision Ordinance reading as follows:

"Chapter 1272
Impact Studies

Section 1272.01 TRAFFIC IMPACT STUDY. A traffic impact study shall be done in connection with a Subdivision or Land Development as hereinafter provided:

- (a). When required. A traffic impact study shall be required for a subdivision or land development which will generate 100 or more peak hour trips when fully developed. A traffic impact study may also be required by the Planning Commission to assess the impacts of smaller projects if traffic congestion or safety problems already exist.
- (b). Methodology. The study shall be conducted in accordance with the recommended practice Traffic Access and Impact Studies for Site Development, published by the Institute of Transportation Engineers, 1988, or in accordance with an equivalent methodology endorsed by transportation engineers.
 1. The scope of the study, study area, and methodology shall be approved by the Planning Commission before the study is initiated. (A pre-application conference should be scheduled for this purpose.)
 2. The study shall be performed by a professional engineer with training and experience in the performance of traffic studies, whose credentials are acceptable to the Planning Commission.
 3. The study shall describe any measures which have been incorporated into the development plan in order to achieve the appropriate conditions. Such measures may include, but are not limited to:
 - a. A reduction in the density or intensity of the proposed development;
 - b. Measures to reduce traffic impacts, such as clustering of buildings for easy access by transit or ridesharing vehicles, or the inclusion of transit-relating improvements;
 - c. The phasing of construction to coincide with the completion of transportation improvements which have been programmed by the municipality, county, or state;
 - d. The construction of onsite transportation improvements;

- e. The construction of off-site transportation improvements or payment of impact fees, when authorized by a municipal impact fee ordinance;
- f. The extension of transit, bicycle, or pedestrian services to the site or the sponsorship of ridesharing program or transit subsidies for employees;
- g. Any combination of the above or additional measures.

4. Any traffic impact mitigation measures which are not physical site improvements shall be incorporated into the development agreement executed between the Township and the applicant.

Section 22. Section 1273.06 of the Subdivision Ordinance is amended by deleting the word "Inspector" and inserting the words "Construction Representative" in lieu thereof.

Section 23. Section 1273.08(b) of the Subdivision Ordinance is amended to delete the last three words and to insert the words "Development Bond" in lieu thereof.

Section 24. Section 1273.08(e) of the Subdivision Ordinance is amended to delete the words "as provided in Chapter 1270 or" from the first sentence thereof.

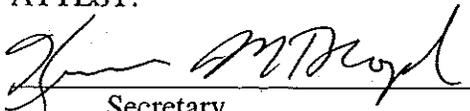
Section 25. To clarify Section 1273.08A of the Subdivision Ordinance subsection (a) is deleted and the following is inserted in lieu thereof:

"(a) All public streets shall be dedicated to and accepted by the Township following the issuance of occupancy permits for homes on eighty percent (80%) of the Lots in the Subdivision and when said streets are brought up to full compliance with the roadway standards."

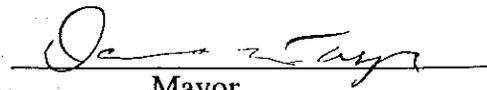
Section 26. This Ordinance shall become effective in ten (10) days.

ORDAINED AND ENACTED INTO LAW, this 14th day of April, 1998.

ATTEST:

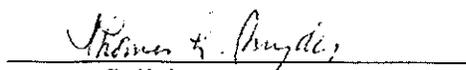

Secretary

TOWNSHIP OF INDIANA


Mayor

(SEAL)

Approved as to form:


Solicitor

Township of Indiana
Allegheny County, Pennsylvania

Ordinance No. 306

AN ORDINANCE AMENDING ORDINANCES NOS. 131, 215, 257, AND 289 INCORPORATED INTO THE TOWNSHIP CODE AS CHAPTER 1260 ET SEQ., THE INDIANA TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE; MODIFYING SECTION 1272.08A RELATING TO THE ACCEPTANCE BY THE TOWNSHIP OF STREETS IN A DEVELOPMENT.

Whereas, the Board of Supervisors of the Township of Indiana, Allegheny County, Pennsylvania, desires to amend the Indiana Township Subdivision and Land Development Ordinance, Ordinance No. 131, adopted May 15, 1973, and Ordinance No. 215, adopted July 23, 1985, incorporated into the Township Code as Chapter 1260 et seq., as amended by Ordinance No. 257, adopted July 28, 1992, and by Ordinance No. 289, adopted April 14, 1998 (collectively the "Subdivision Ordinance");

NOW, THEREFORE

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Indiana, Allegheny County, Pennsylvania as follows:

Section 1. Section 1272A of the Subdivision Ordinance is hereby amended by deleting subsection (a) and inserting in lieu thereof the following:

"(a) All streets within the development (except private streets) shall be dedicated to and accepted by the Township following the issuance of occupancy permits for homes on eighty percent (80%) of the lots on a given street in the subdivision and when said streets are brought up to full compliance with the Township's roadway standards. In the alternative, the Developer may request that streets be accepted by the Township upon completion of the initial paving and approval by the Township Engineer, and the Township may accept said streets provided the Developer agrees in writing to maintain and restore said streets prior to the final paving and provides to the Township a Final Paving and Restoration Bond, all in form and substance satisfactory to the Township."

Section 2. This Ordinance shall become effective in ten (10) days.

THE
NATIONAL BUREAU OF INVESTIGATION
OF THE
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM FOR THE DIRECTOR, FBI

RE: [Illegible]

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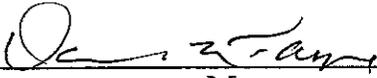
100. [Illegible]

ORDAINED AND ENACTED into law this 28th day of August, 2001.

Attest:

TOWNSHIP OF INDIANA


Secretary

By 
Mayor

(SEAL)

