

ORDINANCE NO. 146

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND AND LAND DEVELOPMENT WITHIN THE BOROUGH OF ROYALTON, DAUPHIN COUNTY, PENNSYLVANIA, PROVIDING FOR THE PREPARATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER; REGULATING SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, SEWERS, OTHER FACILITIES, AND PUBLIC IMPROVEMENTS IN CONNECTION WITH SUBDIVISION, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

THE BOROUGH COUNCIL OF THE BOROUGH OF ROYALTON, DAUPHIN COUNTY, PENNSYLVANIA, PURSUANT TO ACT 247, (PENNSYLVANIA MUNICIPALITIES PLANNING CODE) AS AMENDED, DOES ENACT AND ORDAIN:

ARTICLE I

SHORT TITLE

Section 101. SHORT TITLE. This ordinance shall be known and may be cited as "The Royalton Borough Subdivision and Land Development Ordinance."

TABLE OF CONTENTS

	Page
ARTICLE I - SHORT TITLE	1-1
ARTICLE II - PURPOSE, AUTHORITY, APPLICATION AND INTERPRETATION.	2-1
ARTICLE III - DEFINITIONS	3-1
ARTICLE IV - PLAT SPECIFICATIONS & PROCESSING PROCEDURES.	4-1
ARTICLE V - DESIGN STANDARDS.	5-1
ARTICLE VI - IMPROVEMENTS & CONSTRUCTION REQUIREMENTS	6-1
ARTICLE VII - MOBILE HOME PARK REGULATIONS.	7-1
ARTICLE VIII - FEES.	8-1
ARTICLE IX - ALTERATION OF REQUIREMENTS.	9-1
ARTICLE X - ENFORCEMENT, AMENDMENTS, PENALTIES, SEVERABILITY AND REPEALER	10-1
ARTICLE XI - EFFECTIVE DATE AND ENACTMENT.	11-1

EXHIBITS

I - SAMPLE CERTIFICATION AND DEDICATORY BLOCKS	
II - SAMPLE PLAT APPROVAL BLOCKS	
III - SAMPLE TIME EXTENSION AGREEMENT	
IV - SAMPLE IRREVOCABLE LETTER OF CREDIT	
V - SAMPLE SECURITY AGREEMENT	
VI - SIGHT DISTANCE DIAGRAM CHART.	

ARTICLE II

PURPOSE, AUTHORITY, APPLICATION AND INTERPRETATION

Section 201. PURPOSE OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. The purpose of this Subdivision and Land Development Ordinance is to provide for harmonious development of the municipality and county by:

1. Ensuring the orderly and efficient integration of subdivisions into the development of the Borough of Royalton.
2. Ensuring sites suitable for building purposes and human habitation.
3. Ensuring conformance of subdivision plans with public improvement plans.
4. Ensuring coordination of inter-municipal public improvement plans and programs.
5. Ensuring the protection of water resources and drainageways.
6. Ensuring the efficient movement of traffic.
7. Ensuring the management of storm water run-off problem areas.
8. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.
9. Ensuring the greater health, safety, and welfare of the citizens of the Borough of Royalton.
10. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.

Section 202. AUTHORITY.

1. The Royalton Borough Council shall have the authority to approve or disapprove all preliminary and final subdivision or land development plat applications as required herein.
2. The Royalton Borough Planning Commission is hereby designated as the agency which shall review and make recommendations on all subdivision and land development plat applications as required herein, prior to action on same by the Borough Council.

Section 205. INTERPRETATION. In interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience, and greater welfare. Where provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, restriction, or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of a statute, other ordinance, resolution, or regulation imposes greater restrictions than this Ordinance, the provisions of such statute, resolution, ordinance, or regulation shall be controlling.

ARTICLE III

DEFINITIONS

Section 301. DEFINITIONS. Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance have the meaning herein indicated.

APPLICANT: A landowner or developer, as herein-after defined, who has filed an application for development including his heirs, successors and assigns.

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

BASE FLOOD ELEVATION: The one hundred (100) year flood elevation as indicated on the Flood Insurance Rate Map (FIRM), as revised, for the Borough of Royalton, Dauphin County, Pennsylvania, prepared by the Federal Emergency Management Agency, Federal Insurance Administration.

BLOCK: An area bounded by streets.

BOROUGH COUNCIL: The Borough Council of Royalton, Dauphin County, Pennsylvania.

BUILDING SETBACK LINE: The line within a property defining the required minimum distance permitted between any principal or accessory structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

CARTWAY: The portion of a street or alley which is improved, designated, or intended for vehicular use.

CHAIRMAN: The Chairman of the Royalton Borough Planning Commission.

CLEAR SIGHT TRIANGLE: A triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection (see Exhibit VI).

COMMISSION: The Royalton Borough Planning Commission.

COMMON ELEMENTS: Land amenities, parts of buildings, central services and utilities, and any other elements and facilities owned and used by all unit owners and are designated as common elements. These elements may include but are limited to:

1. The land on which the building is located and portions of the building which are not included in a unit;
2. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways, entrances and exits of the building;
3. The yards, parking area, and driveways;
4. Portions of the land and building used exclusively for the management, operation or maintenance of the common elements;
5. Installations of all central services and utilities;
6. All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
7. Such other facilities as are designated as common elements.

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

CONDOMINIUM: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONDOMINIUM ASSOCIATION: The community association which administers and maintains the common property and common elements of a condominium.

COUNTY: County of Dauphin, Pennsylvania.

CROSS-WALK: A right-of-way, publicly or privately owned, intended to furnish access of pedestrians.

CUL-DE-SAC: A minor street open at one (1) end for vehicular and pedestrian access with the opposite end terminating in a vehicular turn around.

CULVERT: A drain, ditch or conduit not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, pedestrian walk or publicway.

CURB: A stone or concrete boundary usually marking the edge of the roadway or paved areas.

CURB CUT: The opening along the curb line at which point vehicles may enter or leave the roadway.

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

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

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

DRAINAGE: (1) Surface water runoff; (2) The removal of surface water or ground water from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction of development, the means for preserving the water supply and the prevention or alleviation of flooding.

DRAINAGE FACILITY: Any ditch, gutter, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.

DRAINAGE SYSTEM: Pipes, swales, natural features and man-made improvements designed to carry drainage.

DRIVEWAY: A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

DWELLING: A single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DWELLING, EARTH SHELTERED: Any completed building or structure that was designed to be built partially or wholly underground. A completed building or structure which was not intended to serve as a substructure or foundation for a building.

DWELLING, INDUSTRIALIZED HOUSING: Any structure designed primarily for residential occupancy, except a mobile home, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site in such a manner that all concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

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

DWELLING, MULTI-FAMILY: A building used by three (3) or more families living independently of each other and doing their own cooking including apartment houses, row houses, or townhouses.

DWELLING, SINGLE-FAMILY DETACHED: A dwelling which is designated for and occupied by not more than one (1) family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

DWELLING, SINGLE-FAMILY, ATTACHED (TOWNHOUSES): A one-family (1) dwelling attached to two (2) or more one (1) family dwellings by common vertical walls.

DWELLING, TWO FAMILY, DETACHED (DUPEX): A building used by two (2) families, with one (1) dwelling unit arranged over the other, and having two (2) side yards.

DWELLING, TWO-FAMILY, SEMI-DETACHED (DOUBLE DUPEX): A building used by two (2) families, with one (1) dwelling unit arranged over the other, having one (1) side yard and one (1) party wall in common with another building.

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

ENGINEER, MUNICIPAL: A registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.

ENGINEER, PROFESSIONAL: An individual licensed and registered under the laws of the Commonwealth to engage in the practice of engineering. A professional engineer may not practice land surveying unless licensed as set forth in P.L. 534, No. 230; however, a professional engineer may perform engineering land surveys.

ENGINEERING LAND SURVEYS: Surveys for; (i) the development of any tract of land including the incidental design of related improvements, such as line and grade extension of roads, sewers and grading but not requiring independent engineering judgement; provided, however, that tract perimeter surveys shall be the function of the Professional Land Survey or; (ii) the determination of the configuration or contour of the earth's surface, or the position of fixed objects thereon or related thereto by means of measuring lines and angles and applying the

principals of mathematics, photogrammetry or other measurement methods; (iii) geodetic or cadastral surveys, underground survey and hydrographic survey; (iv) sedimentation and erosion control surveys; (v) the determination of the quantities of materials; (vi) tests for water percolation in soils; and (vii) the preparation of plans and specifications and estimates of proposed work as described herein.

ENGINEERING SPECIFICATIONS: The Engineering Specifications of the municipality regulating the installation of any required improvements or for any facility installed by any owner, subject to public use.

EROSION: The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.

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

EXISTING GRADE: The vertical location of the ground surface prior to excavation or filling.

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

FINISHED GRADE: The proposed elevation of the land surface of a site after completion of all site preparation work.

FLOOD: A temporary inundation of normally dry land areas.

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

FLOOD FRINGE: That portion of the floodplain outside the floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Federal Insurance Administration.

FLOOD HAZARD, AREAS OF SPECIAL: The land in the flood plain within a community subject to a one (1%) percent or greater chance of flooding in any given year.

FLOOD PLAIN: (1) a relatively flat or low land area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

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

FLOOD-WAY: The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance the flood-way shall be capable of accommodating a flood of the one-hundred (100) year magnitude.

FUTURE RIGHT-OF-WAY: (1) right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (2) a right-of-way established to provide future access to or through undeveloped land.

GOVERNING BODY: The Borough Council of Royalton, Dauphin County, Pennsylvania.

GRADE, EXISTING: See definition EXISTING GRADE.

GRADE, FINISHED: See definition FINISHED GRADE.

IDENTIFIED FLOOD PLAIN AREA OR DISTRICT: Those floodplain areas specifically designated in the Borough of Royalton Zoning Ordinance as being inundated by the one hundred (100) year flood. Included would be areas identified as the Floodway (FW) and the Flood Fringe (FF).

IMPROVEMENTS: Any man-made stationary item which becomes part of, placed upon, or is affixed to, real estate.

LAND DEVELOPMENT: Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - A. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or,
 - B. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;

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

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

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

LOT AREA: The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any rights-of-way, but including the area of any easement.

LOT, DOUBLE FRONTAGE: An interior lot having frontage on two (2) streets.

LOT, REVERSE FRONTAGE: A lot extending between, and having frontage on an arterial streets and a minor street, and with vehicular access solely from the latter.

MANUFACTURED HOME: See Definition Dwelling, MOBILE HOME.

MASTER DEED: A legal instrument under which title to real estate is conveyed and by which a condominium is created and established.

MOBILE HOME, DWELLING: See definition DWELLING, MOBILE HOME.

MOBILEHOME LOT: A parcel of land in a Mobilehome Park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome.

MOBILEHOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobilhomes.

MUNICIPAL AUTHORITY: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945, herein the Royalton Borough Authority."

OPEN SPACE, COMMON: See definition COMMON OPEN SPACE.

OPEN SPACE, PUBLIC: Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

PERSON: Any individual or group of individuals, partnership, co-partnership, or corporations.

PLAN, COMPREHENSIVE: The Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Official Map or other such Plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the municipality in which the subdivision or land development is located.

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

PLANNED RESIDENTIAL DEVELOPMENT: An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and non-residential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one District created, from time to time, under the provisions of this Ordinance.

PLANNING COMMISSION: Royalton Borough Planning Commission, Dauphin County, Pennsylvania.

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

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

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

PRINCIPAL BUILDING OR PRINCIPAL USE: The basic purpose for which a building or land area is occupied or intended to be occupied as opposed to accessory or incidental uses; usually classifiable as residential, commercial, manufacturing or public in nature.

PRIVATE ROAD: A legally established right-of-way, other than a public street, which provides the primary pedestrian and vehicular access to one (1) or more lots and constructed to the design standards containing in this Ordinance.

PROFILE LINE: Means the profile of the center line of the finished surface of the street, which shall be midway between the sidelines of the street.

PUBLIC GROUNDS: Includes:

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

PUBLIC HEARING: A formal meeting held pursuant to public notice by the Borough Council or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

PUBLIC MEETING: A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Borough. 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.

REAL ESTATE: Any fee, leasehold or other estate or interest in, over or under land, including structures, fixtures and other improvements and interests which by custom, usage or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. Real estate includes parcels with or without upper or lower boundaries, and spaces that may be filled with air or water.

RESERVE STRIP: A strip of land adjacent to a street intended to control access to the street from an adjacent property.

REVERSE FRONTAGE LOT: See definition LOT, REVERSE FRONTAGE.

RIGHT-OF-WAY STREET: A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

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

SANITARY SEWER (PUBLIC): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

SEDIMENTATION: The process by which mineral or organic matter is accumulated or deposited by wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

SEPTIC SYSTEM: An underground system with a septic tank used for the decomposition of domestic wastes. Also referred to as an "on-lot system."

SERVICE DRIVE (Private): A service way providing a secondary means of private access to abutting property and not intended for general traffic circulation.

SETBACK LINE: See definition BUILDING SETBACK LINE.

SHADOW ANALYSIS: A graphic representation of shadows cast by nature landscaping, screening and structures plotted with regard to topography, slope, and direction at 9:00 a.m., noon and 3:00 p.m. on the date of the Winter Solstice.

SIDEWALK: A paved, surfaced or leveled area, usually parallel to and separated from the street, used as a pedestrian walkway.

SIGHT DISTANCE: The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

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

SOIL STABILIZATION: Chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

SOLAR ENERGY: Radiant energy (direct, diffused or reflected) received from the sun at wave lengths suitable for conversion into thermal, chemical or electrical energy.

SOLAR ENERGY COLLECTOR: Any device, structure or part of a device or structure which is used primarily to transform solar energy into thermal, chemical or electrical energy, including any space or structural component specifically designed to retain heat derived from solar energy.

SOLAR ENERGY SYSTEM: A complete design or assembly consisting of a solar energy collector, an energy storage facility (where appropriate) and components for the distribution of transformed energy to the extent that they cannot be used jointly with a conventional energy system. Passive solar energy systems which use the natural properties of materials and architectural components to collect and store solar energy without using any external mechanical power are included in this definition if they do not fulfill structural or other functions.

SOLAR SKYSPACE: The space between a given location and the sun which must remain unobstructed between 9:00 a.m. and 3:00 p.m. mean solar time on the date of the Winter Solstice in order to permit sufficient solar energy to impinge on the location to allow efficient solar utilization.

SOLAR SKYSPACE EASEMENT: A right, expressed as an easement, covenant or condition or other property interest in any deed or other instrument executed by or on behalf of any landlord which protects the solar skyspace of an actual, proposed or designated solar energy collector at a described location by forbidding or limiting activities or land uses that interfere with access to solar energy. The solar skyspace may be described as a three-dimensional space in which an obstruction is prohibited or limited, or as the times of day during which direct sunlight to the solar energy combination of the two (2) methods.

STORMWATER DETENTION: Any storm drainage technique that retards or detains runoff, such as detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

STREAM: A watercourse having a source and terminus, banks and channel through which waters flow at least periodically.

STREET: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET GRADE: The officially established grade of the street upon which a lot fronts or in its absence the established grade of the other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET, HALF: A proposed street on the perimeter of a subdivision where one-half the prescribed right-of-way falls on the property being subdivided and the other half falls on the undeveloped property. This is prohibited. Also known as a partial street.

STREET, MAJOR:

1. **ARTERIAL STREET:** A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for inter-communications among large areas.
2. **COLLECTOR:** A major street or highway which carries traffic from minor streets to the major system of arterial streets, including principal entrance streets of a residential, commercial or industrial development and streets for major circulation within such developments.
3. **LIMITED ACCESS HIGHWAY:** A major street or highway which carries large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.

STREETS, MINOR: A street used primarily for access to abutting properties.

1. **MARGINAL ACCESS STREET:** A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.
2. **CUL-DE-SAC:** See definition CUL-DE-SAC.

STREET WIDTH: The shortest distance between the lines delineating the right-of-way of a street.

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

SUBDIVIDER: The owner or authorized agent of the owner of a lot, tract or parcel of land to be subdivided for sale or development under the terms of this Ordinance.

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, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement or access or any residential dwellings, shall be exempted.

1. MAJOR SUBDIVISION: Any subdivision involving more than six (6) lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities or other facilities immediate or future.
2. MINOR SUBDIVISIONS: The subdivision of a single lot, tract or parcel of land into six (6) or fewer lots, tracts or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, street easement, easements of access or need therefore.

SUBSTANTIALLY COMPLETED - Where in the judgment of the Borough engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Ordinance) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURFACE DRAINAGE PLAN: A plan showing all present and proposed grades and facilities for storm water drainage.

SURVEYOR, PROFESSIONAL LAND: An individual licensed and registered under the laws of this Commonwealth to engage in the practice of land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

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

TOPOGRAPHIC MAP: A map showing the elevations of the ground by contours or elevations.

TOPOGRAPHY: The configuration of a surface area showing relative elevations.

TOP SOIL: Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the "A" Horizon.

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

UNIT: means a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way or to an easement or right-

of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

UTILITY, PUBLIC OR PRIVATE: (1) Any agency which under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service; (2) a closely regulated private enterprise with an exclusive franchise for providing a public service.

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

WATER SURVEY: An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Borough.

WIND ENERGY CONVERSION SYSTEM (WECS): A device which converts wind energy to mechanical or electrical energy.

WIND ROTOR: The blades, plus hub to which the blades are attached, that are used to capture wind for purpose of energy conversion. The wind rotor is generally used on a pole or tower and, along with other generating and electrical storage equipment, forms a wind energy conversion system.

ARTICLE IV

PLAT SPECIFICATIONS AND PROCESSING PROCEDURES

Section 401. GENERAL REQUIREMENTS. Whenever a subdivision of land or land development is desired to be effected in the Borough of Royalton, Dauphin County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed and processed according to the requirements of this Ordinance.

Section 402. SKETCH PLANS.

1. Prior to the filing of a subdivision or land development plat for review and approval, the Applicant is encouraged to submit a Sketch Plan to the Planning Commission for advice on the requirements necessary to achieve conformity with the standards of this and other applicable municipal ordinances, as well as, to alert the Applicant to other factors which must be considered in the design of the subdivision or land development.
2. The plan shall be clearly labeled "SKETCH PLAN" and should include sufficient information to clearly indicate the character and extent of the proposed subdivision or land development and its relationship to existing conditions and facilities within the area in which it is to be located. It is recommended that Sketch Plan submissions include a map covering sufficient area to establish the location of the site and an informal plan of any existing or proposed streets, buildings, lot arrangement, utilities, significant natural features and other elements within the subdivision or land development including topographic contours.
3. Prior to the preparation of any plans, the Applicant should consult the Dauphin County Conservation District representative concerning the preparation of plans for erosion and sedimentation control.
4. The Applicant shall be advised of the accessibility of public sewerage and public water to the development site. If the site is located within an area planned or currently receiving public water and/or sanitary sewer services, the Applicant shall consult with the appropriate utility.
5. At this stage, the Commission shall assist the Applicant in determining whether or not the site is located in an identified flood hazard area, in which case compliance with applicable flood plain management provisions shall be required.

6. If it is known that the parcels being created will be used for development requiring a Special Permit, or for development that is considered dangerous to human life, prospective developers should check the provisions contained in the Royalton Borough Zoning Ordinance, which pertain specifically to such development.

Section 403. MINOR SUBDIVISION AND LAND DEVELOPMENT APPLICATION. Where five (5) or fewer lots are proposed to be subdivided from a tract of land or where land is being transferred to be combined with an existing lot, the Borough Council, being advised by the Planning Commission, in response to a written request by the Applicant, may waive the requirements of Preliminary Plat requirements, provided such proposal is on an existing street and no new streets are involved. In such cases the applicant shall submit a Final Plat as follows:

1. The Final Plat shall be submitted and processed as required by Section 406, "FINAL PLATS: PROCEDURE", and contain the following data and plat specifications:
 - A. Submit a stormwater management/erosion and sedimentation control plan as required by the "Pennsylvania Clean Streams Law", and the Pennsylvania Department of Environmental Resources "Erosion Control Rules and Regulations: (Title 25, PART I, Subpart C, Article II, Ordinance 102 - EROSION CONTROL). The plan content shall be prepared in accordance with the erosion control measures set forth in the Erosion and Sediment Control Handbook prepared by the Cumberland, Dauphin, and Perry County Conservation Districts and applicable provisions herein.
 - B. Ten (10) copies and one (1) reproducible sepia (or other reproducible material of equal quality) copy of the plat prepared by a registered surveyor or engineer on sheets no larger than 24" x 36" clearly labeled "FINAL PLAT", shall be submitted containing the following information:
 - (1) The development or property name.
 - (2) Outline of the property from which the lot or lots are being subdivided.
 - (3) Bearings and distances of the property taken from the property deed including the primary control point.
 - (4) Adjacent landowners' names.
 - (5) Location on the property map of existing streets, streams, and woods and existing buildings.

- (6) A separate drawing of the proposed lot (maximum scale 1" = 100') with lot area, and distances of lot lines, existing street right-of-way, width, cartway width, and street name and number, easements, existing man made features, building setback lines, and contours, with a two (2') foot interval.
- (7) A location map on the plat (Minimum scale 1" = 1,000') showing property location, streets and other pertinent information.
- (8) Name of the Zoning District in which the site is located.
- (9) Additional data required on the plat.
 - (a) Name, address, and telephone number of owner or applicant.
 - (b) Name, address, and telephone number and seal of professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey (as defined herein). (Example contained in Exhibit I herein.)
 - (c) Date of plat preparation.
 - (d) Municipality where property is located.
 - (e) North point and scale.
 - (f) Certification of ownership and dedicatory statement signed by owner. (Example contained in Exhibit I herein.)
 - (g) Notary public and recording statement. (Example contained in Exhibit I herein.)
 - (h) Approval blocks to be signed by the Planning Commission and the Borough Council. (Example contained in Exhibit II herein.)
 - (i) Location and description of survey monuments shown on the plat.
 - (j) Locations of existing and/or proposed public utilities.
 - (k) Existing natural features, such as watercourses, wetlands, marshes, rock outcrops and wooded areas.

- (l) Proposed Protective Covenants running with the land, if any.
- (m) Reference to recorded subdivision plats of adjoining platted land and by record name, date and number.
- (n) When applicable, a copy of the "Sewage Module for Land Development" or other equivalent documentation approved by the Department of Environmental Resources in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Ordinance 71 of Title 25 of the Pennsylvania Code.
- (o) When applicable, a statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary approvals for the disturbance of wetlands have been obtained from the appropriate Federal and State regulating agencies. Disturbance of wetlands shall include, but not be limited to filling, draining or building activities.
- (p) Compliance with Section 407.1.a(20)(g) of this Ordinance pertaining to applications located in a flood hazard area.
- (q) Where the proposed subdivision abuts a State Highway (Pennsylvania Route or United States Route), evidence in writing from the Pennsylvania Department of Transportation indicating the Department's concurrence with the proposed design for driveway access and drainage required for issuance of the Department's Highway Occupancy permits.
- (r) Such other data as may be required by the Planning Commission or Borough Council in the enforcement of this Ordinance.

Section 404. PRELIMINARY PLATS: PROCEDURE.

1. The applicant, twenty-one (21) calendar days prior to the meeting of the Commission at which consideration is desired, shall file with the Zoning Officer, ten (10) copies of a preliminary plat of the proposed subdivision or land development and other required data

and maps. The applicant shall submit concurrently, with the Preliminary Plat, five (5) copies of the sewage "Plan Revision Module for Land Development", if applicable.

2. The Commission shall submit copies to the County Planning Commission, and Borough Engineer and may submit copies to the Public Utilities, School Board, Dauphin County Conservation District, Pennsylvania Department of Environmental Resources and other Public Agencies. The Borough Council, upon the recommendation of the Commission shall act on any such Preliminary Plat not later than ninety (90) days following the date of the regular meeting of the Borough Council or the Planning Commission (whichever first reviews the application) following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed. In the event that any alteration of requirements from this Ordinance is requested by the applicant or is deemed necessary by the Commission for approval, the alteration and the reason for its necessity shall be entered in the records of the Commission.
3. The Dauphin County Planning Commission shall review the Preliminary Plat and Data and shall return one (1) copy of a written report stating their suggestions for modifications and design changes to the Planning Commission within thirty (30) days of their receipt of same or forfeit their right to review.
4. The Borough Council shall determine whether the Preliminary Plat shall be approved, approved with conditions, or disapproved, and shall notify the applicant in writing thereof, including, if approved with conditions or disapproved, a statement of reasons for such action, not later than fifteen (15) days following the decision. When an application for approval of a plat has been approved subject to conditions, the applicant must accept each and every condition in writing. If the applicant does not accept or reject each and every condition within three (3) business days after the decision is communicated personally to him or mailed to him at his last known address, approval of the plat shall be rescinded automatically. Thereafter, the Borough Council may take further action on the application, including approval without condition or rejection of the plat.
5. Before acting on any subdivision plat, the Borough Council may hold a public hearing thereon after public notice.

6. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of this Ordinance.
7. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. (A sample "Agreement to Extend the Time for Rendering and Communicating a Decision on Certain Preliminary and/or Final Subdivision Plans" is contained in Exhibit III herein.)
8. Approval of the Preliminary Plat constitutes approval of the proposed subdivision or land development with respect to the general design, the approximate dimensions and other planned features. Preliminary approval binds the developer to the general scheme of the Plat as approved. Preliminary approval does not authorize the recording, sale or transfer of lots or the installation of improvements.
9. Preliminary approval shall expire within five (5) years after being granted. An extension of time may be requested by the Applicant and approved by the Borough Council in accordance with Section 508(4) of the Pennsylvania Municipalities Planning Code, Act 247, as amended. Request for extension shall be submitted to the Zoning Officer thirty (30) days prior to any prevailing expiration date. Extensions may be granted for no more than three (3) one-year periods.

Section 405. PRELIMINARY PLAT: SPECIFICATIONS.

1. The following shall be submitted in application for review and approval of a Preliminary Plat.
 - A. Ten (10) copies and one (1) reproducible sepia (or other reproducible material of equal quality) copy of a map or series of maps or sheets not larger than 24" x 36" drawn to scale not smaller than one hundred (100) feet to the inch, unless otherwise specified herein, clearly labeled "PRELIMINARY PLAT", and showing the following:
 - (1) The development or property name.
 - (2) The owner's or applicant's name, address and telephone number.

- (3) The municipality's name in which the property is located.
- (4) Name, address, telephone number and seal of the professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey (as defined herein) (Example contained in Exhibit I herein.)
- (5) North point and scale.
- (6) Certification of ownership and dedicatory statement signed by owner. (Example contained in Exhibit I herein.)
- (7) Notary public and recording statement. (Example contained in Exhibit I herein.)
- (8) Approval blocks to be signed by the Planning Commission and the Borough Council. (Example contained in Exhibit II herein.)
- (9) A diagram, at a scale not less than one thousand (1,000) feet to the inch, covering sufficient area to establish the location of the site within the municipality.
- (10) Existing natural features, such as watercourses, wetlands, marshes, rock outcrops and wooded areas.
- (11) All existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant man-made features on or adjacent to the tract.
- (12) Existing contours at vertical intervals of two (2') feet or less as required by the Planning Commission. Where due to steep slope, two (2) foot contours are not practical, contours shall be at five (5') foot intervals.
- (13) The layouts, names, and widths of the rights-of-way and cartway of existing and/or proposed streets, alleys and easements.
- (14) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.
- (15) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.

- (16) A map showing the location of the proposed subdivision and/or land development with respect to any identified flood plain area or district, including information on the one-hundred (100) year flood elevations.
- (17) When applicable, a statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary approvals for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Disturbance of wetlands shall include, but not be limited to filling, draining or building activities.
- (18) Where the subdivision and/or land development lies partially or completely within any identified flood plain area or district or where such activities border on any identified flood plain area or district, the preliminary plat shall include the following information:
- (a) location and elevation of proposed roads, utilities, and building sites, fills, flood or erosion protection facilities;
 - (b) the one-hundred (100) year flood elevations; and
 - (c) areas subject to special deed restrictions.

All such maps shall show contours at intervals of two (2) or five (5) feet depending upon the slope of the land and identify accurately the boundaries of the identified flood plain areas or districts.

2. The preliminary plat shall be accompanied by the following data and plans:
- A. A profile of each street, including grades.
 - B. Location of existing and proposed utilities.
 - C. Location plans of proposed sanitary and/or storm water sewers and of any proposed water distribution systems.
 - D. A profile of the proposed sanitary and storm sewers and water lines, with invert elevations and connections to existing systems.

- E. A preliminary Erosion and Sedimentation Control Plan together with a report of the County Conservation District indicating whether a permit for earth moving activity is required from the Department of Environmental Resources under the Rules and Regulations, Ordinance 102, "Erosion Control" P.L. 1987, June 22, 1937, as amended.
- F. If necessary, a completed sewage "Plan Revision Module for Land Development" to comply with the planning requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Ordinance 71 of Title 25 of the Pennsylvania Code for Submission by the municipality to the Department of Environmental Resources.
- G. Where the proposed subdivision abuts a State Highway (Pennsylvania Route or United States Route), evidence in writing from the Pennsylvania Department of Transportation indicating the Department's concurrence with the proposed design for driveway access and drainage required for issuance of the Department's Highway Occupancy permits.
- H. Evidence in writing, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, from the school district in which the subdivision or land development is located containing the review and comments of the school district on the proposed development.
- I. A copy of a report, where deemed necessary by the Borough Council or Borough Engineer, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development including possible solutions to such problems as may be thereby identified.
- J. A copy of a report, where deemed necessary by the Borough Council or Borough Engineer, indicating the general arrangement for storm water drainage, the estimated volume of water to be generated and the effect of such volumes on the drainageways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.

Section 406. FINAL PLATS: PROCEDURES.

1. The applicant shall, not later than five (5) years after the date of approval of the Preliminary Plat, for that portion intended to be developed, file with the Borough's Zoning Officer a Final Plat. Such filing shall include, as part of the formal submission, all the material and other data required under the Final Plat specifications as listed in Section 407(1)(A)(1) through 407(1)(A)(20) of this Ordinance. Failure to comply with the time limitation herein provided shall make the approval of the Preliminary Plat null and void unless an extension of time is granted in accordance with Section 404(9) herein.
2. The Final Plat shall incorporate all the changes and modifications required by the Borough Council; otherwise it shall conform to the approved Preliminary Plat, and it may constitute only that portion of the approved Preliminary Plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all of the requirements of this Ordinance.
3. One (1) reproducible sepia (or other reproducible material of equal quality) copy of the Final Plat and ten (10) prints shall be filed by the applicant with the Borough's Zoning Officer twenty-one (21) days prior to the meeting of the Planning Commission at which meeting consideration is desired.
4. Before approval of a Final Plat, the Borough Council must be assured of the completion of all improvements required by Article VI or the Borough Council. Such assurance shall be by means of financial security deposited with appropriate municipal officials in sufficient amount to cover the costs of any improvements and be in the form of Federal or Commonwealth chartered institution irrevocable letters of credit (Example contained in Exhibit IV herein.) or restrictive or escrow accounts in such lending institutions, or any other type of financial security which the Borough Council may approve. 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 such bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such financial security shall provide for improvements which may be required within one year of the date fixed in the subdivision plat for completion of such improvements. (A sample "Agreement to Establish Security" is contained in Exhibit V.)

5. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the municipality may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the municipality may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The municipality, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the municipality are unable to agree, a mutually chosen engineer establishes the cost estimate.
6. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amounts of financial security may be increased by an additional ten (10%) percent for each one (1) year period beyond the first anniversary date from posting of the financial security or to an amount not exceeding one hundred ten (110%) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure. Where development is projected over a period of years, the Borough Council 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.
7. As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough Council to release or authorize the release of, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Borough Council who shall have forty-five (45) days

from receipt of such request in which to allow the Borough Engineer to certify, in writing, to the Borough Council that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification, the Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer, fairly representing the value of the improvements completed. If the Borough Council fails to act within the said forty-five (45) day period, it shall be deemed to have approved the release of funds as requested. The Borough Council may, prior to final release at the time of completion and certification by its Engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

8. Where the Borough Council accepts dedication of all or some of the required improvements following completion, it may require the posting of financial security to secure the structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of such financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.
9. If water mains or sanitary sewer lines or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or Municipal Authority separate and distinct from the Borough, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or Municipal Authority and shall not be included within the financial security as otherwise required by this Section.
10. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Borough 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 on the final plat, upon actual completion of the improvements depicted on the approved final plat. If 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 on the approved plat either on 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.

11. When the developer has completed all of the required improvements, the developer shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer.
 - A. The Borough Council or its designated representatives shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the required improvements.
 - B. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council 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 Borough Engineer of the authorization for inspection by the Borough Council.

The applicant shall reimburse the municipality for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon such schedule as is from time to time established by ordinance or resolution of the Borough. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the municipal engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the municipality when fees are not reimbursed or otherwise imposed on applicants.

In the event of a dispute by the applicant of the amount of fees, the dispute shall be resolved in the manner set forth in Section 510(g)(1)-(5) of the Pennsylvania Municipalities Planning Code.

- C. The 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 Borough Engineer, said report shall contain a statement of reasons for nonapproval or rejection.

- D. The Borough Council shall notify the developer, within 15 days of the report in writing by certified or registered mail, of its action with relation thereto.
 - E. If the Borough Council or the Borough 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 of all liability, pursuant to its performance guaranty.
 - F. If any portion of the said improvement shall not be approved or shall be rejected by the Borough Council, the developer shall proceed to complete the same, and upon completion, the same procedure of notification as listed above shall be followed.
12. Before acting on any subdivision plat, the Borough Council may hold a public hearing thereon after public notice.
13. The Borough Council, upon the recommendation of the Commission, shall act on any such Final Plat not later than ninety (90) days following the date of the regular meeting of the Borough Council or the Planning Commission (whichever first reviews the application) following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth day following the day the application has been filed. In the event that any alteration of requirements from this Ordinance is requested by the applicant or is deemed necessary by the Commission for approval, the alteration and the reason for its necessity shall be entered in the records of the Commission.
14. The Borough Council shall determine whether the Final Plat shall be approved, or disapproved, and shall notify the applicant in writing thereof, including, if approved with conditions or disapproved, a statement of reasons for such action, not later than fifteen (15) days following the decision.
15. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the applicable provisions of this Ordinance. In the case of plats approved subject to condition(s), the approval(s) shall be rescinded automatically upon the applicant's failure to accept or reject such condition(s) within three (3) business days following notification of applicant in writing thereof. When an

application for approval of a plat has been approved subject to conditions, the applicant must accept each and every condition in writing. If the applicant does not accept or reject each and every condition within three (3) business days after the decision is communicated personally to him or mailed to him at his last known address, approval of the plat shall be rescinded automatically. Thereafter, the Borough Council may take further action on the application, including approval without condition or rejection of the plat.

16. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. (A sample "Agreement to Extend the Time for Rendering and Communicating a Decision on Certain Preliminary and/or Final Subdivision Plans" is contained in Exhibit III herein.)
17. No changes, erasures, modifications, or revisions shall be made on any Final Plat of a subdivision or land development after approval has been given by the Borough Council, and endorsed in writing on the plat, unless the plat is first resubmitted to the Borough Council.
18. Upon the approval of a final plat the subdivider/developer shall within ninety (90) days of such final approval record such plat in the office of the recorder of deeds of Dauphin County. One (1) recorded copy of the plat shall be transmitted to the Borough by the subdivider/developer.
19. 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.
20. In accordance with Section 508(4) of the Pennsylvania Municipalities Planning Code, Act 247, as amended, 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 adversely affect 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.

Section 407. FINAL PLAT: SPECIFICATIONS.

1. The following shall be submitted in application for review and approval of a Final Plat:
 - A. Ten (10) copies and one (1) sepia of the Final Plat in the form of a map or series of maps on sheets no larger than 24" x 36", drawn to scale not smaller than one hundred (100') feet to the inch and clearly labeled "FINAL PLAT." When more than one sheet is required, an index sheet of the entire subdivision or land development shall be shown on a sheet of the same size. The Final Plat shall be drawn in ink and shall show the following:
 - (1) Primary control points, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the subdivision or land development plat shall be referred.
 - (2) Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way and property lines of residential lots or parcels in unit, cooperative or condominium subdivisions, and other sites with accurate dimensions, bearings, or deflection angles, and radii, arcs, and central angles of all curves.
 - (3) Locations and descriptions of survey monuments. All permanent reference monuments shown and described on the Plat.
 - (4) Name, address, telephone number and seal of the professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey. (As defined herein) (Example contained in Exhibit I herein.)
 - (5) Certification of title showing that the applicant is the owner of land, agent of the landowner or tenant with permission of the landowner. (Example continued in Exhibit I herein.)
 - (6) Statement by the owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated. (Example contained in Exhibit I herein.)
 - (7) Proposed Protective Covenants running with the land, if any.

- (8) Name, address and telephone number of the owner/applicant.
- (9) Street lighting facilities, as applicable.
- (10) Location map, clearly depicting the location of the tract in Royalton Borough.
- (11) Number to identify each lot or parcel in unit, cooperative or condominium subdivisions and/or site.
- (12) Purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.
- (13) Building setback lines on all lots or parcels in unit, cooperative or condominium subdivisions and/or sites.
- (14) Existing and proposed contours at vertical intervals of two (2') feet as determined at the Preliminary Plat stage.
- (15) Names or record owners of adjoining unplatted land.
- (16) Reference to recorded subdivision plats of adjoining platted land by record name, date, and number.
- (17) A Final Stormwater Management/Erosion and Sedimentation Control Plan pursuant to the rules and regulations of the Pennsylvania Department of Environmental Resources (Title 25, Part 1, Sub-Part C, Article II, Ordinance 102 of the Pennsylvania Code) and evidence that any required Erosion and Sedimentation Control Permit has been issued. If an Erosion and Sedimentation Control Permit is not required, the Applicant shall provide evidence that the Stormwater Management/Erosion and Sedimentation Control Plan has been reviewed and approved by the County Conservation District Office, however, if the District Office does not desire to review the Plan, the Borough Council may, at its discretion, have the Plan reviewed by the Borough Engineer. The cost of the review shall be paid by the Applicant.

- (18) Prior to final approval of plat, where the proposed subdivision or land development abuts a State Highway (Pennsylvania Route or United States Route), the applicant shall provide written evidence that the plat will be submitted to the Pennsylvania Department of Transportation for their review and concurrence with the proposed design for driveway access and drainage required for issuance of the Department's Highway Occupancy Permits. Written evidence will be a note on the plat which should read, "no plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a State Highway is permitted."
- (19) Approval blocks to be signed by the appropriate officers of the Planning Commission, Borough Council and Municipal Engineer. (Example contained in Exhibit II herein.)
- (20) Other Data: The Final Plat shall be accompanied by the following data and plans as prescribed by the Borough Council or as required by the laws of the Commonwealth:
- (a) Profiles of streets and alleys showing grades.
 - (b) Typical Cross Sections of each type of street, minor streets, collector, etc., showing the width of right-of-way, width of cartway, location and width of curbs and sidewalks, if required, and location and size of utility facilities.
 - (c) Plans and profiles of proposed sanitary and storm water sewers, with grades and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
 - (d) Certificates of agreement to provide service from applicable utility companies.

- (e) In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the Final Plat, a covenant with the land assuring the implementation of the Erosion and Sedimentation Control Plan by the lot owners.
- (f) A copy of the sewage "Plan Revision Module for Land Development" approved by the Department of Environmental Resources in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Ordinance 71 of Title 25 of the Pennsylvania Code.
- (g) When any portion of the tract proposed for subdivision or land development is located within an identified flood district or flood plain area, the following information shall be required as part of the Final Plat and shall be prepared by a registered engineer or surveyor:
- 1 - The exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed within any identified flood plain area or district. All such maps shall show contours at intervals of two (2') feet and identify accurately the boundaries of the flood plain areas, and all be verified by the Borough Engineer.
 - 2 - Submission of the Final Plat shall also be accompanied by all required permits and related documentation from the Department of Environmental Resources, and any other Commonwealth agency, or local municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed

alteration or relocation. The Department of Community Affairs, and the Federal Insurance Administrator shall also be notified whenever any such activity is proposed.

- (h) A final storm water management plan, approved by the Borough Engineer.
- (i) When applicable, a statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary approvals for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Disturbance of wetlands shall include, but not be limited to, filling, draining or building activities.
- (j) If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the governing body that the subdivision or development is to be supplied by a certificated public utility, or by a municipal corporation authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.
- (k) Such other certificates, affidavits, endorsements, or dedications as may be required by the Borough Council in the enforcement of these regulations.

ARTICLE V
DESIGN STANDARDS

Section 501. APPLICATION.

1. The following principles, standards, and requirements will be applied by the Borough Council and Planning Commission in their review and evaluation of all subdivision and land development plat applications.
2. The standards and requirements contained herein shall be considered the minimum for the promotion of the public health, safety, convenience, and general welfare.
3. Where literal compliance with the standards and requirements contained herein is clearly impractical, the Borough Council may modify or waive such through the alteration of requirements process set forth in ARTICLE IX of this Ordinance.
4. Subdivision and land development plats shall give due consideration to "Official Plans" of the Borough of Royalton, Dauphin County and Region, or to such parts thereof as may be adopted pursuant to statute.
5. Proposed land uses shall conform to the Borough of Royalton Zoning Ordinance, as amended.
6. Land subject to hazards to life, health, or property, such as may arise from fire, flood, disease, or other causes, shall not be platted for development purposes unless such hazards have been eliminated or unless the plat shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.

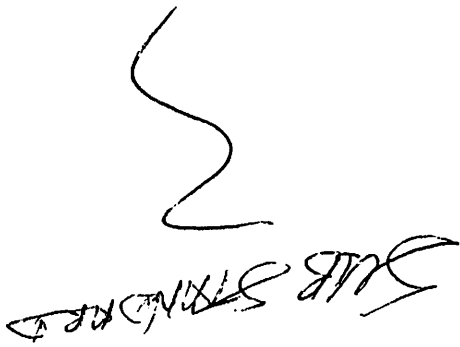
Section 502. STREETS.

1. General Standards

- A. Proposed streets shall be properly related to such street plans or parts thereof as have been officially adopted by Royalton Borough and shall be coordinated with existing or proposed streets in adjoining subdivisions or land developments. Further, proposed streets shall be properly related to County, Regional or State transportation plans as have been prepared and adopted as prescribed by law.

- B. Streets shall be laid out to preserve the integrity of their design. Local access streets shall be laid out to discourage their use by through traffic and, where possible, collector and arterial streets shall be designed for use by through traffic.
- C. Streets shall be related to the topography so as to establish usable lots and satisfactory street grades.
- D. Proposed street arrangements shall make provisions for the continuation of existing streets in adjoining areas; the proper projection of streets into adjoining undeveloped or unplatted areas; and the continuation of proposed streets to the boundaries of the tract being subdivided.
- E. New half or partial streets shall be prohibited except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained; a cul-de-sac shall be constructed at the end of such half street which shall be of a permanent nature, unless a temporary cul-de-sac is approved.
- F. Names of new streets shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", "avenue". In approving the names of streets, cognizance should be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation of alignment with an existing or platted street.
- G. Insofar as possible, streets on which structures utilizing solar access are proposed to front upon, shall be oriented along an east-west axis with maximum deviations permitted up to twenty-five (25) degrees; provided that such orientations are feasible based on soil and slope conditions and are a practical means of providing safe and convenient access and circulation.
- H. Proposed private streets (streets not offered for dedication) are prohibited.
- I. Proposed private service access for purposes of providing a means of secondary access to a lot, are permitted as deemed appropriate by the Borough Council and Borough Engineer.

2. **Street Classification.** Three (3) functional classifications of streets and roads, classified as regional highways, major and minor collectors, and local roads in the Royalton Borough Master Plan are established as follows:
 - A. **Arterial.** This classification includes the regional highways or highways which provide intra-county or inter-municipal traffic of substantial volumes. Generally, these highways should accommodate operating speeds of 55 miles per hour.
 - B. **Collector.** This classification is intended to include major and minor collectors or those highways which connect minor streets to arterial highways and generally serve intra-county and intra-municipal traffic. They may serve as traffic corridors connecting residential areas with industrial, shopping and other services. They may penetrate residential areas. Generally, these highways will accommodate operating speeds of 35 to 45 miles per hour or under.
 - C. **Minor.** This classification is intended to include local roads streets and roads that provide direct access to abutting land and connections to higher classes of roadways. Traffic volumes will be low and travel distances generally short. These streets and roads should be designed for operating speeds of 25 miles per hour or under.
3. **Street Widths**
 - A. Minimum street right-of-way and cartway widths shall be required as presented in Table 1.
 - B. Provision for additional street width (right-of-way) may be required when determined to be necessary by the Borough Council in specific cases for:
 - (1) Public safety and convenience.
 - (2) Parking in commercial and industrial areas and in areas of high density development.
4. **Cul-de-Sac or Dead End Streets**
 - A. Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.



Street Type	Carway Width R/W (1) Width	Shoulders Width	Curbs Width	Base Materials	Material Specifications
Arterial Streets:	As determined by the Governing Body and Planning Commission after consultation with the Pennsylvania Department of Transportation.				
Collector Streets	60'	6' each	28'	34'	10"-#4 Crushed Aggregate 1 1/2"-ID-2 Binder 1"-ID-2 Wearing course
					OR
					6"-2A Subbase and 7"-RBC
Minor Streets (general)	50'	4' each	24'	30'	6"-#4 Crushed Aggregate 1 1/2"-ID-2 Binder 1"-ID-2 Wearing Course
					OR
					6"-2A Subbase and 5"-RBC
Minor Streets (Industrial/ commercial uses)	60'	6' each	28'	34'	8"-#4 Crushed Aggregate 1 1/2"-ID-2 Binder 1"-ID-2 Wearing course
					OR
					6"-2A Subbase and 5"-RBC
Oil-de-sac	60'	4' each	24'	30'	Same as Minor (general)
Turn around of Oil-de-sac (diameter)	100'	4'	80'	80'	Same as Minor (general)
Service Drive (private)	N/A	N/A	20'	20'	8"-#3A Crushed Aggregate 1 1/2"-ID-2 Binder 1"-ID-2 Wearing course

(1) Required only in absence of curbing

STREET WIDTHS

TABLE 1

- B. Any dead-end street, for access to an adjoining property or because of authorized phased development, shall be provided with a temporary, all-weather turn-around within the subdivision or/and land development; and the use of such turn-around shall be guaranteed to the public until such time as the street is extended.
- C. Cul-de-Sac streets serving residential uses, permanently designed as such, shall not exceed eight hundred (800') feet in length and shall not furnish access to more than twenty-four (24) dwelling units.
- D. Cul-de-Sac streets serving commercial and/or industrial uses shall be adequate for the type of use to be serviced as approved by the Borough Engineer but, in no case, shall exceed eight hundred (800') feet in length.
- E. Unless future extension is clearly impractical or undesirable, the turn around right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.
- F. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turn around.
 - (1) The minimum radius to the pavement edge or curb line shall be fifty (50') feet, and the minimum radius of the right-of-way line shall be sixty (60') feet.
- G. Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer.
- H. The centerline grade on a cul-de-sac street shall not exceed ten (10%) percent and the grade of the diameter of the turn around shall not exceed five (5%) percent.

5. Driveways

- A. Private driveways on corner lots shall be located at least forty (40') feet from the point of intersection of the nearest street right-of-way lines.

- B. In order to provide a safe and convenient means of access, grades on private driveways shall be so designed to allow for the unimpeded flow of storm water runoff. In addition, driveways must be stabilized to their full width to prevent erosion. Entrances should be rounded at a minimum radius of ten (10') feet, or should have a flare construction that is equivalent to the radius at the point of intersection with the cartway edge (curb line). (Refer to Pennsylvania Department of Transportation, Guidelines for Design of Local Roads and Streets - Publication No. 70, as revised.)
- C. All driveways shall be located, designed and constructed in such a manner as not to interfere or be inconsistent with the design and maintenance and drainage of, or the safe and convenient passage of traffic.

6. Horizontal and Vertical Curves

- A. In order to provide adequate sight distance and ensure proper alignment of streets, horizontal and vertical curve design shall be in accordance with the Pennsylvania Department of Transportation, Guidelines for Design of Local Roads and Streets- Publication No. 70, as revised.

7. Intersections

- A. Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than seventy-five (75) degrees.
- B. Intersections involving the junction of more than two (2) streets are prohibited.
- C. Streets intersecting another street shall either intersect directly opposite to each other, or shall be separated by at least one hundred fifty (150') feet between centerlines, measured along the centerline of the street being intersected.
- D. Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five (5%) percent within sixty (60') feet of the intersection of the nearest right-of-way lines.
- E. Intersections with major streets shall be located not less than eight hundred (800') feet apart, measured from centerline to centerline, along the centerline of the major street.

10. Slopes of Banks Along Streets. The slope of banks along streets measured perpendicular to the street centerline shall be no steeper than the following:
- A. One (1') foot of vertical measurement for three (3') feet of horizontal measurement for fills.
 - B. One (1') foot of vertical measurement for two (2') feet of horizontal measurement for cuts.
11. Access Roads and Drives
- A. Direct access from residential lots to an arterial street shall be avoided whenever possible. Where such direct access cannot be avoided, adequate turnaround space shall be provided behind the right-of-way line.
 - B. A valid highway occupancy permit shall be obtained from the Pennsylvania Department of Transportation. Driveways serving single family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways or access roads shall intersect streets at right angles, where possible, and in no instance shall such intersection be less than seventy-five (75) degrees.
 - C. The width of access roads or driveways shall be in accordance with the following standards:
 - (1) For multi-family residential, mobile home parks, and all nonresidential developments or subdivisions, access roads shall be no less than twenty-two (22') feet in width at the street line, and shall clearly be defined by the use of curbing.
 - (2) For single family residential subdivisions, driveways shall be no less than ten (10') feet in width and no greater than twenty (20') feet in width at the street line.
 - D. In order to provide for safe and convenient ingress and egress points, access roads and driveway entrances shall be rounded at the following minimum radius.
 - (1) For multi-family residential, mobile home parks, and all nonresidential developments or subdivisions, access road entrances shall be rounded at minimum radius of ten (10') feet.

F. At intersections of streets the curb or edge of pavement radii shall not be less than the following:

<u>Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Collector with Collector Street	thirty-five (35') feet
Collector with Minor Street	twenty-five (25') feet
Minor Street with Minor Street	twenty (20') feet

Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with or parallel to the chord of the curb radius corners.

8. Intersection Sight Distance and Clear Sight Triangles. Adequate sight distances and areas of view obstructions shall be provided at all intersections of streets, and for driveways intersecting a street, in accordance with Exhibit VI.

9. Street Grades

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

<u>Type of Street</u>	<u>Minimum Grade</u>	<u>Maximum Grade</u>
All Streets	0.50 one-half percent	As determined by the Governing Body after consultation with the Commission and the PA Department of Highways
Collector Streets		eight (8%) percent
Minor Streets		ten (12%) percent
Service Drives		twelve (12%) percent
Street Intersection		five (5%) percent

B. On minor streets and service drives, grades greater than ten (10%) percent shall not be more than four hundred (400') feet in length, or as determined by the Borough Council.

- (2) For single family residential subdivisions, driveway entrances shall be rounded at a minimum radius of five (5') feet.
- E. The grades on access roads or driveways shall not exceed the following:
- (1) Eight (8%) percent when access is to an arterial street,
 - (2) Ten (10%) percent when access is to a collector or minor street.

Section 503. EASEMENTS.

1. Easements shall be provided for drainage facilities, overhead or underground public utility facilities in consultation with the Borough Engineer, the Electrical, Telephone and Water Utilities, the Pennsylvania Department of Transportation, and the Municipal Authority.
 - A. The minimum width of such easements shall be twenty (20') feet. Additional width may be recommended by the Commission and/or required by the governing body depending on the purpose and use of the easements.
 - B. Wherever possible such easements shall be centered on the side or rear lot lines, or along the front lot lines.
2. Where a subdivision and/or land development is traversed by a watercourse, drainageway channel or stream, there shall be provided a drainage easement, width to be determined by the Borough Engineer, conforming substantially with the line of such watercourse, drainageway, channel or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the purpose of installing a storm water sewer. Under no circumstances shall the easement be less than twenty-five (25') feet.
3. Where a subdivision or land development involves the use of solar access, solar skyspace easements will be provided, shall be in writing, and shall be subject to the same conveyancing and instrument recording requirements as other easements. Any such easements shall be appurtenant; shall run with the land benefitted and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating a solar skyspace easement shall include but not be limited to:

- A. A permanently identifiable description of the skyspace above the burdened land into which trees, buildings and/or other obstructions as specified by the easement shall not be permitted to encroach:
 - B. Any terms or conditions under which the solar skyspace easement is granted or will be terminated; and
 - C. Any provision for compensation by the owner of the land benefitting from the solar skyspace easement, or compensation of the owner of the land burdened by the solar skyspace easement for maintaining the easement.
4. Where necessary for access to public or common lands, a pedestrian easement shall be provided with a width of no less than ten (10') feet. Additional width may be required by the Commission depending on the purpose and use of the easement.

Section 504. BLOCKS.

1. The length, width, shape, and design of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, to the land use and/or zoning requirements of the municipality, the topography of the land being subdivided or developed, and the requirements for safe and convenient vehicular and pedestrian circulation.
2. Blocks shall not exceed sixteen hundred (1600') feet in length, nor be less than six hundred (600') feet in length. Where practical, blocks along collector or arterial streets shall be not less than one thousand (1,000') feet in length.
3. Residential blocks shall generally be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering an arterial or collector street are used or, where due to the contour of the land, or the necessary layout of the subdivision, there is insufficient depth between intersecting streets for such two (2) tier design.
4. Blocks for commercial and industrial areas may vary from the elements of design contained in this section if the nature of use requires other treatment. In such cases, off-street parking for employees and customers shall be provided along with safe and convenient limited access to the street system. Space for off-

street loading shall also be provided with limited access to the street system. Extension of streets, railroad access right-of-way, and utilities shall be provided as necessary.

5. Crosswalks or interior pedestrian walks shall be required in blocks exceeding one thousand (1000') feet in length to provide for pedestrian circulation or access to community facilities. Such walks shall be stabilized for a width of not less than four (4') feet, shall be located in easements not less than ten (10') feet in width, and shall, insofar as possible, be located in the center of any such block.

Section 505. LOTS

1. General Standards

- A. The size, depth, width and orientation of lots shall conform to applicable zoning regulations of Royalton Borough.
- B. Side lot lines shall, insofar as practical, be perpendicular to the street line or radial to any curve.
- C. Where feasible, lot lines should follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- D. If, after subdividing, there exist remnants of land, they shall be either:
 - (1) Incorporated in existing or proposed lots; or
 - (2) Legally dedicated to public use, if acceptable to the municipality.

2. Lot Frontage

- A. All lots shall abut a public street existing or proposed, or a private street if it meets the requirements of these regulations.
- B. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.

- C. No residential lots shall be created which front upon a limited access highway. Furthermore, no major subdivisions and/or land developments shall be created which front upon an arterial street.

3. Building Setbacks and Orientation

- A. Front side, and rear setbacks shall be in conformance with the Borough of Royalton Zoning Ordinance, as amended.
- B. Buildings shall be oriented such that their longest axis faces within twenty-five (25) degrees of true south whenever lot size, street orientations, soil, and slope conditions make this practical.

Section 506. EROSION AND SEDIMENTATION CONTROL.

1. General Requirements and Standards

- A. In the event that any person shall intend to make changes in the contour of any land or engage in earth moving activity, whether for subdivision, land development or any purpose, such person, who is required to obtain a permit, shall obtain such a permit from the department of Environmental Resources in accordance with the requirements of the "Rules and Regulations", Ordinance 102, EROSION CONTROL authorized under P. L. 1987, June 22, 1937.
- B. Furthermore, under the requirements noted above, Royalton Borough shall notify the Department immediately upon receipt of an application for a building permit involving earth moving activity which affects five (5) acres or more of land.
- C. The Borough shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Resources permit, until the Department has issued the permit.
- D. An Erosion and Sedimentation Control Plan must be prepared for a single lot or more where subdivision, land development or other earth moving activity is proposed. The plan must be submitted:
 - (1) as required by the Rules and Regulations of the Department of Environment Resources noted above and;
 - (2) as required by the Pennsylvania Clean Streams Law, Act 222, July 31, 1970, as amended.

- E. Such Erosion and Sedimentation Control Plan shall be submitted to the Borough Engineer and County Conservation District for review, and a copy of the Plan and review comments shall be submitted to the Commission as part of the Preliminary and Final Plat Applications.
- F. In the preparation of Erosion and Sedimentation Control Plans the person preparing such plans shall consult with the County Conservation District to determine the measures needed to control erosion and sedimentation. The current Soil Erosion and Sedimentation Control Handbook, prepared by the Conservation Districts of Dauphin, Dauphin and Perry Counties, shall be used in the preparation of such plans. Copies are available in the Dauphin County Conservation District office.

Section 507. STORMWATER MANAGEMENT.

- 1. Storm Water Management facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall promote drainage at all points along streets and provide positive drainage away from buildings and on-site water disposal sites.
- 2. Plans shall be subject to the approval of the Borough Council upon review by the Borough Engineer. The Borough may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.
- 3. The design and construction of the storm water management system shall comply with the following requirements:
 - A. The minimum design criteria shall be a ten (10)-year storm with a twenty (20) minute duration. Higher frequency conditions shall be used where an overflow would endanger public or private property.
 - B. Drainage calculations shall be made by the Rational method.
 - C. Street drainage will not be permitted to cross intersections or the crown of the road.
 - D. Maximum spacing of street inlets shall not exceed six hundred (600) feet.

- E. All culvert ends shall be provided with either reinforced concrete headwalls or pipe end sections.
 - F. Minimum pipe size shall be eighteen (18) inch diameter.
 - G. All street inlets shall be the combination type following PennDOT standard for the four (4) foot special inlet. Inlet tops shall be cast in place reinforced concrete or precast concrete.
 - H. All springs and sump pump discharges shall be collected so as not to flow in the streets.
 - I. When material for storm drain systems is not specified, PennDOT specifications will govern.
4. All rain conductors shall be piped to storm sewer or a natural watercourse and all multi-family unit constructions shall follow the same plan. Storm drains shall be installed as per the following schedule:

Diameter (Inches)	Square Foot Drainage Area	
	Fall 1/4" Per Foot	Fall 1/2" Per Foot
4	1,800	2,500
5	3,000	4,500
6	5,000	7,500
8	9,100	13,600
10	14,000	20,000

Section 508. NATURAL FEATURES PRESERVATION. The design and development of all subdivision and land development plans shall preserve, whenever possible, natural features which will aid in providing open space for recreation and conditions generally favorable to the health, safety and welfare of the residents of the Borough. These natural features include; the natural terrain of the site, woodland areas, large trees, natural watercourses and bodies of water, wetlands, rock outcroppings and scenic views.

1. Tree Preservation and Planting

- A. Trees, with a caliper of six (6") inches or more as measured at a height of four and one-half (4 1/2') feet above existing grade, shall not be removed unless they are located within the proposed cartway or sidewalk portion of the street right-of-way, or within fifteen (15') feet of the foundation area of a proposed building. In areas where trees are retained, the original grade level shall be maintained, if possible, so as not to disturb the trees.

- B. Where existing trees are removed within the street right-of-way, supplemental planting, in the form of appropriate street trees, shall be introduced. Such trees shall be planted at intervals of between fifty (50') feet and one hundred (100') feet, preferably in random patterns and shall be approved by the Borough Council. Such replacement trees shall be deciduous hardwoods at a minimum caliper of 1 1/2 inches as measured at a height of 3 feet above intended or existing grade.
- C. When deemed necessary by the Borough's Planning Commission, a Landscape Plan will be developed for a subdivision or land development. Such plan shall indicate the vegetation or plant cover which exists and, on the same or separate sheet, the vegetation or plant cover which will exist when landscaping is completed. In addition, landscaping shall be designed, installed, and maintained with the aim of allowing as great a portion of the site to remain or become wooded without adversely affecting the availability of solar access to the south.
- D. The location and species of trees and other landscaping elements shall be such that when grown to full maturity shall not impede solar access to neighboring structures.
- E. All subdivisions and land developments shall have shade trees at a ratio of not less than one such tree per dwelling unit, leasehold unit, or commercial unit. Where, however, the lot size per dwelling unit, leasehold unit, or commercial unit is 3,000 square feet or greater, all such lots shall have shade trees at the ratio of not less than two such trees per lot and where, however, the lot size per dwelling unit, leasehold unit, or commercial unit is 5,000 square feet or greater, all such lots shall have shade trees at the ratio of not less than three such trees per lot. All new and replacement trees shall be deciduous hardwoods at a minimum caliper of 1 1/2 inches as measured at a height of three feet above intended or existing grade.

2. Lake, Stream, and River Frontage Preservation

- A. A maintenance easement for the Borough or its designee, with a minimum width of twenty-five (25') feet, shall be provided along all stream and river banks and lake edges. Such easement, in all cases, shall be of sufficient width to provide proper maintenance.

- B. Lake, stream, and river frontage shall be preserved as open space whenever possible.
- C. Access shall be provided to the water and maintenance easement area. The width of such access points shall not be less than fifty (50') feet.

3. Topography

- A. The existing natural terrain of the proposed subdivision tract shall be retained whenever possible. Cut and fill operations shall be kept to a minimum.

Section 509. DESIGN STANDARDS IN FLOODPLAINS.

1. General Standards

- A. Where not prohibited by this or any other laws or ordinances, land located in any identified floodplain area or district may be platted for development with the provision that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and ordinances regulating such development.
- B. Building sites for residences or any other type of dwelling or accommodation shall not be permitted in any identified floodway area or district. Sites for these uses may be permitted outside the elevated one and one-half (1 1/2') feet above the Regulatory Flood Elevation. If fill is used to raise the elevation of a site, the fill area shall extend out laterally for a distance of at least fifteen (15') feet beyond the limits of the proposed structures.
- C. Building sites for structures or buildings other than for residential uses shall not be permitted in any identified floodway area or district. Also, such sites for structures or buildings outside the floodway shall be protected as provided for in "B" above. However, the governing body may allow the subdivision and/or development of areas or sites for commercial and industrial uses at an elevation below the Regulatory Flood Elevation if the developer otherwise protects the area to that height or assures that the buildings or structures will be floodproofed at least up to that height.

- D. If the Zoning Officer determines that only a part of a proposed plat can be safely developed, and development shall be limited to that part and shall require that development proceed consistent with this determination.
 - E. When a developer does not intend to develop the plat himself and the Borough determines that additional controls are required to insure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
2. Evccavation and Grading. Where any excavation or grading is proposed or where any existing trees, shrubs or other vegetative cover will be removed, the developer shall consult the County Conservation District representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that a determination can be made as to the type and degree of development the site may accommodate. Before undertaking any excavation or grading, the developer shall obtain a Grading and Excavation Permit, if such is required.
3. Drainage Facilities
- A. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings.
 - B. Plans shall be subject to the approval of the Borough. The Borough may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.
4. Streets. The finished elevation of proposed streets and driveways shall not be more than one (1') foot below the Regulatory Flood Elevation. The Borough may require profiles and elevations of streets to determine compliance with the requirements. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.

5. Sanitary Sewer Facilities. All sanitary sewer systems located in any designated floodplain district, whether public or private, shall be floodproofed up to the Regulatory Flood Elevation.
 - A. The installation of sewage disposal facilities requiring soil absorption systems shall be prohibited where such system will not function due to high ground water, flooding, or unsuitable soil characteristics or within designated flood plain areas or districts. The Borough may require that the developer note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibited in any such area or district.
6. Water Facilities. All water systems located in any designated floodplain district, whether public or private, shall be floodproofed up to the Regulatory Flood Elevation.
7. Other Utilities and Facilities. All other public and private utilities including gas and electric shall be elevated or floodproofed to not less than one and one-half (1 1/2) feet above the Regulatory Flood Elevation.

Section 510. RECREATION AND OPEN SPACE.

1. All residential subdivisions or land development plats submitted after the effective date of this ordinance shall provide for suitable and adequate recreation in order to:
 - A. Insure adequate recreational areas and facilities to serve the future residents of the Borough;
 - B. Maintain compliance with recreational standards as developed by the National Recreation and Parks Association;
 - C. Reduce increasing usage pressure on existing recreational areas and facilities;
 - D. Insure that all present and future residents have the opportunity to engage in many and varied recreational pursuits; and to
 - E. Reduce the possibility of the Borough becoming overburdened with the development and maintenance of many very small, randomly planned and widely separated recreation areas.
2. Exemptions and Requirements
 - A. The following are exempt or partially exempt from the provisions of this Ordinance:

- (1) The conversion of an existing single-family detached dwelling or single family dwelling semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 - (2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
 - (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purpose of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.
- B. The amount of land required to be provided for recreational purposes for residential subdivisions or land development plans not exempted from the provisions of this article shall be as follows:
- (1) Single-family developments. In the case of a single-family subdivision, the developer shall provide a minimum of 1500 square feet per lot.
 - (2) Multiple family developments. In multiple family developments, a minimum contiguous area of ten (10%) percent of the total area shall be provided for recreation exclusive of roadways of the land being developed.
- C. A maximum of twenty-five (25%) percent of the total land area required by this article to be provided for recreation may consist of flood plain areas.
- D. Such land set aside shall be suitable to serve the purpose of active and/or passive recreation by reason of its size, shape, location and topography and shall be subject to the approval of the Borough Council.
- E. The developer shall satisfy the Borough Council that there are adequate provisions to assure retention and all future maintenance of such recreation areas by maintaining ownership, or by

providing for and establishing an organization for the ownership and maintenance of the recreation area and such organization shall not be dissolved nor shall it dispose of the recreation area by sale or otherwise, except to an organization conceived and established to own and maintain the recreation area without first offering to dedicate the same to the Borough.

3. Recreation Area Location Criteria. The Planning Commission and the Borough Council, in exercising their duties regarding the approval of subdivision and land development plans, shall consider the following criteria in determining whether to approve the proposed location of recreation areas in the developer's subdivision or land development plans:
- A. Site or sites shall be easily and safely accessible from all areas of the development to be served, have good ingress and egress and have access to a public road, however, no public road shall traverse the site or sites.
 - B. Site or sites shall have suitable topography and soil conditions for use and development as a recreation area.
 - C. Size and shape for the site or sites shall be suitable for development as a particular type of park. Sites will be categorized by the Borough using the standards established by the National Recreation and Parks Association. (Publication No. 10005, as revised).
 - D. When designing and developing these recreation areas, it shall be done according to the standards established by the National Recreation and Parks Association, copies of which may be obtained at the Borough's Municipal Building.
 - E. Site or sites shall, to the greatest extent practical, be easily accessible to essential utilities, such as water, sewer and electric.
 - F. Site or sites shall meet minimum size requirements for usable acreage with respect to National Recreation and Parks Association standards with seventy-five (75%) percent of such area having a maximum slope of seven (7%) percent.
 - G. Recreation sites shall be located in such a manner which allows maximum practical solar access to neighboring structures.

- H. Where open space is being provided, it shall be located, wherever possible, to provide a buffer from the shading effects of taller structures or obstructions on existing or proposed shorter buildings.

4. Dedication to Municipality

- A. In a case where the developer does not wish to retain the required recreation area, such area may be offered for dedication to the Borough for public use.
- B. In addition to approving the recreation site areas to be dedicated to the Borough, the Planning Commission shall make its recommendation to the Borough Council as to whether the dedication should be accepted by the Borough.
- C. Such area dedicated to the Borough for public use shall be suitable for recreational purposes by reason of size, shape, location, topography and access.
- D. The Planning Commission may find dedication to be impractical because of the size, shape, location, access, topography, drainage or other physical features of the land and that such dedication would adversely affect the subdivision or land development and its future residents or occupants, or that there is no land area within the proposed subdivision which is practical for dedication to the public because of size, access, topography or other physical characteristics.
- E. When the Borough Council deems 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.

5. Fee in Lieu of Dedication

- A. Where the Borough Council agree with the developer that because of the size, shape, location, access, topography or other physical features of the land that it is impractical to dedicate land to the Borough or set aside a recreation area as required by this article, the Borough Council shall require a payment of a fee in lieu of dedication of such land which shall be payable to the Borough prior to approval of each final section of the overall plan by the Borough Council. Such fee shall be calculated by multiplying the number of dwelling units in each section by the fee per dwelling unit.

- B. The amount of the fee shall be set from time-to-time by resolution or ordinance by the Borough Council, and shall bear a reasonable relationship to the use of the park and recreational facilities by future inhabitants of the subdivision development.
- C. A fee authorized under this subsection shall, upon its receipt by the Borough, be deposited in a interest-bearing account, clearly identifying the specific recreation facilities for which the fee was received. Interest earned on such accounts shall become funds of that account. Funds from such accounts shall be expended only in properly allocable portions of the cost to construct and equip specific recreation facilities for which the funds were collected..
- D. Upon request of any person who paid any fee under this subsection, the Borough shall refund such fee, plus interest accumulated thereon from the date of payment if the Borough has failed to utilize the fee paid for the purposes set forth in this Section within three (3) years from the date such fee was paid.

ARTICLE VI

IMPROVEMENTS AND CONSTRUCTION REQUIREMENTS

Section 601. IMPROVEMENTS REQUIRED. The applicant shall provide all improvements required by these regulations. The specifications for the improvements contained herein shall apply.

Section 602. MONUMENTS AND MARKERS.

1. Monuments must be set at:
 - A. The intersection of all street and right-of-way lines;
 - B. The intersections of lines forming angles in the boundaries of the subdivision or land development;
 - C. Such intermediate points as may be required by the Borough Engineer.
2. Markers must be set:
 - A. At all corners except those monumented;
 - B. By the time the property is offered for sale.
3. Monuments and markers shall be the following sizes and made of the following materials:
 - A. Monuments shall be six (6") inches square or four (4") inches in diameter and shall be thirty (30") inches long. Monuments shall be made of concrete, stone or by setting a four (4") inch cast iron or steel pipe filled with concrete.
 - B. Markers shall be three quarters (3/4") of an inch square or three quarters (3/4") of an inch in diameter and thirty (30") inches long. Markers shall be made of iron pipes or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.
5. Removal - Any monuments or markers that are removed must be replaced by a Registered Engineer or Surveyor at the expense of the person removing them.

Section 603. STREET CONSTRUCTION.

1. Pavements and Construction. Streets shall be designed in accordance with Article V herein and shall be surfaced to the grades and dimensions drawn on the plans, profiles, and dimensions drawn on the plans, profiles, and cross-sections submitted by the Applicant and approved by the Borough Council. Before paving the street surface, the developer shall install the required utilities and provide, where necessary, adequate underdrains and stormwater drainage for the streets, as acceptable to the Borough Council. The pavement base and wearing surface must be constructed according to the following specifications and as outlined in Table 1, Section 502 entitled "Streets", herein.

A. Subgrade

- (1) No base course shall be placed on wet, frozen or unsuitable material. Unsuitable material is defined in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (2) Subgrade in fill area shall be compacted in not more than twelve (12") inch layers with a minimum roller weight of ten (10) tons or equivalent compaction.
- (3) Subgrade that has been distributed by trenching shall be backfilled and compacted in eight (8") inch layers and inspected by the Borough Engineer or his designated agent.
- (4) Unsuitable material in subgrade shall be removed and replaced with material acceptable to the Borough Engineer.
- (5) The moisture content at the time of compaction and density of the finished subgrade shall be in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (6) Any springs or spongy areas shall be provided with a proper underdrain system, which is connected to the storm sewer system.
- (7) Subgrade shall be inspected by the Borough Engineer or his designated agent prior to the placement of the base course.

B. Base Course

- (1) Minor Streets. Base course shall be consistent with Table 1, Section 502 entitled "Streets" herein, in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (2) Collector Streets. Base course shall be consistent with Table 1, Section 502 entitled "Streets" herein, in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- (3) Arterial Streets. For the construction of arterial roads or highways the Applicant shall consult the Planning Commission and Borough Council and be governed by the Pennsylvania Department of Transportation for the method of construction to be used.
- (4) Base course shall be inspected by Borough Engineer or his designated agent prior to the placing of binder course.
- (5) Base shall have binder applied as soon as possible to avoid damage to base.
- (6) All foreign material shall be removed from base course prior to placing binder course.
- (7) Base shall be compacted with a vibrating tamper or vibrating roller.
- (8) The Borough Council shall decide if a collector or arterial street is required as a direct result of the subdivision or land development in which case the Developer is responsible for paving the additional width required.

C. Surface Course

- (1) Minor and Collector Streets. Surface course shall be consistent with Table 1, Section 502 entitled "Streets" herein, in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.

(2) Surface course shall be sealed wherever it comes in contact with another structure (i.e. curb, manhole, inlet, etc.). This work shall be done in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.

(3) Surface course shall be inspected by the Borough Engineer or his designated agent after completion of all work.

D. Shoulders. The base course shall consist of six (6") inches of compacted stone, gravel or slag constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended. The bituminous seal coat shall be constructed in accordance with the applicable requirements of the Pennsylvania Department of Transportation, Publication 408, as amended.

E. Driveway Entrances. Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, and in no case shall be less than twelve (12') feet wide for residential development and eighteen (18') feet wide for commercial or industrial developments. In no case shall the driveway entrance be more than two (2') feet wider than the driveway. The type of surface to be either plain cement concrete, minimum depth of four (4") inches or the same as specified above. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

(1) Driveway entrances along streets where curbs are not required, shall be constructed to provide proper drainage along the streets and from the streets by the continuation of gutters, swales or ditches. Such continuation may be provided by having an approved pipe of not less than eighteen (18") inches in diameter across such driveway entrances.

(2) Driveway entrances along streets, where curbs are not required, shall be constructed so that the driveway meets the edge of the cartway as a continuation of at least the slope from the crown of the street for not less than five (5') feet.

- (3) Where proposed driveways provide access onto a State Highway (Pennsylvania Route or United States Route) the design of such driveway access and drainage shall be prepared in accordance with the Pennsylvania Department of Transportation and shall be subject to the approval and issuance of permits by the Department. A note shall be placed on the plan, "that a Highway Occupancy Permit is required pursuant to Section 420 of the State Highway Law before driveway access to a State Highway is permitted". The Borough Council may issue a final plat approval if a permit has been secured or the notice of requirement for such a permit is placed on the plan. No building permit will be issued for affected lots until such a Highway Occupancy Permit has been secured.
- (4) The curb height at driveway entrances may be reduced to a minimum of one and one-half (1 1/2") inch for driveway entrances along streets where curbs are required. The maximum width of reduced curb height shall be twenty (20') feet for residential driveways and thirty-five (35') feet for commercial or industrial driveways. Sidewalks across driveway entrances, where required, shall be constructed in accordance with the requirements in Section 607 herein.

F. Underdrain

- (1) Underdrain shall be constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended, and as detailed on the Roadway Construction Standard Drawings (RC-30).
- (2) Combination storm sewer and underdrain shall be constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended, and as detailed on the Roadway Construction Standard Drawings (RC-30).
- (3) Underdrain pipe shall be six (6") inch Perforated Corrugated Galvanized Metal Pipe (C.M.P.), helical in design, or unless otherwise specified.

- (4) Underdrains or combination storm sewer and underdrain shall be constructed where required by the Borough Engineer or the Borough Council.
 - (5) Underdrain shall be installed and inspected by the Borough Engineer or his designated agent after completion of all work, just prior to the base course application.
- G. Handicapped Accessibility. When deemed necessary by the Borough Council, upon recommendation of the Borough Planning Commission, intersection curb cuts shall be provided where sidewalks and curbs are required.

Section 604. SEWER AND WATER SYSTEMS.

1. Sewers

- A. Where a public sanitary sewerage system is located within one thousand (1,000') feet of, or where plans approved by the Borough Council provide for the installation of such public sewer facilities to within one thousand (1,000') feet of a proposed subdivision or land development, the Developer shall provide the subdivision or land development with a complete sanitary sewerage system to be connected to the existing or proposed sanitary sewerage system in accordance with Municipal Authority and Borough specifications. If such a system is not available but will, in the opinion of the Borough Council become available within a reasonable time, then the Developer shall install a complete sanitary sewerage system including a collector main installed in the street bed or approved right-of-way; lateral installations shall be to the right-of way lines of streets, lot or parcel property lines or sewer easement right-of-way lines, whichever pertains to individual situations. All termini shall be capped in a manner which will insure that all collector mains, laterals and house connections shall be water tight pending connections with a public sanitary sewerage system. The system shall be designed by a Registered Engineer and approved by the Municipal Authority Engineer. The Municipal Authority Engineer shall also inspect construction of all sanitary sewers to insure that said sewers will coordinate and have congruity with the Borough's overall comprehensive sewerage plan. All sewage pumping stations, interceptors and treatment plants to be installed by the Developer shall be reviewed and approved by the Municipal Authority Engineer, who shall inspect the construction thereof.

- B. Design, approval of design, supervision and inspection fees for services rendered on behalf of the Developer by the Municipal Authority Engineer shall be paid by the Developer in accordance with the fee schedule submitted to the Board by the Municipal Authority Engineer, which schedule shall be available for review in the Borough Office by any developer.
- C. Sanitary sewers and sewage disposal systems shall not be combined with storm water sewers, and shall not be constructed to receive effluent from any storm water collection system.

2. Water

- A. Where a water main supply system is within one thousand (1,000') feet of, or where plans approved by the Borough Council provides for the installation of such public water facilities to within one thousand (1,000') feet of a proposed subdivision or land development, the Developer shall provide the subdivision or land development with a complete water main supply system to be connected to the existing or proposed water main supply system in accordance with Borough and/or Utility Specifications.
- B. Where public water is available applicant shall present evidence in the form of a PUC certificate of Public convenience agreeing to provide water service from a bona fide cooperative association.

Section 605. STORM SEWERS. Whenever the evidence available to the Borough Council indicates that natural surface drainage is inadequate, the Developer shall install a storm water sewer system in accordance with approved plans and profiles. The system shall be designed by a Registered Engineer and be approved by the Borough Engineer. The Developer shall submit engineering calculations upon which the size of conduits, culverts, and other portions of the proposed storm sewer system has been based.

1. Pipe

- A. Pipes shall be constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
- B. Pipes shall be Corrugated Galvanized Metal Pipe (C.M.P.) helical in design, or unless otherwise specified.
- C. All pipe joints shall be connected with metal bands.

- D. Pipes shall be placed on Class B Bedding.
- E. Pipe gauge shall be in accordance with approved engineering calculations. Minimum pipe gauge for C.M.P. shall be sixteen (16) gauge.
- F. Pipe sizes shall be in accordance with that shown on approved drawings. Minimum pipe size shall be eighteen (18") inches in diameter.
- G. Pipes shall be constructed and set to line and grade as shown on approved drawings.
- H. Pipes shall be inspected by the Borough Engineer or his agent prior to backfilling.

2. Inlets

- A. Inlets shall be constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended, and as detailed on the Roadway Construction Standard Drawings (RC-34).
- B. Inlet tops shall be precast concrete top units with a ten (10") inch hood or equivalent in order to place inlet in a two (2") sump condition, and shall be compatible with type of curbing installed.
- C. Inlet boxes shall be either precast concrete box units, cast-in-place cement concrete or constructed out of concrete blocks.
- D. All inlets shall have weep holes placed at the appropriate elevations to completely drain the subgrade prior to placing the base course and surface course.
- E. Size of concrete block shall be solid four (4") inches x eight (8") inches x sixteen (16") inches or unless otherwise specified.
- F. Inlets shall be inspected by the Borough Engineer or his designated agent after completion of all work.

3. Manholes

- A. Manholes shall be constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended, and as detailed on the Roadway Construction Standard Drawings (RC-39).

1. Sidewalks shall be constructed in accordance with the specifications set forth in the Pennsylvania Department of Transportation, Publication 408, as amended.
2. Four (4") inches of 2B aggregate shall be placed under all sidewalks.
3. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.
4. Sidewalks shall be at least four (4') feet wide, or unless otherwise specified.
5. Where a sidewalk abuts a curb, wall, building or any other structure, a pre-molded expansion joint one-quarter inch (1/4") inch of thickness, shall be placed between the sidewalk and said structure for the full length of said structure.
6. Sidewalks shall be boxed out around light standards, fire hydrants, etc., with a pre-molded expansion joint, one quarter (1/4") inch in thickness.
7. Sidewalks shall be inspected by the Borough Engineer or his designated agent after the forms have been placed, just prior to the pouring of concrete and after completion of all work.

In order to provide for the drainage of surface water, sidewalks shall slope from the property line toward the curb at the rate of 3/8" per 1 foot.

Section 608. FIRE HYDRANTS. Wherever a public or community water supply system is provided, fire hydrants shall be installed within six hundred (600') feet of all existing and proposed structures, measured by way of accessible streets (as specified by the Middle Department Association of Fire Underwriters).

Section 609. TREES. Reasonable effort should be made by the Applicant to preserve existing shade trees and, in addition, deciduous hardwood trees with a minimum caliper of one and one-half (1 1/2") inches should be provided in accordance with conditions as recommended by the Planning Commission and agreed upon by the Borough Council, and, if necessary, the Borough Authority and/or appropriate public utility. Where provided, such trees should be planted between the sidewalk and the building setback line at least five (5') feet from the sidewalk, provided the planting strip is a minimum of six (6') feet wide.

- B. Manholes shall be precast concrete units.
- C. Manholes shall be inspected by the Borough Engineer or his designated agent after completion of all work.

Section 606. CURBS. Curbs shall be required for all subdivisions and land development. The Borough Council, upon recommendation by the Borough Planning Commission and Borough Engineer, may waive the requirements of curbs through the alteration of requirements procedure set forth in ARTICLE IX of this Ordinance.

1. Curbs shall be constructed in accordance with the specifications as set forth in the Pennsylvania Department of Transportation, Publication 408, as amended, and as detailed on the Roadway Construction Standard Drawings (RC-64).
2. Rolled curbs will not be acceptable.
3. Curbs shall be constructed in accordance with the cross section details shown on approved drawings.
4. Curbs shall be set and finished to the line and grade as shown on approved drawings.
5. Backfill must be placed within forty-eight (48) hours after form removal and this backfill shall be compacted in place along the rear face to within six (6") inches of the top of the curb.
6. When curbing is to be removed to construct a driveway, the removal shall be done on the complete curb section. The length of curbing to be removed shall be carried to the nearest expansion joint or saw cut if the joint is located more than five (5') feet from the end of the curb removal. Curb replacement shall be formed and shaped to the required driveway width. The driveway shall be depressed to a height of one and one-half (1 1/2") inches above the finished paving grade.
7. No partial breaking out of the curb shall be permitted without approval by the Borough Engineer or his designated agent.
8. Curbs shall be inspected by the Borough Engineer or his designated agent after the forms have been placed, just prior to the pouring of concrete and after completion of all work.

Section 607. SIDEWALKS. Sidewalks shall be required for all subdivision and land development. The Borough Council, upon recommendations of the Planning Commission and the Municipal Engineer, may waive the requirements of sidewalks through the alteration of requirements procedures set forth in ARTICLE IX of this Ordinance.

Section 610. STREET SIGNS. The subdivision or land development shall be provided with street signs to include but not be limited to: street name signs at all intersections, directional and informational signs. Such signs shall conform to Pennsylvania Department of Transportation and Borough Specifications and shall be installed by the Developer in a manner specified by the Borough Engineer.

Section 611. STREET LIGHTS.

1. Street lights shall be provided with the construction of all new streets. A plan for street lights, approved by the local utility company, shall be provided by the Applicant upon submission of final subdivision or land development plans.
2. Street lights shall be provided at locations designated by the local utility company, consistent with current policy, at all street intersections and all other locations considered necessary for safety reasons as approved by Borough Council.

Section 612. ELECTRIC AND TELEPHONE LINES. All electric and telephone service lines, including street lighting, shall be placed underground within any subdivision or land development of five or more lots and/or dwelling units.

ARTICLE VII

MANUFACTURED HOME PARK REGULATIONS

Section 701. PURPOSE, AUTHORITY AND JURISDICTION. the purpose, authority and jurisdiction for a manufactured home park as a land development are the same as those contained in ARTICLE II of this Ordinance.

Section 702. PLAT REQUIREMENTS AND PROCESSING PROCEDURE. The plat requirements and processing procedure for a manufactured home park as a land development shall be in accordance with the requirements contained in ARTICLE IV, Sections 402-407, of this Ordinance in addition to the following plat requirements:

1. Number and location of each manufactured home lot, dimensions for each and proposed location of each manufactured home.
2. Location and number of off-street parking spaces.
3. Location of all plantings and landscaping.
4. Location, dimensions and proposed use of all service and accessory structures.
5. Location and type of all fire extinguishers and waste containers.
6. Location of both sewer riser pipe and water riser pipe.
7. Plans and specifications for refuse disposal facilities.

Section 703. DESIGN STANDARDS. The arrangement and other design standards of streets, easements, blocks, lots, stormwater management and erosion and sedimentation control shall be in accordance with the requirements contained in ARTICLE V herein except as specified herein.

1. Street Widths

- A. All streets located within manufactured home parks shall remain private and shall be maintained by the park owner and/or legal or equitable owner. The minimum street cartway width for mobile home park streets shall be twenty-four (24') feet in width.
- B. Provision for additional street width (right-of-way cartway, or both) may be required when determined necessary by the Borough Council for the following specific situations:

- (1) Public safety and convenience;

- (2) Where the number of manufactured homes proposed to be located in the manufactured home park exceeds one hundred (100) units;
 - (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.
- C. Direct driveway access from a manufactured home lot to existing and/or proposed public streets shall not be permitted but shall be by way of an internal park street.
2. Lots in Manufactured Home Parks
 - A. Lots in a manufactured home park shall be served by both public water supply and sanitary sewerage collection systems or private community systems.
 - B. Manufactured home lots shall be not less than fifty (50') feet wide measured at the minimum required setback line and not less than fifty-five hundred (5500) square feet in area, per manufactured home unit exclusive of streets and other public areas.
3. Building Setback Lines. In a manufactured home park, the minimum building setback line from the cartway line of a private street shall be twenty (20') feet.
4. Side and Rear Building Lines
 - A. The minimum spacing between manufactured home units, including attached accessory structures, shall be no less than twenty (20') feet. On a corner lot, the side yard abutting the street shall have a width equal to the depth of the front yard required and shall be subject to all front yard requirements of this Ordinance.
 - B. The minimum rear yard shall be ten (10') feet measured from the rear lot line of each manufactured home lot.
 - C. Detached accessory structures shall be located on the lot no closer than five (5') feet from a manufactured home and shall comply with the required front, side and rear setback lines.
 - D. Manufactured home units shall not be located closer than twenty-five (25') feet from the manufactured home park property lines on the sides and rear not adjacent to a street. Manufactured home units adjacent to public streets shall not be

located closer than thirty-five (35') feet to the right-of-way line and shall contain a buffer yard in accordance with Section 704.1 herein.

5. Off-Street Parking Requirements

- A. Paved off-street parking areas shall be provided at the rate of at least two (2) vehicular parking spaces for each manufactured home lot.
- B. Each such off-street parking space shall contain at least two-hundred (200) square feet of area and shall be located on the lot it is intended to serve.
- C. Recreation areas shall be provided at the rate of 100 square feet per unit.

6. Open Space Requirements

- A. Not less than ten (10%) percent of the total land area shall be provided for useable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.
- B. Such open space shall be maintained with a durable vegetative cover that is capable of preventing soil erosion and the emanation of dust during dry weather.

7. Stormwater Management

- A. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts and related facilities shall be provided to permit the adequate drainage of all locations within the park.
- B. A stormwater plan in accordance with the provisions of this Ordinance shall be prepared and submitted prior to the granting of a plat approval or license for any manufactured home park.
- C. All stormwater facilities shall be kept completely separate from any sanitary waste facilities.

8. Park Areas for Nonresidential Uses. No part of the manufactured home park shall be used for a nonresidential purpose, except such uses that are specifically required for the direct servicing and well being of park residents, for management and maintenance of the park, or those uses permitted by applicable provisions of the Borough's Zoning Ordinance.

Section 704. IMPROVEMENT AND CONSTRUCTION REQUIREMENTS.
All improvements, construction requirements, and engineering specifications for the improvements required, shall be provided in accordance with ARTICLE VI of this Ordinance in addition to those required herein.

1. Buffer Yard

- A. A suitably screened or landscaped buffer yard of at least ten (10') feet wide, approved by the Planning Commission, shall be provided by the developer along all of the property lines separating the manufactured home park from adjacent land uses and public streets. Said buffer yard shall be planted with dense screen plantings as specified in the Royalton Borough Zoning Ordinance.

2. Signs and Lighting

- A. Signs may be permitted in accordance with Article XII of the Royalton Borough Zoning Ordinance.
- B. All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:
- (1) All parts of the streets systems: an average of 0.6 foot candle with a minimum of 0.1 foot candle.
 - (2) Potentially hazardous locations, such as major street intersections and steps or step ramps; individually illuminated with a minimum of 0.3 foot candle.

3. Other Site Improvements and Requirements

- A. Each manufactured home site shall be provided a structurally stabilized foundation for manufactured home placement approved by the Borough Engineer.
- B. An enclosure of compatible design and material shall be erected around the entire base of each manufactured home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- C. Each manufactured home lot shall be provided with a four (4") inch concrete slab on a stable surface at least (10') feet by eighteen (18') feet in size

for use as a terrace and so located so as to be adjoining and parallel to the manufactured home and not extend into the front, side, or rear yard.

- D. Individual tenants of the manufactured home park may construct attached enclosures or covered patios to individual manufactured homes, provided that such enclosures do not encroach into the front, side or rear yard areas.
- E. Tie downs shall be installed at strategic locations so as to prevent movement of the manufactured home by natural causes.
- F. Provisions shall be made by the Park operator to have garbage and waste collected at least once every week, and shall be deposited at an approved disposal site.
- G. There shall be provided such other improvements as the Borough Council may deem necessary, which requirements shall at all times be in the best interests of the park residents.

4. Water Supply

A. Water Distribution System

- (1) The water system of the manufactured home park shall be connected by pipes to all manufactured homes, buildings, and other facilities requiring water.
- (2) The water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
- (3) The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions, with a minimum pipe width of a diameter approved by the Borough Engineer.

B. Individual Water Riser Pipes and Connections

- (1) Individual water-riser pipes shall be located within the confined area of the manufactured home stand at a point where the water connection will approximate a vertical position.

- (2) The water-riser pipe shall extend at least four (4") inches above ground elevation. The pipe shall be at least three-fourth (3/4") inch. The water outlet shall be capped when a manufactured home does not occupy the lot.
- (3) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
- (4) A shut-off valve below the frost line shall be provided near the water-riser pipe of each manufactured home lot.
- (5) Underground stop and waste valves shall not be installed on any water service.

5. Sewage Disposal. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from manufactured homes, service buildings and other accessory facilities. All such systems shall make connection to the public sanitary sewer system upon review and approval by the Pennsylvania Department of Environmental Resources (DER) and the Municipal Authority.

A. Individual Sewer Connections

- (1) Each manufactured home lot shall be provided with at least a three (3") inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position.
- (2) The sewer connection shall have a nominal inside diameter of not less than three (3") inches, and the slope of any portion thereof shall be at least one-fourth (1/4") inch per foot. All joints shall be watertight.
- (3) All materials used for sewer connections shall be semirigid, corrosive resistant, nonabsorbent and durable. The inner surface shall be smooth.
- (4) Provision shall be made for plugging the sewer riser pipe when a manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rims of the riser pipe shall extend at least one-half (1/2") inch above ground elevation.

B. Sewer Lines

- (1) All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements, shall be separated from the park water supply system and stormwater drainage systems and shall have watertight joints.

6. Electrical Distribution System. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electrical power company specifications regulating such systems.

A. Power Distribution Lines

- (1) All power lines shall be placed underground at least eighteen (18") inches below the ground surface and shall be insulated and specifically designed for such installation. Such lines shall be located not less than one (1') foot distance from any other utility lines, facility or installation.
- (2) Meter poles shall have a maximum height of six (6') feet.

B. Individual Electrical Connections. Each manufactured home lot shall be provided with an approved disconnecting device and over current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

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

7. Fuel Supply and Storage

A. Natural Gas System

- (1) Natural gas piping systems when installed in manufactured home parks shall be maintained in conformity with the specifications of the gas company serving the area.

- (2) All piping from outside fuel storage tanks or cylinders to manufactured homes shall be securely, but not permanently, fastened in place.
 - (3) All fuel oil supply systems provided for manufactured homes, service buildings and other structures shall have shut-off valves located within five (5") inches of storage tanks.
 - (4) Storage tanks located in areas subject to traffic shall be protected against physical damage.
8. Other Utilities. Any other utility, such as telephone or cable, servicing a manufactured home park shall be installed underground, as applicable, and maintained in accordance with the respective utility company specifications regulating such systems.
9. Service Buildings and Other Park Service Facilities. The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities as follows:
- A. Facilities
 - (1) Every manufactured home park shall have a structure clearly designated as the office of the manufactured home park manager.
 - (2) Service and accessory buildings located in a manufactured home park shall be used only by the residents of the manufactured home park.
 - B. Structural Requirements for Buildings
 - (1) All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed as to prevent entrance or penetration of moisture and weather.
 - (2) All rooms containing lavatory facilities shall:
 - (a) Have resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions in lavatories and other plumbing fixtures shall be constructed

of dense, nonabsorbent, waterproof material or covered with moisture-resistant materials.

(b) Have at least one (1) window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten (10%) percent of the floor area served by them.

(c) Have at least one (1) window which can be easily opened, or a mechanical device which will adequately ventilate the room.

(3) Toilets shall be located in separate compartments equipped with self-closing doors.

10. Refuse Handling. The storage, collection and disposal of refuse in the manufactured home park shall be the responsibility of the manufactured home park owner or manager and shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with all applicable Borough and state regulations.

11. Insect and Rodent Control. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall comply with all applicable Borough and state regulations.

12. Fire Protection

A. Local Regulations. The manufactured home park area shall be subject to any local fire protection rules and regulations.

B. Litter Control. Manufactured home park areas shall be kept free of litter, rubbish and other flammable materials.

C. Fire Extinguishers. Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in public service buildings under park control and a sufficient number shall be maintained throughout the park in readily accessible and well marked positions.

D. Fire Hydrants

- (1) Fire hydrants shall be installed in accordance with the following requirements:
 - (a) The water supply source shall permit the operation of a minimum of two (2) one and one-half (1 1/2") inch hose streams.
 - (b) Each of two (2) nozzles, held four (4') feet above the ground, shall deliver at least seventy-five (75) gallons of water per minute at a flowing pressure of at least thirty (30) pounds per square inch at the highest point of the park.
- (2) Fire hydrants, shall be located within six hundred (600') feet of any home, service building or other structure in the park, and shall be installed in accordance with all applicable Borough specifications.
- (3) The park management shall give the Borough Zoning Officer or other authorized Borough representative free access to all manufactured home lots, service buildings and other community service facilities for inspection purposes.

Section 705. STANDARDS FOR MOBILE HOME PARKS IN FLOODPLAIN AREAS. Where permitted within any identified floodplain area, all mobile home parks and additions thereto shall be in accordance with ARTICLE V of this Ordinance in addition to those required in Part 15 of the Borough of Royalton Zoning Ordinance.

Section 706. PERMITS, FEES AND LICENSES.

1. Manufactured Home Park Permits. Any person intending to develop a tract of land as a mobile home park shall have a permit from the Borough for each such park, issued in accordance with the requirements contained in such ordinance or resolution which may be adopted from time to time by the governing body.
2. Fees. At the time of filing the Preliminary Plat and the Final Plat for the development of a tract of land for a mobile home park, the Applicant shall be required to pay to Royalton Borough fees in accordance with the requirements of ARTICLE VIII herein.
3. Licenses. Any person intending to operate a manufactured home park within the Borough shall have a license from the Borough for each such park, issued in accordance with the requirements contained in such ordinance or resolution which may be adopted from time to time by the governing body.

Section 707. ALTERATION OF REQUIREMENTS. The application for an alteration of requirements shall be in accordance with the provisions of ARTICLE IX herein.

Section 708. ENFORCEMENT, PENALTIES, SEVERABILITY AND AMENDMENTS. The enforcement, penalties, severability and amendments shall be in accordance with the provisions of Article X herein.

ARTICLE VIII

FRES

Section 801. FILING. At the time of filing, all plats shall be accompanied by a check payable to Royalton Borough, in the amount specified herein, to defray the cost of reviewing the proposed plats and required data.

Section 802. FEE SCHEDULE.

1. The Borough Council shall establish by resolution a Schedule of Fees to be paid by the subdivider at the time of filing a Preliminary or Final Plat.
2. The Schedule of Fees shall be posted in the office of the Borough Zoning Officer and in such other places as the Borough may designate.
3. No plat shall be considered by the Planning Commission or Borough Council unless all fees and charges are paid in full.
4. Review Fees.
 - A. Review fees shall include the reasonable and necessary charges by the Borough's professional consultants or engineer for review and report to the Borough of Royalton, and shall be set by ordinance or resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Borough engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on applicants.
 - B. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Borough of Royalton that such fees are disputed, in which case the Borough shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.
 - C. In the event that the Borough of Royalton and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Borough and the applicant or developer. The estimate certified by the third engineer shall be

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

Section 803. ENGINEERING FEES.

1. On or before the date on which the Preliminary or Final Plat is to be considered by the Borough Council, the Applicant shall pay by a check, payable to Royalton Borough, an amount determined or approved by the Borough Engineer sufficient to cover the costs of:
 - A. Reviewing the plat's engineering details.
 - B. Inspecting the site layout for conformance with the plat.
 - C. Preparing cost estimates of required improvements (as applicable).
 - D. Inspecting required improvements during installation.
 - E. Final inspection on completion of installation of required improvement.
 - F. Other engineering verifications required by this Ordinance.

Section 804. OTHER FEES.

1. Fees for all other permits required for and by the Borough for opening roads, connecting to municipal sewers, building construction, etc. shall also be paid by a check payable to the Borough.
2. The Applicant at the time of application shall agree to cover the cost of advertising the Ordinance accepting the deed of dedication of applicable required improvements and its recording costs.
3. At the time of filing, all plats shall be accompanied by a check payable to the Dauphin County Planning Commission, in the amount specified by the County, to cover the costs of County Planning Commission review and report.

ARTICLE IX

MODIFICATION OF REQUIREMENTS

Section 901. MODIFICATIONS.

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

ARTICLE X

ENFORCEMENT, AMENDMENTS, PENALTIES,
SEVERABILITY AND ENACTMENT

Section 1001. Preventive Remedies.

1. In addition to other remedies, the Borough of Royalton 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.
2. The Borough 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:
 - A. The owner of record at the time of such violation.
 - B. 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.
 - C. 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.
 - D. 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.
3. As an additional condition for issuance of a permit of the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Borough 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 1002. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated any of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough of Royalton, pay a judgement of not more than five hundred (\$500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgement shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough 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 this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

Officials of the Borough having regulatory duties and authorities connected with or appurtenant to the subdivision, use, or development of land shall have the duties and authority for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other Ordinances of the Borough of Royalton.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough of Royalton the right to commence any action for enforcement pursuant to this Section.
4. District justices shall have initial jurisdiction in proceedings brought under this Section.

Section 1003. Effect of Change in This Ordinance.

Changes in this Ordinance shall affect plats as follows:

1. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Ordinance, and while such application is pend-

ing approval or disapproval, no change or amendment of this Ordinance, zoning 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 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 regulation.

2. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this Ordinance, zoning 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.
3. Where final approval is preceded by preliminary approval, the aforesaid five-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 this Ordinance or the governing ordinance or plans as they stood at the time when the application for such approval was duly filed.
4. Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five-year limit, or any extension thereof as may be granted by the Borough Council, no change of any 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.
5. In case of a preliminary plat calling for the installation of improvements beyond the five-year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Borough Council in its discretion.

6. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five (25%) percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Borough Council in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period the aforesaid protections shall apply for an additional term or terms of three years from the date of final plat approval for each section.
7. Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in this Ordinance, zoning, and other governing ordinance enacted by the Borough of Royalton subsequent to the date of the initial preliminary plan submission.

Section 1004. Recording Plats and Deeds.

1. Upon the approval of a final plat, the developer shall within ninety (90) days of such final approval record such plat in the office of the recorder of deeds of the county. The recorder of deeds shall not accept any plat for recording unless such plat officially notes the approval of the Borough Council, and review by the county planning agency.
2. 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.

Section 1005. Effect of Plat Approval on Official Map. After a plat has been approved and recorded as provided in this Ordinance, all streets and public grounds on such plat shall be, and become a part of the official map of the Borough of Royalton without public hearing.

Section 1006. Severability. If any section, clause, provision, or portion of these regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of these regulations.

In any case where a provision of this Ordinance is found to conflict with the provision of a zoning, building, fire, safety, or health ordinance or code of this Borough, or law, rule or regulation of the Commonwealth of Pennsylvania, the provisions which establishes the higher standard for the requirement(s) shall be controlling.

ARTICLE XI

EFFECTIVE DATE AND ENACTMENT

Section 1101. CODIFICATION STATEMENT. It is the intention of the Borough Council and it is ordained that the provision of this Ordinance shall become and be made a part of the Code of Ordinances of Royalton Borough, and the sections of this Ordinance may be renumbered to accomplish this intention.

Section 1102. EFFECTIVE DATE. This Ordinance shall take effect on the _____ day of _____, 19 ____.

ENACTED AND ORDAINED INTO AN ORDINANCE THIS _____ DAY OF _____, 19 ____.

Royalton Borough
Dauphin County, Pennsylvania

ATTEST: _____
(Secretary)

(President or Chairperson)

(Mayor)

(Municipal Seal)

EXHIBIT I

SAMPLE CERTIFICATION AND DEDICATORY BLOCKS

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DAUPHIN

ON THIS THE _____ DAY OF _____ 19 ____ BEFORE ME THE
UNDERSIGNED PERSONALLY APPEARED

OWNER(S) _____

OWNER(S) _____

WHO BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THEY
ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN AND THAT THEY
ACKNOWLEDGE THE SAME TO BE THEIR ACT AND DEED AND DESIRE THE SAME
TO BE RECORDED AS SUCH ACCORDING TO LAW.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND DATE ABOVE WRITTEN,

MY COMMISSION EXPIRES

NOTARY PUBLIC

IT IS HEREBY CERTIFIED THAT THE UNDERSIGNED ARE THE EQUITABLE
OWNERS OF THE PROPERTY SHOWN ON THIS PLAT AND THAT ALL STREETS OR
PARTS THEREOF, IF NOT PREVIOUSLY DEDICATED, ARE HEREBY TENDERED
FOR DEDICATION TO PUBLIC USE.

OWNER(S) _____

OWNER(S) _____

OWNER(S) _____

OWNER(S) _____

I HEREBY CERTIFY THIS PLAN TO BE CORRECT AS SHOWN.

REGISTERED SURVEYOR
(Seal)

NAME OF SURVEYOR
ADDRESS

EXHIBIT II
SAMPLE PLAT APPROVAL BLOCKS

THIS PLAN REVIEWED BY THE DAUPHIN COUNTY PLANNING COMMISSION
THIS _____ DAY OF _____ 19 ____

CHAIRMAN _____

SECRETARY _____

THIS PLAN REVIEWED BY THE ROYALTON BOROUGH ENGINEER THIS _____
DAY OF _____ 19 ____

BOROUGH ENGINEER _____

THIS PLAN RECOMMENDED FOR APPROVAL BY THE ROYALTON BOROUGH
PLANNING COMMISSION THIS _____ DAY OF _____ 19 ____

CHAIRMAN _____

SECRETARY _____

THIS PLAN APPROVED BY THE BOROUGH COUNCIL OF ROYALTON BOROUGH
THIS _____ DAY OF _____ 19 ____

PRESIDENT _____

SECRETARY _____

THIS PLAN RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND
FOR DAUPHIN COUNTY THIS _____ DAY OF _____ 19 ____

PLAN BOOK _____ VOLUME _____ PAGE _____

EXHIBIT III
SAMPLE TIME EXTENSION AGREEMENT
ROYALTON BOROUGH

AGREEMENT TO EXTEND THE TIME FOR RENDERING
AND COMMUNICATING A DECISION ON CERTAIN
PRELIMINARY AND/OR FINAL SUBDIVISION/LAND DEVELOPMENT PLANS.

This Agreement made the ____ day of _____ 19 __, by and between the Borough Council of the Borough of Royalton, Dauphin County, Pennsylvania, (hereinafter called "Governing Body") and _____ (hereinafter called "Developer").

WHEREAS, the Developer submitted a preliminary/final plan of subdivision/land development for a development known as _____ to the Borough on the ____ day of _____, 19 __; and

WHEREAS, there are certain deficiencies, matters of incompleteness or other similar items by reason of which the Governing Body cannot approve said plan of subdivision/land development as more fully detailed in a letter delivered to Developer by the Governing Body dated the ____ day of _____, 19 __, receipt of which is acknowledged by Developer; and

WHEREAS, the term within which the Governing Body must render a decision approving or disapproving said plan of subdivision/land development pursuant to the provisions of Section 508 of the Pennsylvania Municipalities Planning Code, as amended, expires the ____ day of 19 __; and

WHEREAS, the Developer wishes to have an additional period of time within which to attempt to bring said plan of subdivision/land development into compliance with all applicable Borough

ordinances and regulations;

NOW THEREFORE, in consideration of the above recitals and the covenants hereinafter contained. The parties hereto agree as follows:

1. Developer hereby agrees to an extension of the time within which the Governing Body must render a decision and communicate its decision relative to the above-mentioned plan of subdivision/land development to the Developer which extended time period shall expire the ____ day of _____ 19 ____.

2. In consideration of the extension of time granted by Developer, the Governing Body agrees that it will not disapprove the plan of subdivision/land development submitted as aforesaid at this time as it would otherwise be bound to do; rather, the Governing Body agrees to consider the plan of subdivision/land development with such changes and corrections as the Developer shall make and to render a decision within the time as extended by this Agreement.

IN WITNESS WHEREOF, the parties intending to be legally bound have hereunto set their hands and seals the day and year first above written.

WITNESS:

Developer

Developer

Accepted by Royalton Borough

BY: _____
Borough/Secretary

EXHIBIT IV
SAMPLE IRREVOCABLE LETTER OF CREDIT

Borough of Royalton
Blvd and Dock Streets
Royalton, PA 17057

IRREVOCABLE LETTER OF CREDIT NO. _____

At the request of _____, we hereby authorize the Borough of Royalton, Dauphin County, to draw on _____ up to an aggregate amount of _____ U.S. Dollars available by your drafts at sight accompanied by your written certification for the failure of _____ to complete improvements as required by the subdivision/land development plan of _____, dated _____, 19 ____, and any related agreements between _____, and the Borough of Royalton, particularly the Agreement to Establish Security, dated _____, 19 ____.

Such certification must enumerate the amount payable to you from the account of _____. All drafts so drawn must be marked drawn under our credit number _____.

It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for one year from the expiration date provided hereinafter unless thirty (30) days prior to such expiration date we shall notify you in writing by registered mail that we elect not to consider this Letter of Credit renewed for any such additional period. Upon receipt by you of such notice, you may draw hereunder, without having incurred liability by reason of the failure of _____ to construct and install the improvements as required by the above identified plans, profiles and agreements, by means of your drafts on us, at sight, accompanied by your written certification that certain installation and construction work remains to be completed and the proceeds of your drafts will be retained and used by you to make any payments which you might thereafter be _____ to complete the construction and installation of said improvements, and further, that you will refund to us the amount paid, less any amounts which may have been paid by you for the construction and installation of said uncompleted improvements.

We engage with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored on or before _____ or any automatically extended date, as herein before set forth. We confirm the credit and hereby undertake that all drafts, presented as above specified, will be duly honored by us.

We specifically agree that your drafts will be honored regardless of any objection made by _____ or any third party, even if said objections indicate that all the required improvements have been completed. In the event we refuse and fail to honor your drafts in violation of the foregoing we will be responsible for reasonable attorney fees incurred by you in enforcing your right to payment under the terms hereof. It shall be the responsibility of _____ to resolve any disputes with the Borough of Royalton and payments on drafts will not be withheld as a result of any such disputes.

Very truly yours,

By _____
President or Vice President

ATTEST:

Secretary or Assistant Secretary

The Developer is aware of the contents of this letter of credit, understands the same, and agrees that the issuance of the same, subject to the conditions contained herein, effectively eliminates any right to object to payment of said drafts, although Developer retains all rights to take any legal or equitable action against the Borough of Royalton to recover the proceeds of said drafts so honored, to the extent that the Borough of Royalton is determined to be not entitled to the same, and/or has not refunded the same to _____.

By _____
President/Partner

EXHIBIT V
SAMPLE SECURITY AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 19____, by and between _____, hereinafter referred to as "DEVELOPER", and THE BOROUGH OF ROYALTON, Dauphin County, Pennsylvania, hereinafter called "BOROUGH".

WHEREAS, Section _____ of Ordinance _____ provides as a prerequisite to receiving authorization to proceed to construct required improvements, the developer shall deposit with the Borough cash, a corporate bond or other security acceptable to the Borough in an amount sufficient to cover at least one hundred ten (110%) percent of the costs of construction of the subject improvements which amount shall be approved by the Borough engineers in writing prior to submission of the letter of credit, and which may be required and for such period of time as the Borough determines reasonable.

WHEREAS, the Developer has submitted final design plans a preliminary and final subdivision/land development plan known as _____ to the Borough which plan has been approved contingent upon the Developer's depositing security acceptable to the Borough to guarantee the installation of improvements shown thereon.

NOW, THEREFORE, it is hereby agreed between the Developer and the Borough as follows:

1, The owners, at their sole expense, will construct and install the improvements required by the final design plans for the preliminary and final subdivision/land development plan of the development known as _____ and by accompanying engineering drawings identified as follows:

2. Said improvements shall be constructed and installed by _____. Time of the completion of the said improvements shall be of the essence unless extended by mutual agreement of the parties in writing.

3. The Borough engineers, after submission of the developer's plans and information, have determined that the amount of sufficient security for the construction and installation of said improvements shall be _____ Dollars, determined as follows:

4. Upon execution of this Agreement the developer shall deposit with the Borough an irrevocable letter of credit in the amount of at least _____ having an expiration date of no earlier than _____. Said irrevocable letter of credit shall be issued by a suitable banking institution acceptable to the Borough, shall refer to the within Agreement and otherwise shall be acceptable to the Borough and in a form generally as that attached hereto and marked Exhibit "IV".

5. Immediately after execution of this Agreement and receipt by the Borough of the letter of credit, the Borough shall authorize the developer to proceed with the construction of the improvements provided the developer complies with the requirements of all other pertinent Borough Ordinances.

6. Upon completion of the improvements in accordance with the procedure of Section 510 of the Pennsylvania Municipalities Planning Code, as amended and supplemented, and with the provisions of Ordinance _____, the Borough shall release said security.

7. Prior to acceptance of the improvements by the Borough, the developer shall post a maintenance bond or letter of credit in favor of the Borough. This guarantee shall be in an amount not less than 15% of the original improvement guarantee and shall bear a term of 18 months. At the end of the 18 month period, the Borough Engineer or his designated representative shall inspect the improvements to ascertain their condition prior to release of the maintenance guarantee. If any repairs are deemed necessary at this time, as a result of this inspection, the developer shall make all required repairs as soon as possible. In the event the

developer refuses to make the repairs or is financially unable to do so, the Borough shall invoke the provisions of the maintenance guarantee and use the proceeds thereof to complete the repairs.

IN WITNESS WHEREOF, the parties aforesaid have hereunto set their hands and seals the day and year first above written.

WITNESS:

By: _____

BOROUGH COUNCIL
BOROUGH OF ROYALTON
DAUPHIN COUNTY,
PENNSYLVANIA

By: _____

President or Vice President
Developer

ATTEST:

Secretary or Assistant Secretary