

**Clinton Township Subdivision and Land Development Ordinance
Table of Contents**

	<u>Page</u>
Section One–Title, Purpose, Jurisdiction, and Applications	1
1.01 Title	1
1.02 Purpose	1
1.03 Jurisdiction	1
1.04 Application of Regulations	2
1.05 Validity	2
Section Two– Definitions	3
Section 2.01 Definitions	3
Section Three– Plan Format	
3.01 Ultimate Layout	9
3.02 Restrictions	9
3.03 Layout Requirements	9
3.04 Subdivision of Ten Lots or Less	9
3.05 Required Information on Preliminary Plans	9
3.06 Required Information on Final Plans	11
3.07 Required Documents For Final Plan Approval	12
3.08 Completion of Improvements or Guarantee	13
3.09 Release from Improvement Bond	14
3.10 Traffic Impact Studies	15
Section Four–General and Specific Requirements for Subdivision and Land Development	
4.01 Application of Standards	20
4.02 Land Requirements	20
4.03 Easements for Public Service Utilities for Drainage Ways	20
4.04 Street Lighting	21
4.05 Restrictions	21
4.06 Street Design Requirements	21
4.07 Lot and Block Requirements	25
4.08 Erosion and Sedimentation Control	26
4.09 Public Sites and Open Spaces (dedication of land or fees in lieu)	26
Section Five– Required Improvements	
5.01 General	29
5.02 Survey and Property Lines	29
5.03 Monuments and Markers	29
5.04 Streets	29
5.05 Curbs and Gutters	30
5.06 Sidewalks	30
5.07 Sanitary Sewer Systems	30
5.08 Water Supply and Hydrants	31
5.09 Storm Drainage	31
5.10 Street Name Signs	32
5.11 Street Trees	32
5.12 Filing Plans and Profiles	32

Section Six– Alternative Land Development Types: Mobile Home Parks	35
6.01 Grant of Approval	35
6.02 Site Plan Approval by Clinton Township Planning Commission	35
6.03 Building Permits	35
6.04 Mobilehome Placement Permit	35
6.05 Environmental, Open Space, and Access Requirements	35
6.06 Water Supply	37
6.07 Sewage Disposal	38
6.08 Electrical System Distribution	39
6.09 Service Buildings and Other Community Service Facilities	39
6.10 Solid Waste Disposal	39
6.11 Insect and Rodent Control	40
6.12 Fuel Supply and Storage	40
6.13 Fire Protection	40
6.14 Responsibility of Management	41
6.15 Removal of Mobile Homes	41
6.16 Violations	41
Section Seven– Procedure for Submission	43
7.01 Preliminary Plan	43
7.02 Final Plan	44
7.02 Recording of Plan	45
Section Eight– Administration	
8.01 Modifications	46
8.02 Amendments	46
8.03 Preventive Remedies	47
8.04 Enforcement	47
8.05 Schedule of Fees	48
8.06 Repealer of Conflicting Ordinances	48

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
CLINTON TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA**

SECTION I

TITLE, PURPOSE, JURISDICTION AND APPLICATIONS

1.01 TITLE

This Ordinance shall be known and may be cited as the
"Clinton Township Subdivision and Land Development Ordinance."

100.2 AUTHORITY

In accordance with the authority granted to Clinton Township, Butler County, through the Pennsylvania Municipalities Planning Code (Act 247, as reenacted and amended), through Section 501 of the Pennsylvania Municipalities Planning Code, this Ordinance is intended to: exercise the powers delegated to the Township for the review and approval of subdivision and land developments and establishment of standards for various public and private improvements.

1.02 PURPOSE

The purposes of the Subdivision and Land Development Ordinance are:

- A. To provide the public with the assurance that necessary public facilities will be provided in the new subdivision and land development, in an amount and size commensurate with the size of the land development and the land uses to which the land will be allocated in conformity with the Clinton Township Zoning Ordinance.
- B. To provide the public with the assurance that lot sizes, land uses, streets and street extensions will be in conformance with the provisions of the Multimunicipal Comprehensive Plan for Clinton Township; prepared in cooperation with Buffalo Township
- C. To provide the public with the assurance that future plats, subdivision, or dedications will be improved with an established public policy;
- D. To provide the public with the assurance that land which is subject to flooding shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace;
- E. To provide the public with the assurance that soil, water and related natural resources will be protected;
- F. To provide the public with the assurance that conditions will be created favorable to the health, safety, morals and general welfare of the public.
- G. To implement the Clinton/Buffalo Townships Multimunicipal Comprehensive Plan.

1.03 JURISDICTION

The Board of Supervisors shall have final authority and control over the subdivision of land and land development, located within the Township limits after receiving recommendations from the Township Planning Commission. All subdivision and land development plans shall be first submitted to the Township and County Planning Commission for review and recommendations.

Approval signatures shall be affixed to the original final plan to be recorded first by the Township Planning Commission, second by the Board of Supervisors, and third by the County Planning Commission. No plan shall be recorded until all three bodies have signed the original plan.

1.04 APPLICATION OF REGULATIONS

The provisions of the Clinton Township Subdivision and Land Development Ordinance shall apply to and control all subdivisions and land developments whose plans have not been recorded in the Office of the Recorder of Deeds in and for Butler County, Pennsylvania, prior to the effective date of this Ordinance.

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

1.05 VALIDITY

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION II

DEFINITIONS

2.01 DEFINITIONS

For the purpose of this Ordinance, certain terms or words used herein shall be interpreted as follows:

The word **PERSON** includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular; the word **SHALL** is mandatory, the word **MAY** is permissive; the words **USED** or **OCCUPIED** include the words INTENDED, DESIGNED, or ARRANGED TO BE USED OR OCCUPIED; the word **LOT** includes the words PLOT or PARCEL, and the particular shall control the general.

ACCESSORY BUILDING OR ACCESSORY USE: Building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such principal building or use. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building. An accessory use includes, but is not limited to the following:

- Children's playhouse, garden house, or private greenhouse
- Civil defense shelter serving not more than two families
- Garage, shed, or building for domestic storage
- Incinerator incidental to residential use
- Storage of merchandise normally carried in stock on the same lot with any commercial use unless such storage is excluded by the zoning district regulations
- Storage of goods used in or produced by manufacturing activities, on the same lot or parcel of ground with such activities, unless such is excluded by the district regulations
- Off-street motor vehicle parking area
- Loading and unloading facility
- Home occupation
- Fence
- Sign
- Agricultural buildings and structures, including fences for livestock containment, storage of grain hay or silage, and shelters for livestock or machinery

APPLICANT: A landowner or developer who has filed an application for development, including his or her heirs, successors and assigns.

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

BLOCK: A parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage, or a combination thereof.

BUFFER AREA: A strip of land which is planted and maintained in shrubs, bushes, trees, grass, or other landscape material and within which no structure is permitted except a wall or fence.

BUILDING: A structure having a roof supported by columns or walls, for the shelter of persons, animals, chattels, or property. When separated by walls which are common with the walls of adjoining dwelling, each portion of such structure shall be considered a separate building.

BUILDING LINE: The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include walks, steps, or terraces.

CARTWAY: That portion of the street right-of-way surfaced for vehicular use. Width is determined from face of curb to face of curb, or from one edge of driving surface to the other edge of driving surface.

COMMUNITY SEWERAGE SYSTEM: A system, whether publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of such sewerage or industrial wasters serving three or more individual lots.

COMPREHENSIVE PLAN: The adopted comprehensive plan of the Township, as defined, prepared, and adopted pursuant to the Pennsylvania Municipalities Planning Code.

CUL-DE-SAC: A short street having one end open to traffic and being terminated at the other end by a vehicular turnaround.

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

DEDICATION: The deliberate appropriation of land by its owner for any general or public use, reserving unto himself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been appropriated.

DEPARTMENT OF ENVIRONMENTAL PROTECTION: The Pennsylvania Department of Environmental Protection included use of the acronym PA DEP or DEP, or its predecessor the Pennsylvania Department of Environmental Resources, or its acronym PA DER or DER, includes any state regulatory agency which is the designated successor to the Pennsylvania Department of Environmental Protection.

DEVELOPER: An individual, firm, association, syndicate, partnership, corporation, trust or legal agent thereof, being a landowner, agent of such landowner or a tenant with the written permission of such landowner, who makes or causes to be made a subdivision of land or a land development on the land he or it owns or on which he or it has an equitable interest.

DEVELOPMENT PLAN: All the provisions for development, including written and graphic materials, as required by this ordinance, to clearly show all aspects of a proposed subdivision or development plan.

DWELLING, ONE FAMILY; A detached building designed for or occupied exclusively by one family.

EASEMENT: A grant by a property owner to specific persons or to the public of the right to use that property for a specific purpose, such as utilities and drainage.

ENGINEER, TOWNSHIP: An individual who is licensed by the Commonwealth of Pennsylvania to practice engineering and who is retained by the Township to represent it in the review of proposed plans, inspection of public improvements under construction, and the preparation of reports and recommendations thereon.

EROSION: The natural process by which the surface of the land is worn away by the action of water, wind or chemical action.

EROSION AND SEDIMENTATION CONTROL PLAN: A plan setting forth the methods to prevent

accelerated erosion and sedimentation resulting from earthmoving activities including, but not limited to, excavations, embankments, land development, subdivision development, and the moving, depositing or storing of soil, rock or earth.

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 and shall include the conditions resulting therefrom.

FILL: Any act by which earth, sand, gravel, rock or any other similar 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.

FLOODPLAIN: The area along a natural watercourse which is periodically overflowed by water from the watercourse, and mapped as 100-year floodplains by the Federal Emergency Management Agency National Flood Insurance Maps, and being so designated in The Clinton Township Zoning Ordinance.

FOUNDATION, PERMANENT: Continuous masonry foundation built of concrete, brick, stone or cement block, bonded tightly together with no open spaces except for adequate ventilation, and extending below the average frost levels [at least twenty-four inches (24") below ground level].

HEALTH AUTHORITY: The legally designated health authority of Pennsylvania (Pennsylvania Department of Environmental Protection).

IMPROVEMENTS: Those physical changes to the land necessary to produce usable and desirable land from acreage including but not limited to grading, paving, curb, gutter, storm sewers and drains, improvements to existing watercourses, sidewalks, street signs, crosswalks, shade trees, sodding or seeding, monuments, water supply facilities, and sewerage disposal facilities.

LAND DEVELOPMENT: Land development includes any of the following

- (a) A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively,
- (b) A single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
- (c) 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; or
- (d) A subdivision of land;

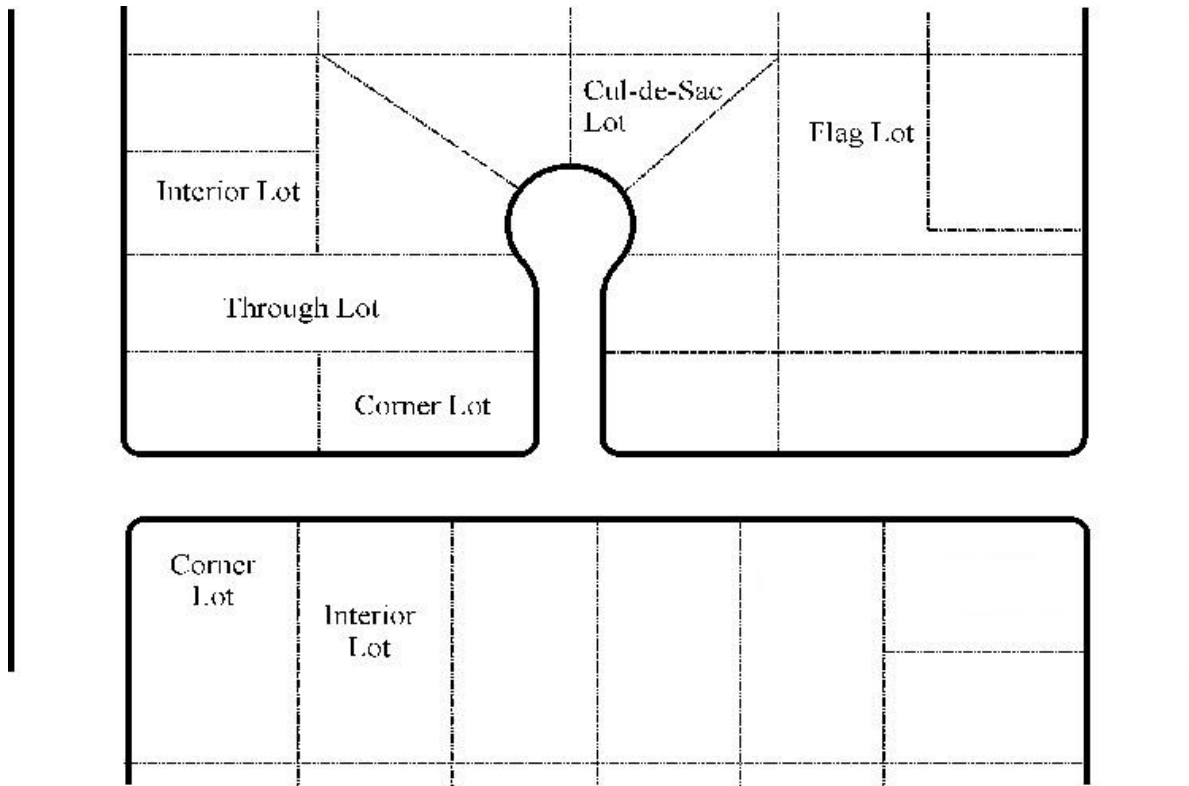
Pursuant to permissible exclusions in the Pennsylvania Municipalities Planning Code, land development in Clinton Township does not including the addition of accessory buildings, including farm buildings, on a lot or lots subordinate to an existing principal building. However, exemption from land development requirements does not exempt any developer from meeting all relevant requirements of the Clinton Township Zoning Ordinance.

LANDOWNER: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (even if a conditional contract), 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.

LOT: A designated parcel, tract or area of land established by an approved and recorded plan, abutting a public street or having access to a public street over an approved easement, and enclosed by a boundary

described by precise bearings and distances that closes on itself. A non-buildable lot is one that represents land severed from a larger lot for expansion of a neighboring lot when such non-buildable lot lacks adequate area and/or width to meet minimum standards established in the Township Zoning Ordinance.

LOT TYPES: The following diagram illustrates terminology used in these regulations with reference to corner lots, interior lots, cul-de-sac lots and through lots:



- a. Corner Lot: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet an interior angle of less than one hundred thirty-five degrees (135°). For the purposes of this Ordinance and the Clinton Township Zoning Ordinance, a corner lot shall maintain a front yard on all sides that abut a public street. All other lot lines shall be regarded as side yard lines.
- b. Cul-De-Sac Lot: A lot that fronts on the circular turning portion of a cul-de-sac street. For the purposes of this ordinance, and the Clinton Township Zoning Ordinance, the minimum frontage of a cul-de-sac lot shall be measured at the setback line.
- c. Interior Lot: A lot other than a corner lot with only one frontage on a street other than an alley.
- d. Through Lot: A lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as double frontage lots. See diagram.
- e. Flag Lot: A lot which has a minimum of fifty-foot (50') frontage on a public road that provides a strip of land that is owned access to the main part of the lot. The access strip shall be a part of that lot but shall not be used in computing the minimum lot area.

MOBILE HOME: A transportable single family dwelling intended for permanent occupancy, contained in

one unit, or in two (2) or more units designed to be joined into one integral unit capable of 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.

MOBILE HOME LOT: A leased parcel of land in a mobile home park, provided with the necessary utility connections and other improvements as required by this Ordinance, for the placement thereon of a single mobile home.

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been improved so that it contains two (2) or more mobile home lots for lease and the placement thereon of mobile homes.

PARKING LOT: Any lot, parcel, or yard used in whole or part for the storage or parking of two or more vehicles where such usage is not incidental to or in conjunction with a one-family or two-family dwelling.

PARKING SPACE: An off-street space available for the parking of one motor vehicle and having an area of space as required by the Clinton Township Zoning Ordinance, exclusive of passageways and driveways appurtenant thereto and giving access thereto and having direct access to the street or alley.

PLANNING COMMISSION: The Planning Commission of Clinton Township.

PLAT (PLAN) FINAL: "Final Plat or Plan" means a complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights, streets and all other improvements.

PLAT (PLAN) PRELIMINARY: "Preliminary Plat or Plan" means a tentative subdivision plan, in lesser detail than a final plan, showing approximate street and lot layout as a basis for consideration prior to preparation of a final plan.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code.

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks in a newspaper with general circulation in the Township. Such notice shall state the date, 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 before, and the second publication shall not be less than seven (7) days before the date of the hearing. The Board may post the development property in question.

RIGHT-OF-WAY: Land reserved for use as a street, alley, interior walk, utility or for other public purposes.

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

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

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 PERCOLATION TEST: A method of determining the ability of soil to absorb moisture under certain conditions. It is used to measure the amount of water assimilated by the soil in inches of drop per time interval, and indicates the problems that will occur in utilization of on-lot sewage disposal.

SOIL STABILIZATION: The chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise insure its resistance to erosion, sliding or other movement.

STREET: An avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used by vehicular traffic or pedestrian traffic whether public or private. Classes of streets are as follows:

- a. Major traffic streets are those serving large volumes of comparatively high-speed and long-distance traffic;
- b. Collector streets are those which, in addition to giving access to abutting properties, intercept minor streets and provide routes, carrying considerable volumes of traffic, to community facilities and to major traffic streets;
- c. Local streets are those used primarily to provide access to abutting properties;
- d. Marginal access streets are minor streets, parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersections with and access on the major traffic streets.

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

SUBDIVISION: The division or re-division of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other subdivisions 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. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling shall be exempted and not considered a subdivision for the purposes of this Ordinance. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after the other lots have been subdivided therefrom.

SWALE: A low-lying stretch of land which gathers or carries surface water runoff.

TOPSOIL: Surface soil and sub-surface soil which presumably is fertile soil and soil material ordinarily rich in organic matter or humus debris.

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

SECTION III

PLAN FORMAT

For any subdivision or land development project, requiring approval or review of the Clinton Township Planning Commission, plans shall be submitted to the Clinton Township Planning Commission and be in conformity with the regulations as set forth in this Section. Any and all plans, drawings, data, specifications, tabulations that are supplementary to a plan submission shall be considered as an integral part of the submission.

3.01 ULTIMATE LAYOUT

The submitted plan shall show the ultimate layout proposed for development to be considered by the Planning Commission for review and approval, and if ultimately reviewed and/or approved, for legal recording as thus shown.

3.02 RESTRICTIONS

All restrictions affecting the use of property within the submitted proposal shall be detailed upon the plan.

3.03 LAYOUT REQUIREMENTS

In the preparation of final plans to be submitted to the Clinton Township Planning Commission for review, the following specifications and techniques shall be required:

- A. All plans shall be drawn on sheets no larger than twenty-four inches by thirty-six inches (24" x 36") and may be of smaller size if pertinent scale can be shown to adequately represent the pertinent features of the plan.
- B. A proposed subdivision or land development site plan shall be drawn at a scale no smaller than one hundred (100) feet to one (1) inch (or such scale as sufficient to illustrate pertinent land features and acceptable to the Township)
- C. All plans shall have the title placed in the lower right-hand corner of the drawing.

3.04 SUBDIVISION OR DEVELOPMENT OF 10 LOTS OR LESS

Plans and data involving subdivision or land development of ten (10) lots or less with no street construction or changes in existing streets, private roads or easement of access, may be excused from the requirements for submission of a preliminary plan. The developer shall, however, comply with the requirements for submission of a final plan.

3.05 REQUIRED INFORMATION ON PRELIMINARY PLANS

All plans, drawings, data specifications, etc., that are submitted to the Clinton Township Planning Commission for review and approval shall be in conformance with the following specifications, submitted in duplicate, and shall include, but not be limited, to the following:

- A. The title under which the subdivision or land development is to be recorded.
- B. The date of the plan, the graphic scale and the north point.
- C. The location of the plan by name of township road.

- D. The name and address of the owner of the subdivision or land development, or of his agent, if any, and of the subdivider or developer.
- E. The name and address of the engineer or surveyor together with his registration number and seal attached.
- F. Contours of vertical intervals of two (2) feet for land with average natural slope of eight percent (8%) or less, and at vertical intervals of five (5) feet for more steeply sloping land.
- G. Adequate information regarding the reference data used for elevations.
- H. Proposed grading showing existing contours to remain, contours to be altered and new contours at two- (2) foot intervals.
- I. The total acreage of the plan.
- J. The plot and property lines of the proposed plan to include their courses and distances and the interior angles of their intersections with the boundary lines of adjacent property.
- K. The property lines of adjacent property whether laid out as subdivisions or not, with the names of owners of such property.
- L. The names and dimensional data of proposed streets, roads, or other ways which are, or will become, extensions of already established streets, roads or other ways which are required to be shown. New street names within the Township shall not duplicate or closely approximate existing street names.
- M. The layout and dimensional data for all streets, roads or other ways, and buildings adjacent to or abutting the plan within two hundred (200) feet of the proposed development boundaries.
- N. The utilities on, or proposed for, and within two hundred (200) feet of the development showing the locations, size and appropriate elevations for sanitary and storm sewers, and water mains, gas mains, hydrants, power and telephone lines, sewage lift stations, sewage disposal plants, water wells and storage facilities. Points of connection with existing utilities shall also be shown where applicable.
- O. If on-lot sewage disposal (septic tank) is to be utilized in the development, the developer shall submit soil percolation tests certified by the municipal sewage enforcement officer or by the Department of Environmental Protection, conducted in accordance with the provisions of the Pennsylvania Sewage Facilities Act, Rules and Regulations.
- P. The approximate location, dimensions, and area of all property to be reserved for public use or for use by the property owners in the development, such as parks and recreations areas.
- Q. The location, dimensions and purpose of all proposed easements.
- R. The proposed plan for storm drainage systems including location of storm sewers, culverts, inlets, easements, diversion terraces, sedimentation basins, etc., and a determination of the amount of runoff from the project area and the upstream watershed area.
- S. If required by current regulations of the Pennsylvania DEP, wetland areas shall be identified as to location and perimeter, and means to protect and maintain them described.
- T. The location of prominent topographic features such as streams, drainage channels, floodplains, wooded areas, and other pertinent features that may influence the design. Wooded areas and

clusters of trees of at least twelve (12) inches diameter at breast height shall be specifically noted to meet requirements of Section 4.02

- U. The dimensioning of individual lots within the proposed plan shall be in sufficient detail so as to enable the preparation of a complete description and drawing thereof.
- V. Specification of ZONING DISTRICT on the tract of the development and contiguous tracts; identification of any VARIANCES obtained from zoning regulations.
- W. Where multi-family development or multi-tenant buildings are proposed, the locations of these buildings shall be indicated showing height of each, number of dwelling units or separate tenancy in each, minimum distances between buildings and between buildings and road rights-of-way, and proposed parking areas and number of spaces.
- X. A separate street profile may be required for each established and proposed street, road or other way, showing elevations along the center line within the plan and at a distance of two hundred (200) feet beyond the plan.
- Y. A general location map shall be submitted with the preliminary plan and shall be drawn at a scale large enough to show the location of the proposed development within the municipality and its relationship to the existing community facilities, such as main traffic arteries, and public water or sewer lines.

3.06 REQUIRED INFORMATION ON FINAL PLANS

All plans, drawings, data specifications, etc., that are submitted to the Clinton Township Planning Commission for final review and approval shall be in conformance with the following specifications and shall include but not be limited to, the following:

- A. Title block in the lower right hand corner of each sheet containing the name of the subdivision or land development plan, graphic scale, date, name and address of the owner of land and developer, if different, and the name and address of professional engineer or surveyor who prepared the plan.
- B. Certificates and acknowledgments (see Section IX).
- C. North point.
- D. Block and lot numbers (in consecutive **numerical** order), dimensions by bearings and distances of all property lines and lot lines, area of each parcel, and total number of lots and acreage of whole development.
- E. Accurate boundary lines, with dimensions and bearings which provide a survey of the tract, closing with an error of not more than one foot in ten thousand feet.
- F. Street right-of-way lines, street names, and pedestrian ways.
- G. Accurate dimensions by bearing and distances of all street right-of-way lines as well as all curve data, deflection angles, lengths of arcs, points of tangent and deflection and angles of all corners.
- H. Street centerlines with accurate dimensions in feet and hundredths of feet, with bearings of such street centerlines.
- I. Location of all permanent existing and proposed monuments and lot markers.

- J. Accurate dimensions of existing public land, and of any property to be dedicated or reserved for public, semi-public or community use, and all areas to which title is reserved by owner.
- K. Easements of utilities and any limitations on such easements.
- L. Widths of all rights-of-ways, streets and easements.
- M. *Building setback lines*, FRONT, SIDE and REAR, not less than the minimum as fixed by the applicable zoning ordinance, or by these regulations, or by public authority or by deed restrictions, whichever is greater.
- N. Names of owners of un-plotted adjacent property and names of adjacent lot plans or development plans depicting the ZONING CLASSIFICATION of each *adjacent property or properties*.
- O. The Planning Commission may require the submission of the following maps at the same scale as the final plan:
 1. Map showing the sewage disposal.
 2. Map showing the water supply system.
 3. Map showing the location of gas lines, electric distribution lines, telephone lines and street lights.
 4. Map showing the design and development of recreation facilities.
 5. Map showing the location and design of group parking areas.
 6. Map showing the location of street trees, plantings, ground cover or ground surface treatment to be undertaken by the developer.
 7. Map showing the grading and storm drainage plan.
 8. Map showing edge of the one hundred (100) year floodplain, as designated by maps prepared by the Federal Emergency Management Agency (FEMA).

3.07 REQUIRED DOCUMENTS FOR FINAL PLAN APPROVAL

Before final approval can be granted to the developer, he shall present to the Clinton Township Planning Commission the following documents:

- A. Letter from the public provider of sewage disposal stating it can serve the development; or if on-lot sewage disposal is to be utilized, the developer shall submit soil percolation tests certified by the municipal sewage enforcement officer or by the Pennsylvania Department of Environmental Resources, conducted in accordance with the provisions of the Pennsylvania Sewage Facilities Act, Rules and Regulations.
- B. A review of the sedimentation and erosion control plan may be required from either the Pennsylvania Department of Environmental Protection or the Butler County Soil Conservation District.
- C. A copy of any covenants and/or rights of easement in the form in which they will be filed as legal documents.

- D. Highway occupancy permits issued by either PennDOT, if access is to a State-maintained road, or the Township, if access is to a Township road. This is to assure that there is a location for a “clear site triangle” and that the terrain does not create a hazardous condition by location of the driveway. The location may be moved by the lot owner with the permission of the proper authority prior to applying for a building permit.
- E. If water is to be provided by means other than by private wells owned and maintained by individual owners of lots within the plan, applicant shall present evidence to the Board of Supervisors that the plan is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility.
- F. Stormwater management plan in accordance with Clinton Township Ordinance Number 90.01.

3.08 COMPLETION OF IMPROVEMENTS OR GUARANTEE

- A. Landowner's Options: In lieu of completing all improvements within his plan as required by the standards of this Ordinance prior to final plan approval, the landowner shall provide for the deposit with the Township of financial security in an amount sufficient to cover the costs of such improvements and/or common amenities including but not limited to streets, stormwater retention and drainage, recreational facilities, open space improvements and buffer or screen plantings which may be required by this Ordinance.
- B. Financial Security: The financial security shall be posted with a bonding company or chartered lending institution chosen by the party posting the security and approved by the Township Solicitor. In lieu of a bond, the party posting the security may provide, if agreeable to the Board of Supervisors, an irrevocable letter of credit, or an escrow account payable to the benefit of the Township. The security shall provide for and secure to the public the completion of all improvements contained in the final plan approval documents on or before the date for completion agreed to by the landowner and Board of Supervisors. The amount of financial security shall be equal to one hundred ten percent (110%) of the cost to complete, based on estimates provided by the developer's professional engineer, and shall reflect values as of ninety (90) days after the projected completion date. If more than one (1) year is required for completion, the amount of the security may be increased by ten percent (10%) for the second and every year thereafter required by the landowner to install improvements still not completed at the end of each year.
- C. Disagreements Over Amount of Security: Even though the developer's engineer shall certify that his cost estimate establishing the value of the financial security is fair and reasonable, the Township, upon recommendation of its professional engineer, may challenge the estimate with one of its own. If the sides cannot agree on a compromise figure, they shall jointly select a third professional engineer who shall prepare an estimate of costs which shall be presumed fair and reasonable. The third engineer's fees shall be paid jointly by the landowner or developer and the Township.
- D. Partial Release of Security: As the work of installing improvements proceeds, the party posting the security may request the Board of Supervisors to approve release of portions of the financial security in order to pay contractors employed on the work. Such requests shall be in writing. The Board shall have forty-five (45) days from receipt of the request to authorize the Township engineer to certify in writing to the Board that the work covered by the portion of the security to be released has been completed in accordance with the approved plan, and that the amount to be released fairly represents the value of the improvements completed. Upon receiving the engineer's certification, the Board shall authorize the bonding or lending institution to release the requested amount. The Township engineer may refuse to certify or certify a lesser amount than requested based on his evaluation but shall report these circumstances to the Board in writing. If the Board fails to act and to inform the landowner within the forty-five (45) day period, the requested release shall be deemed to be approved. The total of all requested and approved

partial releases from financial security shall not exceed ninety percent (90%) of the value of the security.

- E. Public Utility Improvements: If water lines or sanitary sewer lines or any appurtenances thereto are to be installed for later dedication to a public utility or municipal authority separate and distinct from the Township, financial security shall be posted in accordance with the regulations of the utility or authority and shall not be included within the financial security for the other improvements.
- F. Conditional Approval: In order to facilitate financing, the landowner or developer may request the Board of Supervisors to provide a signed copy of a resolution indicating approval of the final plan contingent upon obtaining satisfactory financial security. The final plan shall not be signed or recorded until the financial improvements agreement is executed. The resolution shall expire in ninety (90) days from the date it is signed unless the Board grants a written extension.
- G. Effect of Financial Security on Permits: The Township shall not refuse or condition permits for buildings or site improvements, or refuse occupancy permits for buildings because actual completion of improvements covered by the financial security has not yet occurred.
- H. Maintenance Bond: If the Board of Supervisors accepts dedication of any or all of the bonded improvements upon completion, the Board may require the posting of financial security to guarantee structural integrity and functioning of the improvements for a period not to exceed eighteen (18) months from the date of acceptance and for an amount not to exceed fifteen percent (15%) of the cost of installation.

3.09 RELEASE FROM IMPROVEMENT BOND

- A. Completion of Improvements: When the developer has completed all of the secured improvements, he shall so notify the Board of Supervisors in writing by certified mail, with a copy sent to the Township engineer. Within ten (10) days after receipt of the notice, the Board shall authorize the engineer to inspect the improvements and to file a report in writing with the Board. At the same time he shall send a copy of the report by certified mail to the developer within thirty (30) days of receipt of his authorization to proceed.
- B. Report and Decision: The Township engineer's report shall be detailed and shall indicate approval or rejection of each improvement in whole or in part. When an improvement of part thereof is rejected, the report shall contain a statement of reasons for each rejection. The Board of Supervisors shall review the engineer's report and within fifteen (15) days of receipt shall inform the developer by certified mail of its approval or rejection. Failure of the Board or engineer to comply with the time limitations shall result in the improvements being deemed approved and the developer shall be released from liability under the terms of the financial security. If any or all improvements are rejected, the developer shall rebuild or otherwise complete them and then shall again notify the Board, following the procedures outlined above.
- C. Municipal Reimbursement for Expenses: The Board of Supervisors may require the developer to reimburse the Township for the reasonable and necessary costs for inspection of improvements. Such reimbursement shall be based upon a schedule established by resolution of the Board in accordance with the ordinary and customary fees charged by the engineer. If the developer disputes the fees when they are billed to him, the Board and developer shall meet to resolve the issue. If, within twenty (20) days from the date of billing, an agreement cannot be reached, the two parties shall jointly appoint an independent professional engineer to review the expenses, and supporting evidence and documentation, and to render a decision within fifty (50) days of the billing date. The developer shall pay the entire amount determined in the decision immediately. If the decision is the same or higher than the original bill, the developer shall pay the independent engineer for his review and report. If the decision is less than the original bill by one thousand

dollars (\$1,000.00) or more, the Township shall pay. Otherwise, the two parties shall split the cost.

- D. Exercising the Financial Security: The Board of Supervisors shall enforce the financial security if the developer refuses or is unable to complete the bonded improvements within the agreed upon time limitations. If the financial security is insufficient to complete the work, the Board may institute appropriate legal action to recover monies necessary to finish the uncompleted improvements. All proceeds, whether from exercising the financial security or from legal suits, or both, shall be used only for the installation of improvements covered by the security and for no other municipal purpose.

3.10 TRAFFIC IMPACT STUDIES

A. Purpose

1. To allow the Township to determine the safety and congestion impacts, and related costs, of proposed major traffic-generating uses.
2. To require that applicants respond with reasonable proposals to resolve the negative traffic impacts that their proposed uses will cause on the public.
3. To recognize that sufficient Federal, State, and Township funds are not available to resolve traffic problems caused by private development.
4. To assist in carrying out Sections 503(2)(ii) and 503(3) of the Pennsylvania Municipalities Planning Code.
5. To ensure that streets bordering a subdivision or land development are coordinated and of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection.
6. To ensure that the access into and out of subdivisions and land developments is reasonably safe.

B. Administration

The Township may require a full or abbreviated traffic study as a part of its review process for subdivisions and land developments consistent with the standards of this article.

The full cost of the traffic study shall be borne by the applicant. Any costs associated with professional review of the traffic study by the Township's professional consultants shall also be borne by the applicant. The applicant shall provide the appropriate escrow to ensure the payment of the costs of such traffic study review.

Traffic impact studies shall be prepared by a qualified traffic engineer and/or transportation planner with previous traffic study experience. To be considered as qualified, the engineer or planner shall have completed at least three (3) comparable studies and shall make copies of same, available to the Township. The Township reserves the right to review and approve the qualifications of any proposed consultant.

The Township shall require such onsite traffic improvements to be provided by the applicant, as the Township deems appropriate, in light of the traffic impact study as a specific condition of preliminary plan approval for all land developments and/or subdivisions for which a study has been required. The study shall identify improvements/facilities to be installed or actions to be undertaken by the applicant.

Joint traffic studies between different applicants are acceptable and are strongly encouraged.

C Determination of the Level of Traffic Study Required

The Township, with advice of its own professional consultants, shall make a determination on the level of traffic study required, based upon two factors: the location of the proposed development, and the projected traffic generation of the proposed development.

1. Location Factors: The Township has identified the following as stressed roads and intersections in its comprehensive plan and subsequent studies:
 - a. Stressed Roads:
 - PA Route 228
 - Freeport Street
 - Saxonburg Blvd.
 - b. Stressed Intersections:
 - PA Route 228 and Brewer Road
 - PA Route 228 and Saxonburg Boulevard (Cox's Corner area)
 - PA Route 228 and Coal Hollow Road
 - PA Route 228 and Westminster Road
 - PA Route 228 and Lardintown Road
2. As deemed necessary by changes in information gathering and new land developments, the Township may remove or add new stressed roads and intersections as necessary recommendation of the Planning Commission and resolution by the Township Supervisors.
3. Determination of Peak Hour Trips: As a general guide, the Township shall utilize the second edition of *Transportation and Land Development*, as published by the Institute of Transportation Engineers (ITE), and adapted in the table below for reference. However, the Township may utilize alternative information provided by the developer for more specific land uses, if consistent with the ITE trip generation manual and if consistent with the advice of its professional consultants.

Land Use	50 or More Peak Hour Trips	100 or More Peak Hour Trips
Single-Family Dwellings	45 Dwelling Units	90 Dwelling Units
Apartments	75 Dwelling Units	150 Dwelling Units
Townhouses or Condominiums	90 Dwelling Units	180 Dwelling Units
Mobile Home Parks	90 Dwelling Units	180 Dwelling Units
Retail/Shopping Centers	3,000 Square Feet Gross Floor Area	6,000 Square Feet Gross Floor Area
Convenience Store/Gas Stations	3 Pumps	7 Pumps
Banks With Drive-In	1,000 Square Feet Gross Floor Area	2,000 Square Feet Gross Floor Area
Professional Offices	33,500 Square Feet Gross Floor Area	67,000 Square Feet Gross Floor Area
Medical/Dental Offices	15,000 Square Feet Gross Floor Area	30,000 Square Feet Gross Floor Area
Research and Development/Corporate Offices	35,500 Square Feet Gross Floor Area	71,000 Square Feet Gross Floor Area
Light Industrial/Warehousing Distribution Centers	49,000 Square Feet Gross Floor Area	98,000 Square Feet Gross Floor Area
Heavy Industry	72,750 Square Feet Gross Floor Area	145,500 Square Feet Gross Floor Area

4. Traffic Study Level Requirements: Based upon the location and trip generation characteristics, the Township shall use the following table as a guide for the level of traffic study required.

Trip Generation at Peak Hours	Location Directly Accessing a Stressed Road or Within 800 Feet of a Stressed Intersection	Other Locations
At least 50 trips but less than 100 trips	Full Study	Abbreviated Study
More than 100 trips	Full Study	Full Study

5. The Township may still, at its discretion, require any other subdivision or land development application to be accompanied by an abbreviated traffic impact study. In such circumstances, the Township will notify the applicant within ten (10) days following the Planning Commission's first meeting with the applicant. Such a notification shall specify the reason for the requirement, citing the proposal's particular location or existing problems or type of use (i.e., generation of heavy truck traffic).

D. Abbreviated Study Requirements

- The following abbreviated traffic impact study shall be required as part of the preliminary plan submission. Development of a project in stages, or on a phased basis, will not avoid this requirement. The trips expected to be produced by the ultimate build out of the development will be the basis for such a study. However, even if a development generates less than the required peak hour trips, it is not totally excluded from the adequacy requirements of these guidelines unless site traffic generation is anticipated to be de minimus (less than 5 peak hour trips).
- A written, abbreviated traffic study, where appropriate, and a traffic calming and access management analysis shall be submitted at the time of the preliminary plan application and shall include:

- a. Projected peak A.M., P.M., and/or Saturday traffic volumes of the development
- b. Projected ADT (average daily trips) of the development
- c. Current ADT and peak hour volumes of streets adjacent to any access drives
- d. LOS (level of service) of existing and proposed access drives
- e. Modal split of services (categories of vehicles) entering the site
- f. Proposed sight distances at access drives
- g. Existing and proposed pedestrian paths from streets and within the site to entrances of all buildings.
- h. The study shall identify improvements/facilities to be installed or actions to be undertaken by the applicant to ensure the following:
 - (1) LOS C or higher overall for all new access drives
 - (2) No reduction in the levels of service for existing access drives, except that LOS D shall be permitted during the A.M. and P.M. peak hour. If an applicant cannot meet this requirement, an analysis shall be completed to show that all reasonable options have been considered to create the most efficient access possible.
 - (3) Sight distances for all access drives intersecting with all streets shall meet Township and/or PennDOT requirements, as applicable.

E. Full Traffic Impact Study

- 1. A written, full traffic study, and, where appropriate, traffic calming and access management measures shall be submitted at the time of preliminary plan application. The study area shall include all public streets and intersections within a radius of one thousand six hundred (1,600) feet of an access drive to the site, unless the Township's consulting traffic engineer determines that another study area shall be more appropriate. The full traffic study shall include, at a minimum, the following:
 - a. Current ADT and peak hour volumes of all streets.
 - b. Current LOS of all intersections.
 - c. Projected ADT and peak hour volumes of all streets without the development.
 - d. Projected LOS of all intersections without the development.

- e. Site traffic generation, including projected ADT and peak hour volumes of the development. Development of a project in stages, or on a piecemeal basis, must create a realistic assumption expected to be produced by the ultimate build out of the development.
 - f. Site traffic distribution.
 - g. Site traffic assignment.
 - h. Projected ADT and peak hour volumes of all streets and intersections within the development.
 - i. Projected LOS of all intersections within the development, including all existing and proposed access drives.
 - j. An assessment of the change in roadway operating conditions resulting from the development traffic.
 - k. Modal split of vehicles entering the site.
 - l. Proposed sight distances at access drives.
 - m. Existing and proposed pedestrian paths from streets and within the site to entrances of all buildings.
2. The study shall identify improvements/facilities to be installed or actions to be undertaken by the applicant to ensure the following:
- a. LOS C or higher overall for all new access driveways
 - b. No reduction in the levels of service for existing access driveways, except that LOS D shall be permitted during the A.M. and P.M. peak hour. If an applicant cannot meet this requirement, an analysis shall be completed to show that all reasonable options have been considered to create the most efficient access possible.
 - c. No reduction in the levels of service of intersections within the study area as a result of the development; however, if the intersection already has an LOS, no reduction in the intersection delay shall occur.
 - d. Sight distances for all access drives intersecting with all rights-of-way shall meet Township and/or PennDOT requirements, as applicable.
- F. Implementation: The Township shall review the traffic impact study to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision. The Township's professional consultants shall review the study and submit their review comments to the Township. These review comments shall be part of the Township's official review and approval process. The Supervisors may decide that certain improvements contained on and/or adjacent to the site and within the study area are necessary for land development or subdivision plan approval and may attach these conditions to the approval. If the municipality concludes that additional improvements are necessary, the developer shall have the opportunity to re-submit alternative improvement designs to obtain plan approval.

SECTION IV

GENERAL AND SPECIFIC REQUIREMENTS FOR SUBDIVISION AND LAND DEVELOPMENT

4.01 APPLICATION OF STANDARDS

The following land subdivision principles, standards and requirements shall be applied by the Clinton Township Planning Commission (and Board of Supervisors) in evaluating the plans for proposed subdivisions and land development and shall be considered as minimum requirements. In reviewing plans, the Clinton Township Planning Commission (and Board of Supervisors) may refer the plan to the Butler County Planning Commission for recommendations concerning the adequacy of existing and proposed community facilities to serve the additional dwellings proposed by the development.

Subdividers shall be requested to show that adequate consideration has been given to the provision of adequate rights-of-way and paving on existing streets, and reserving areas and easements for facilities normally required in residential sections, including parks, playgrounds and playfields, schools, libraries, churches, and other public buildings; shopping and local business centers; right-of-way and easements for storm and sanitary sewer facilities in those areas that cannot be immediately joined to the existing storm and sanitary sewer systems of the municipality.

4.02 LAND REQUIREMENTS

Land shall be suited for the purpose for which it is to be developed in accordance with the interest and the purpose of the Township. Land subject to hazards of life, health and safety shall not be subdivided until such hazards have been reviewed or corrected.

Land susceptible to flooding, exceptionally high water table, unstable subsurface conditions, steep or unstable slopes, presence of high voltage or high-pressure overhead or underground utilities, etc., shall not be approved for subdivision or development unless the hazards have been eliminated or unless the proposed plan shows adequate safeguards to protect the proposed use of the land.

Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill unless specifically warranted by terrain or locations.

Whenever possible, applicants shall preserve trees, groves, watercourses, scenic points, historic spots and other community assets and landmarks. All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.

4.03 EASEMENTS FOR PUBLIC SERVICE UTILITIES AND DRAINAGE WAYS

Adequate easements or dedications for public service utilities shall be provided for sewer, water, electric power and gas lines, and similar services; and no structure or obstruction of any kind shall be placed or allowed to be placed where it will interfere in any way with an easement.

No development plan shall be approved or construction commenced unless the public service utility involved has had ample time to review and approve the plan. It is the developer's responsibility to contact and provide the plan of the development to the utility. Exact details of service and easement requirements shall be supplied by the utility.

A. Electric Utilities

1. The developer shall comply with the Pennsylvania Public Utilities Commission (PUC) order of July 8, 1970, which requires the electric service to residential

developments to be placed underground. All subdivisions and land developments in Clinton Township shall comply with this order.

2. The electric utility easement shall be in accordance with the right-of-way specifications set forth by the electric utility which is to serve the development.

B. All telephone lines shall be underground.

C. Natural Gas, Petroleum Products

1. The minimum distance from a natural gas line to a dwelling unit need be only such distance as required by the applicable transmission or distributing company. In general, there shall be a minimum distance of fifty (50) feet, measured in the shortest distance, between each proposed dwelling unit and the center line of any petroleum or petroleum products, or natural gas transmission line which may traverse the subdivision or development. This requirement may be waived or reduced where topographic conditions decrease the hazards involved.
2. The transmission line easement shall be in accordance with the right-of-way specifications set forth by the transmission or distributing company serving the development.

D. Drainage Way: Where a subdivision or development is traversed by a drainage way, water course, channel or stream, there shall be provided a drainage easement conforming substantially with the water line of such drainage way, water course, channel or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities or for the purpose of installing a storm sewer.

4.04 STREET LIGHTING

The developer may cause to have installed in his subdivision or land development, street lights as the development is opened. The developer shall be responsible for the payment for the street lighting installation as determined by the electric utility. The street lighting installation shall conform to accepted engineering safety standards and the available equipment used by the electric utility. Following the sale of the subdivision by the developer, cost of street light becomes the responsibility of the individual property owners, a homeowners association, or a similar entity created for such a purpose.

4.05 RESTRICTIONS

All restrictions affecting the uses of the property shall be detailed upon the plan, unless the same be covered by existing municipality zoning ordinance.

4.06 STREET DESIGN REQUIREMENTS

The design of new streets, or any necessary improvements to abutting streets, shall be consistent with the anticipated daily traffic volume, expressed as Average Daily Traffic (ADT). The developer shall determine ADT by the estimated number of residential lots, estimated dwelling units, or the gross floor area of non-residential land development anticipated. The Township shall review the estimated ADT based upon table 4.06A. At the time of application, or upon conclusion of a traffic study, the developer may furnish alternative estimates of ADT, based upon more specific information (such as more refined traffic studies prepared for similar development and included in Institute of Transportation Engineers publications, or peak hour estimates, or non-residential development peak hour traffic generation based upon Section 3.10 of this Ordinance). In such cases, the Township's professional consultants shall review the traffic impact for consistency with accepted standards.

Table 4.06A

Type of Development	Anticipated Average Daily Traffic (ADT)
Single-Family Residential Lots	10 per lot
Multiple-Family Residential	8 per dwelling unit
General Office Commercial	24 per each 1,000 square feet of gross building floor area
Shopping and Retail	83 per each 1,000 square feet of gross building floor area
Restaurants With Drive-Through Lanes	685 per each 1,000 square feet of gross building floor area
Other Restaurants	97 per each 1,000 square feet of gross building floor area
Convenience Stores and Gasoline Service Stations	756 per each 1,000 square feet of gross building floor area
General Industrial Buildings	7 per each 1,000 square feet of gross building floor area
General Institutional Buildings	79 per each 1,000 square feet of gross building floor area

Upon determining the total traffic impact of the new development, the developer shall determine the street types necessary to adequately serve the proposed development based upon Table 4.06B.

Table 4.06B

Street Type	Average Daily Traffic Impact (ADT)
Cul-De-Sac/Dead-End Street	0-250 ADT Maximum
Local Street	0-1,000 Maximum
Collector Street	1,000-2,999 ADT
Arterial Street	3,000+ ADT

- A. Street Design Standards: Minimum right-of-way widths, paving widths, grading and sight distance shall be in accordance with Table 4.06C:

Table 4.06C

Street Type	Minimum Right-of-Way	Minimum Cartway Width	Minimum Grade	Maximum Grade	Minimum Sight Distance
Collector Street	60	24 feet with shoulder 26 feet if curbed	1%	8%	200'
Local Street/Cul-De-Sac	50	22 Feet with shoulder, 24 feet if curbed	1%	5%	100'
Marginal Access Street	50	22 feet	1%	5%	100'
Arterial	Design of arterial streets shall be determined as a result of a traffic study and prepared in concert with the Pennsylvania Department of Transportation and the Township's professional consultants.				

Where on-street parking is proposed, additional widths shall be required of ten (10) feet for each side of the street upon which parking is proposed.

- B. General Street Design Standards

- Streets shall be extended to the boundaries of the development where such extension will connect to an existing or recorded street in an adjacent subdivision or development,

or represents a logical connection into undeveloped adjacent land because of topography or shape of the adjacent land.

2. Streets shall be logically related to the topography so as to produce usable lots or areas for development, reasonable grades and preserve the amenities of the site.
3. Where a subdivision or development abuts or contains an existing or proposed major street, the Planning Commission may require marginal access streets, through lots or such treatment as will provide protection for abutting properties, reduction in the number of intersections with the major traffic streets, and separation of local and through traffic.
4. If the lots in the development are large enough for re-subdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such re-subdivision shall be provided.

In general, local and minor streets, and collector streets shall not adjoin into the same side of a major or arterial street at intervals of less than eight hundred (800) feet.

Half streets or partial streets shall be prohibited except where a proposed development abuts property along such a street on the abutting property, the proposed development shall complete the street and it shall be recorded in the plan.

Vertical Curves: All changes in street grade for local streets shall be connected by a vertical curve having a minimum length of not less than one hundred (100) feet. Changes of street grade for collector streets shall be connected by a vertical curve having a minimum length of not less than two hundred (200) feet, while changes of street grade for major streets shall be connected by a vertical curve having a minimum length of not less than four hundred (400) feet. Except in areas where it can be demonstrated that vehicle speeds of less than 25 miles per hour are expected, lengths of crest vertical curves shall be a minimum of 28 times the algebraic difference in connecting centerline grades of roadways. Lengths of sag vertical curves shall be a minimum of 35 times the algebraic difference in connecting centerline grades of roadway.

Street Names: Streets that are extensions, or obviously in alignment with existing named streets shall bear the name of the existing streets. All street names shall be subject to the approval of the Clinton Township Board of Supervisors. Additional approval must be obtained by the Butler County Emergency Management Agency for consistency with 911 addresses.

Right-of-Way Required: Provisions for additional street width (right-of-way) may be required by the Planning Commission in specific cases for public safety and convenience; for parking in commercial and industrial areas and in areas of high density residential development; and for widening existing streets (right-of-way) where the width does not meet with the preceding requirements.

Private Roads: Private roads and streets shall be permitted only when the subdivider submits sufficient evidence to the Planning Commission that there can be no public interest in such private road or street. The minimum right-of-way shall be fifty (50) feet.

C. Street Interconnectivity and Dead-End Streets

It is the policy of the Township to encourage the interconnectivity of streets and to discourage unnecessary dead end streets. All streets shall have at least two (2) means of ingress or egress. Dead end streets shall be permitted only where the physical configuration of the property, such as a narrow tract or documented environmentally sensitive areas prevent any other road configuration. If necessary, developers shall reduce the number of lots in order to avoid

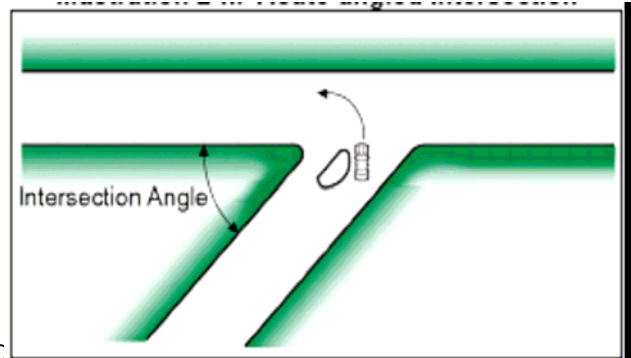
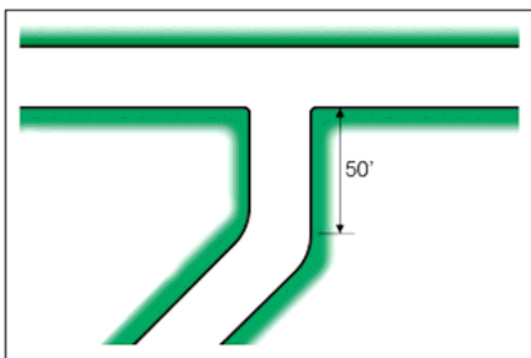
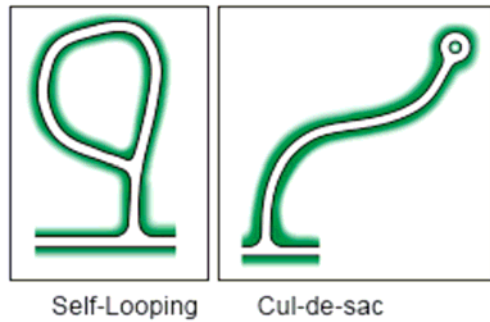
unnecessary dead-end streets. No dead-end street shall terminate without a cul-de-sac. Under no circumstances shall a dead end street connect to another dead end street.

1. The total traffic volume on a dead end street shall not exceed two hundred fifty (250) vehicle trips per day (based upon an objective traffic study), or a maximum of twenty-five (25) residential lots, whichever is less.
2. Dead-end streets, permanently designed as such shall not exceed one thousand (1,000) feet in length, unless topography factors justify a greater distance or whereby intersecting side streets provide additional access to this dead end street. The length of a dead end street shall be measured from its entrance to its termination. If a cul-de-sac is so used, the length shall be the furthermore end of the turnaround cartway.
3. Open or self looping dead end streets are preferred to cul-de-sacs. To encourage self looping, ADT may be increased to a total of three hundred (300) vehicle trips per day, or thirty (30) residential lots. However, the applicant shall show that turning radii for the loop will be sufficient for maintenance vehicles and school buses.
4. *Cul-De-Sac Design:* The cul-de-sac shall maintain a paved turning area of at least one hundred (100) feet in width. A snow-storage easement of thirty (30) feet in width and thirty (30) feet in depth shall be left adjacent to fully paved cul-de-sacs as a continuation of the street centerline. The Townships may authorize alternative turning arrangements for dead-end roads providing it is shown the alternatives can accommodate equally safe and convenient turning movements and excess snow storage.
5. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to the property line and right-of way of the same width as the street shall be carried to the property line such a way as to permit future extension of the street into the adjoining tract.

D. Intersection Design Criteria

Intersections of new local streets with other new local streets within a subdivision may be designed for traffic calming through such techniques as offset intersections and acute angles. The maximum angle of intersection shall be sixty degrees (60°).

For the intersection of a new local street with an existing State or Township road, or proposed collector street, streets should intersect each other at ninety-degree (90°) angles. When this is not possible due to some physical condition, a fifty (50) foot section of the lower ordered or lower traffic street should be angled to meet the higher volume street at a ninety-degree (90°) angle, or an island and additional street width shall be installed to control turning movements.



Intersection Sight Distance Whenever a proposed street intersects an existing or proposed street of higher-order or traffic volume, the street of lower-order or traffic volume shall be made a stop street. The street of lower order or traffic volume shall also be designed to provide a minimum clear line-of-sight and free sight triangle, based upon the posted speed of traffic on the intersecting streets.

Posted Speed Limit	Required Sight Distance
25 miles per hour	280 feet
35 miles per hour	390 feet
40 miles per hour	445 feet
45 miles per hour	500 feet
55 miles per hour	555 feet

Intersection Curve Radii: Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angle of turn, number of lanes, and whether parking is permitted. However, curb or edge or pavement radii must not be less than the following:

<u>Intersections</u>	<u>Minimum Simple Curb Radii</u>
Arterial with Arterial	50 feet or more, determined after consultation with PennDOT
Arterial with Collector	35 feet
Collector with Collector	35 feet
Collector with Local	25 feet
Local with Local	20 feet

4.07 LOT AND BLOCK REQUIREMENTS

Lot and block requirements for proposed subdivision and land developments submitted to the Clinton Township Planning Commission shall be in conformance with the Clinton Township Comprehensive Zoning Ordinance.

A. Lot Requirements

1. All lots in all Districts shall front on a public street.

B. Block Requirements

1. In general, all blocks in a subdivision shall have a maximum length of one thousand six hundred (1,600) feet, and shall be not less than two-hundred fifty (250) feet in length. Blocks subdivided into lots shall be two lot depths in width, except lots along a major arterial which front on an interior street.
2. In commercial development areas, the block layout shall conform, with due consideration to site conditions, to the best possible layout to serve the buying public, to permit good traffic circulation and the parking of cars, to make delivery and pickup efficient, to minimize the number of traffic entrances and exits on the property, and to reinforce the best design of the units in the commercial areas.

3. The block layout in industrial areas shall be governed by the most efficient arrangement of space for present and future expansion, with due regard for worker and customer access parking and site conditions.
4. In large blocks with interior parks and playgrounds, in exceptionally long blocks where access to a school and/or shopping center is necessary, or where cross streets are impractical or unnecessary, a pedestrian right-of-way at least ten (10) feet wide may be required by the Planning Commission near and through the center of every block over one thousand (1,000) feet long and shall have a paved width of four (4) feet.

4.08 EROSION AND SEDIMENTATION CONTROL

Land proposed for subdivision and land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees or other vegetative cover until an Erosion and Sedimentation Control Plan, as required by Chapter 102 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection, "Erosion Control," has been prepared. The Erosion and Sedimentation Control Plan shall be submitted to the Clinton Township Planning Commission and the Butler County Conservation District for review and approval, unless a determination has been made by the Clinton Township Planning Commission that a Plan is not required.

In addition to preparing an Erosion and Sedimentation Control Plan, all persons undertaking an earthmoving activity for a subdivision or land development shall obtain a land disturbance permit before commencing any earthmoving activity, as required by Chapter 102 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection, "Erosion Control." Where an earthmoving activity involves five (5) acres or more, a land disturbance permit shall be obtained from the Clinton Township Planning Commission and the Butler County Conservation District.

4.09 PUBLIC SITES AND OPEN SPACES

- A. The Township shall require the public dedication of land (or a fee in lieu of land) suitable for parks, playgrounds or other recreational use (hereinafter also collectively referred to as "recreational use area") or for open space or green area (hereinafter also collectively referred to as "green area," which may include forest or agricultural lands which meet the needs of Township residents by providing wildlife habitat for observation or hunting); and upon agreement with the applicant or developer, the construction of recreational facilities, the payment of fees in lieu thereof, the private reservation of the land or a combination for recreation park and open space or green area purposes. Such dedications and/or agreements or fees are to serve the future population of the Township, preserve special scenic areas, or create reserves of prime farm and forestland suitable for wildlife habitat, which directly meets the recreational needs of Township residents. All such requirements shall conform to the authority conferred in the Pennsylvania Municipalities Planning Code (53 P.S. §10101 et seq.), and constitute a condition precedent to preliminary or final plan approval. The applicant and developer shall hereinafter collectively be referred to as either "applicant" or "developer."
- B. All developers of residential subdivisions or residential site developments shall give due consideration to the provision of sites for recreational use and green areas. An applicant for preliminary plat approval on a multiphase plan or single phase final plan approval of a residential site development or subdivision shall dedicate to the Township for public use a portion of such site as a recreational use area or green area to remain undisturbed in its natural states as open space. The total amount of land to be deeded to the Township or maintained by a homeowner's association shall be equivalent to ten percent (10%) of the total site area, at the minimum, and must meet all relevant criteria under Subsection C of this Article.
 1. The Township may enter into an agreement with the developer to satisfy the recreational use and open space/green area public dedication requirements prescribed in this section upon payment to the Township of the sum of five hundred dollars (\$500) for each

dwelling unit in a residential development plan or five hundred dollars (\$500) for each lot in a residential subdivision or mobile home park. The above fee may be adjusted from time to time for inflation, and the current applicable fee shall be indicated in the Township schedule of fees, adopted by resolution. Payment of fees shall be in accordance with Subsections D and E of this section.

C. Criteria for site selection of land for recreational use.

1. The land proposed for parks, playgrounds or other recreational use shall be accessible to the residents of the Township. At least one (1) side of the proposed site shall abut a public street, for a minimum distance of fifty (50) feet, unless an easement at least fifty (50) feet in width and dedicated for access to the recreational land is provided.
2. The land proposed for parks, playgrounds or other recreational use, if sloped, may not exceed an eight percent (8%) maximum slope either in its natural state or after grading by the developer. The shape shall be suitable for the proposed use, considering the size of the property, the proximity of the development to other park facilities and the recommendations contained in the Recreation and Open Space Plan for Clinton Township, as amended, and as supplemented by the list of needed improvements developed by the Park Advisory Board.
3. Land intended for parks or playgrounds shall include at least five (5) contiguous acres. Land intended for continued agricultural green area purposes shall be in contiguous tracts of no less than twenty (20) acres each, and shall be accessible and usable for the intended purpose. Farmland tracts shall be within Agricultural Security Areas or Active Prime Farmland or other soils of statewide significance, and shall have been planted in forage, row crops, or vegetables in at least three (3) of the last five (5) years. Land intended for forest green area shall be in contiguous tracts of no less than twenty-five (25) acres each and capable of growing mature trees of hardwood native species.
4. Land intended to be used for parks and playgrounds shall not be burdened with an undue number of restrictions such as mining conditions, overhead or underground utilities, stormwater management facilities, wetlands, etc., that would interfere with the proposed use of the property.
5. For phased plans, all land to be set aside shall be situated in the first phase, unless otherwise approved by the Township Board of Supervisors. Delivery of deed describing land proposed for dedication to the Township shall be completed prior to plan recordation.

D. Fee in Lieu of Required Recreational Land

1. If land offered to meet the criteria of sites for parks, playgrounds or other recreational use is not consistent with the recommendations of the Parks Commission and the Planning Commission, or if the Comprehensive Plan or Recreation and Open Space Plan for the Township of Clinton indicate that such land offered cannot be properly located in the proposed development or subdivision because the future inhabitants of the development and surrounding area are to be served by recreational land/facilities established or to be established by the Township in the subject locality, or if the conditions to render the site suitable for the use intended cannot be agreed upon, then, upon agreement with the applicant or developer, the payment of fees in lieu of the land offered or a combination of fees and land, shall be required as a condition precedent to preliminary or final plan approval.

2. The amount of the fee shall be five hundred dollars (\$500) per dwelling unit in a residential site development or five hundred dollars (\$500) per lot in a residential subdivision. The above fee shall be adjusted for inflation annually, and the current applicable fee shall be as set by the Township by resolution. It is intended that the amount of the fee shall be substantially equal to the anticipated costs to the Township in providing for recreational use lands and facilities that have a reasonable relationship to the use thereof by future inhabitants of the development or subdivision.
 3. The fee in lieu of required land shall be paid to the Township prior to release of the plan for recordation or as specified in a schedule of payment agreed upon by the Township Supervisors.
 4. All fee payments received pursuant to this section shall be used solely and exclusively for the acquisition of land for parks, playgrounds or other recreational sites and the construction of improvements thereon, and for costs incidental and ancillary to such purposes, including but not necessarily limited to planning, engineering and design of recreational space and improvements, utility relocation, provision of pedestrian and/or vehicular access and purchase of park equipment. Unless otherwise agreed to by the Township and the developer, payments received pursuant to this section shall only be used for land or improvements specifically included in the Recreation and Open Space Plan for the Township of Clinton, as amended, and as supplemented by the list of needed park improvements developed by the Park Advisory Board, and the Comprehensive Plan. Such park and recreational facilities shall be accessible to the subject development or subdivision.
- E. Disposition of Fees: All fees-in-lieu paid to the Township shall be placed in a capital reserve fund established as provided by law, which shall clearly identify the facility or area for which the fee was collected. Interest earned on the capital reserve fund shall become part of the capital reserve fund. Fees collected shall be expended only in proper allocable proportions of the cost incurred to construct or purchase the specific recreational facilities for which the funds were collected.

SECTION V

REQUIRED IMPROVEMENTS

5.01 GENERAL

The developer shall install, at no expense to Clinton Township, all the improvements that he and the Planning Commission agree upon, in accordance with the standards outlined in SECTION IV and with the requirements of this Section.

5.02 SURVEY AND PROPERTY LINES

All surveys shall be made under the active and personal direction of a registered surveyor of the Commonwealth of Pennsylvania.

The property lines for a subdivision or land development shall be determined on the ground by actual survey only, said survey to be balanced and closed; and any plan showing said lines as otherwise determined (i.e., taken from other drawings, deeds, records, etc., and not actually having been determined by a survey made on the ground) will not be acceptable to the Planning Commission.

5.03 MONUMENTS AND MARKERS

A. Monuments shall be set permanently:

1. At the intersection of all lines forming angles in the boundary of the subdivision or land development; and
2. At the intersection of all street lines.

B. Markers shall be set permanently at all other lot corners.

C. Monuments shall be made of pre-cast concrete with a minimum diameter of six (6) inches and a minimum length of thirty (30) inches, and shall be set flush with the finished grade. A brass pin shall be set in the top of each monument and scored or marked to indicate the exact point of crossing of the intersecting lines.

D. Markers shall consist of magnetic metal pipes or bars at least twenty-four (24) inches long and not less than three-quarters (3/4) inches in diameter, and shall be set flush with the finished grade. They shall be scored to indicate the exact point of crossing of intersecting lines.

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

5.04 STREETS

A. Streets shall be graded as required, surfaced and improved to the grades and dimensions shown on plans, profiles and cross-sections submitted by the developer and approved by the Planning Commission.

B. Streets shall be constructed in accordance with the applicable sections of the latest Specifications, Form 408, Pennsylvania Department of Transportation, or to such minimum requirements as prepared by the Township Engineer and adopted by resolution of the Township Board of Supervisors. :Prior to placing the street surface, adequate sub-surface drainage for the streets, and all subsurface utilities as acceptable to the Planning Commission and the municipality shall be provided or installed by the developer.

- C. In all respects in which the standards for required street improvements are not set forth herein or specified by the Planning Commission hereinunder, the applicable standard requirements of the Pennsylvania Department of Transportation shall govern, and all work shall be performed in the manner prescribed in the standard specifications for road construction of said department for the type of construction under consideration.
- D. The Supervisors may require that up to eighty (80) percent of the lots in any approved subdivision or land development (or phase thereof, if final plan approval has been in phases) have certificates of occupancy issued for buildings thereon prior to acceptance of dedication. Should the streets, even though constructed according to the specifications of this Ordinance, deteriorate before the said eighty (80) percent of the lots have certificates of occupancy issued, such streets shall be repaired in a manner acceptable to the Board before being accepted by the Township.

5.05 CURBS AND GUTTERS

- A. Every street shall be crowned to create gutter lines on each side.
- B. Curbs may be required in subdivisions.
- C. Curbs may be either the concrete vertical type or rolled concrete curb-gutter or wedge-type asphaltic concrete. Rolled curb and gutter shall not be used on collector and arterial streets. The transition from one type of curb to another shall be effected only at a street intersection.
- D. Where curbs are not used, gutters shall be stabilized to minimize erosion.

5.06 SIDEWALKS

- A. Sidewalks may be required if the character of the neighborhood is such that sidewalks would be deemed necessary, or if it would be desirable to continue sidewalks that are existing in adjacent subdivisions, or to provide access to community facilities such as schools, shopping areas, and recreations areas.
- B. Sidewalks shall be at least four (4) feet in width, and located within the street right-of-way. Generally, a grass planting strip should be provided between the curb and the sidewalk except where rolled curb and gutter is used, a grass planting strip shall be used. Generally, the sidewalk should commence one (1) foot inside the right-of-way line and extend toward the curb line.
- C. Sidewalks shall be constructed of either cut flag stone at least two (2) inches thick underlain by a base course of four (4) inches of crushed stone, or of Portland cement concrete at least four (4) inches thick underlain by a base course of four (4) inches of crushed stone. Surfaces shall receive a non-skid finish, and be sloped for drainage.

5.07 SANITARY SEWERAGE SYSTEM

- A. Every structure in any subdivision or land development connected to a water supply shall also be connected to a sanitary sewage disposal system in accordance with the Pennsylvania Department of Environmental Protection Rules and Regulations.
- B. If a lot requires a sand mound for on-site disposal, *any edge of the sand mound shall be set back not less than fifteen (15) feet from the adjacent property line or street right-of-way line. If the right-of-way line is not established, the edge of the sand mound will be set back not less than forty (40) feet from the nearest street center line.*

5.08 WATER SUPPLY AND HYDRANTS

- A. Where public water is available adjacent to or within five hundred (500) feet of the subdivision or land development, the developer shall connect to the public water system, and a letter of intent from the water utility shall be filed with the Planning Commission stating:
 - 1. That the development can be served with adequate water supply;
 - 2. That sufficient static and flow pressures for fire protection are available at peak demand; and
 - 3. That the proposed plans for the water supply system have been designed to meet the requirements of the water utility.
- B. Where the subdivision or land development occurs in an area that has been designated by the municipality or by the authority or by the company serving it as an area to be connected within a period of two (2) years, the developer shall construct the necessary water mains and provide an interim water supply.
- C. Where public water is not available, the developer shall provide individual water supply systems on each lot, or a supply system serving the entire plan or clusters of lots or buildings, acceptable to the Pennsylvania Department of Environmental Protection.
- D. All water supply systems shall meet the requirements of the Pennsylvania Department of Environmental Protection the quality, quantity, and pressure.
- E. Water distribution lines shall not be less than eight (8) inches in diameter.
- F. Fire hydrants shall be provided, spaced not farther apart than a distance from which the applicable fire department can service, where connection has been or will be made to a public water system. The applicable water provider can provide specifications for such hydrants.

5.09 STORM DRAINAGE

Storm sewers, culverts, sumps, and related installations shall be provided to permit the unimpeded flow of natural water courses, to ensure the drainage of all low points along the lines of streets and to intercept stormwater run-off along streets at intervals reasonably related to the extent and grade of the area drained.

- A. In designing the drainage system, the developer shall adhere to the requirements of Township Ordinance No. 90.01 for Stormwater Management.
- B. Areas that contain habitual swamp conditions, have no drainage outlet or harbor insects or other disease carrying or producing agents shall be identified even though not otherwise to be developed.
- C. Where storm drainage must cross a property adjoining the developers plan, he shall secure approval, in writing, from the owner or owners of the affected property for passage of stormwater.
- D. The minimum diameter of any storm drain pipe shall be fifteen (15) inches.

5.10 STREET NAME SIGNS

Street name signs shall be placed at all street intersections with the development and at the intersection of existing streets and streets entering the development. The Clinton Township Board of Supervisors shall approve their design and location.

5.11 STREET TREES

- A. Street trees of a deciduous hardwood type, with a minimum caliper of one-and-one-half (1½) inches, when provided, shall be planted in the strip between the curb and sidewalk provided the planting strip is a minimum of six (6) feet wide. No street tree shall be located within twenty-five (25) feet of any street intersection.
- B. Trees selected should cause a minimum of interference with underground utilities.
- C. The developer shall make maximum effort to save existing trees on the property, especially large and/or specimen trees existing through the plan.

5.12 FILING PLANS AND PROFILES

Upon completion of the required improvements, plans and profiles of the improvements in the subdivision or land development as constructed (commonly known as "as-built" plans) shall be filed with the municipality in which the subdivision or land development is located.

SECTION VI

ALTERNATIVE LAND DEVELOPMENT TYPES

MOBILE HOME PARK DEVELOPMENT

6.01 GRANT OF POWER

The Clinton Township Board of Supervisors retains final authority to administer the provisions of this section, after receiving recommendations from the Township Planning Commission, which shall first review development applications.

6.02 SITE PLAN APPROVAL BY CLINTON TOWNSHIP PLANNING COMMISSION

The application requirements plan format requirements and plan review and processing shall be those used for other subdivision and land development within the Township.

6.03 BUILDING PERMITS

Each mobile home lot shall require a separate building permit bearing the lot number assigned to it on the approved site plan. Fees for these building permits shall conform to those established in the fee schedule established by the Clinton Township Zoning Ordinance.

6.04 MOBILE HOME PLACEMENT PERMIT

A mobile home placement permit shall be obtained from the Clinton Township Zoning Officer by the owner of a mobile home prior to the placement of his mobile home in any mobile home park. Fees for these placement permits shall conform to those established in the fee schedule established in Article XV of the Clinton Township Zoning Ordinance.

6.05 ENVIRONMENTAL, OPEN SPACE AND ACCESS REQUIREMENTS

- A. A mobile home park shall have a gross area of at least five (5) contiguous acres of land.
- B. The location of all mobile home parks shall comply with the following minimum requirements:
 - 1. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.
 - 2. Not subject to flooding.
 - 3. Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor, or glare.
- C. Storm sewers, culverts, and related installations shall be provided to permit the unimpeded flow of natural water courses, to ensure the drainage of all low points along the line of streets and to intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
 - 1. In designing the drainage system, the developer shall pay special attention in the sizing of the facilities to serve the entire drainage basin and the advice of the U.S. Soil Conservation Service shall be sought in such matters.

2. Areas that contain habitual swamp conditions, have no drainage outlet or harbor insects or other disease carrying or producing agents shall be drained even though not otherwise to be developed.
3. Where storm drainage must cross a property adjoining the developer's plan, he shall secure approval in writing from the owner or owners of the affected property for passage of stormwater.
4. The minimum diameter of any storm drain pipe shall be fifteen (15) inches.
5. Waste water from any plumbing fixture or sanitary sewer line shall not be deposited upon the ground surface in any part of a mobile home park.
6. The provisions of Section IV, 4.08, of this Ordinance, "Erosion and Sedimentation Control," shall be applicable to all mobile home park developments.

D. *Soil and Ground Cover Requirements*

1. Exposed ground surfaces in all parts of every park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
2. Park grounds at all times shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or other pests harmful to man.

E. *Park Areas for Non-Residential Uses*

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

F. *Required Setbacks, Buffer Strips and Screening*

1. No mobile home shall be placed a lesser distance from the mobilehome park boundary than the corresponding yard width required in the zoning district which abuts each boundary line. In no case shall a mobilehome be parked less than twenty-five (25) feet from the mobilehome park boundary.
2. The density of development in the park shall be regulated by the applicable zoning district.
3. All mobile home parks located adjacent to Industrial or Commercial land uses shall be required to provide screening so as to block out view of such areas. Such screening may be of fencing or of natural growth or a combination of fences and natural growth. All such screening shall be of a minimum height of six (6) feet and shall be placed on the property boundary line separating the park and such adjacent non-residential uses.

G. *Erection and Placement of Mobile Homes*

1. Mobile homes shall be separated from each other and from other buildings and attached structures by at least thirty (30) feet:

- a. A minimum distance of one hundred (100) feet from the center of the road to a mobile home or accessory attachment.
 - c. A minimum distance of fifty (50) feet from any lot line for the park including accessory attachments.
2. Each mobile home shall be placed on a foundation and tied down in a manner compliant with the Pennsylvania Uniform Construction Code and implementing regulations

H. *Park Street System*

- 1. Park street shall conform to the requirements of Section IV, 4.06, Street Design Requirements, and Section V, 5.04, Streets.
- 2. All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights, as will provide average levels of illumination for the safe movement of pedestrians and vehicles at night.

I. *Off Street Parking Areas*

- 1. Off street parking areas shall be provided in all mobile home parks for the use of park occupants and guests.
- 2. Required car parking spaces shall be located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred (200) feet from the mobile home that is intended to be served and shall consist of two (2) spaces for each mobile home.

J. *Walks:* Construction of sidewalks shall conform to the requirements of Section V, 5.06, B and C.

K. *Recreation Areas:* The purpose of this section is to provide for areas and facilities for recreational purposes appropriate to the needs of the occupants. At least five hundred (500) square feet of recreational space shall be provided and maintained for each mobilehome lot. Each mobile home park must provide not less than one (1) recreational area, and no recreational area shall be less than one (1) acre in area. Such areas shall be used exclusively for recreational purposes.

6.06 WATER SUPPLY

- A. An adequate, safe and potable supply of water shall be provided for mobile homes, service buildings and other accessory facilities as required by this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto, and its supply shall be used exclusively. Where a satisfactory public water system is not available, the development of the private water supply system shall be approved by the Pennsylvania Department of Environmental Protection.
- 1. The water supply shall be capable of supplying a minimum of one hundred and fifty (150) gallons per day per mobile home.
 - 2. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.
 - 3. No well casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level, not in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below

ground, have free drainage by gravity to the surface of the ground.

4. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Protection.
- B. All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.
- C. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and local regulations.
1. The water piping system shall not be connected with non-potable water or questionable water supplies and shall be protected from the hazards of backflow or back siphonage.
 2. The system shall be so designed and maintained so as to provide a pressure of not less than twenty (20) pounds per square inch under normal operating conditions at each mobile home lot, at service buildings and other locations requiring potable water supply.
- D. Individual water riser pipes shall be located within one (1) foot of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
1. 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 drains shall be diverted from the location of the riser pipe.
 2. A shut-off valve below the frost line shall be provided near the water riser pipe on each mobile home lot.

6.07 SEWAGE DISPOSAL

- A. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Wherever feasible, connection shall be made to a public system. The system shall be designed constructed and maintained in accordance with Pennsylvania Department of Environmental Protection regulations.
- B. Individual Sewer Connections
1. Each mobile home lot shall be provided with at least a three (3) inch diameter sewer pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile 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 ($\frac{1}{4}$) inch per foot. All points shall be watertight.
 3. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.
 4. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser pipe. The rim of the riser pipe shall extend at least one-half ($\frac{1}{2}$) inch above ground.

- C. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of materials approved by the Pennsylvania Department of Environmental Protection, and shall have watertight joints.
- D. Where the sewer lines of mobile home parks are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Protection prior to construction. Effluents from sewage treatment facilities shall be discharged only as permitted by the Pennsylvania Department of Environmental Resources.

6.08 ELECTRICAL DISTRIBUTION SYSTEM

- A. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company specifications, National Electrical Code, and local electric and state electrical codes and ordinances. Inspection by a qualified electrical inspection agency shall be made of all private electrical systems.
- B. Power lines shall be located underground in accordance with Pennsylvania PUC Order Docket #99. All direct burial conductors or cable shall be buried below the ground surface and shall be insulated and specifically designed for the purpose.
- C. Each mobile home lot shall be provided with an approved disconnect device and over-current protective equipment. The minimum service per mobile home outlet shall be 120/240 volts AC, 200 amperes.
- D. All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

6.09 SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

- A. No central toilet or washroom facilities may be constructed in any mobile home park, and each mobile home so parked therein shall be equipped with toilet and washroom facilities which shall be attached to central sewage and water facilities as provided for each lot.
- B. Central laundry facilities may be permitted and such facilities shall be maintained in clean condition free from accumulation of waste water, trash or any other noxious or offensive accumulation. Such facilities may be shielded from other buildings by fence or vegetation of sufficient height to bar view.

6.10 SOLID WASTE DISPOSAL

- A. The storage, collection and disposal of solid waste and refuse in the mobile home park shall be so conducted as to create no health hazards, no rodent harborage, insect breeding areas, accident or fire hazards, or air pollution and shall comply with the Pennsylvania Department of Environmental Protection regulations governing mobile home parks and the general community.
- B. All refuse containing garbage shall be collected weekly. Where suitable collection service is not available from municipal or private agencies, the management shall provide this service.

6.11 INSECT AND RODENT CONTROL

Grounds, buildings and structures shall be maintained free of insect and rodent harborage and

infestation. Extermination methods and other measure to control insects and rodents shall conform with the requirements of the Pennsylvania Department of Environmental Protection.

6.12 FUEL SUPPLY AND STORAGE

- A. natural gas piping systems when installed in mobile home parks shall be maintained in conformity with accepted engineering practices. All gas piping installed below ground shall have a minimum earth cover of eighteen (18) inches. Gas piping shall not be installed under any mobile home.
- B. Each mobile home lot provided with piped gas shall have an approved shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.
- C. Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with the rules and regulations of the Commonwealth of Pennsylvania, Pennsylvania Department of Environmental Protection, or any other authority having jurisdiction, and shall include the following:
 - 1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
 - 2. Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating conditions.
 - 3. All LPG piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted Liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in homes.
 - 4. Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely but not permanently fastened to prevent accidental overturning.
 - 5. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure.
- D. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction and the Commonwealth of Pennsylvania, Pennsylvania Department of Environmental Protection.

6.13 FIRE PROTECTION

- A. The mobile home park area shall be subject to the rules and regulations of the municipality pertaining to fire prevention, and shall permit fire prevention personnel and vehicles to enter onto the mobile home premises in case of fire and the residents of such mobile home parks shall obey lawful orders of any fireman or fire police or policeman in the performance of their duties.
- B. Mobile home parks areas shall be kept free of litter, rubbish and any accumulation of inflammable materials.
- C. Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in public service and maintenance buildings under park control.
- D. Fire hydrants shall be installed in accordance with the following requirements:

1. The water supply source shall permit the operation of a minimum of two (2) one and one-half (1½) inch hose streams.
2. Fire hydrants shall be located within five hundred (500) feet of any mobile home, service building or other structure in the park.

6.14 RESPONSIBILITIES OF THE MANAGEMENT

Responsibilities of the management of the mobile home park shall be as follows:

- A. The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this ordinance and the Regulations of the Pennsylvania Department of Environmental Protection, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- B. The park management shall supervise the placement of each mobile home on its mobile home lot which includes securing its stability and installing all utility connections.
- C. The park management shall give the health officer, fire inspector, building inspector, or any person designated by the County of Butler or Clinton Township, free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.
- D. The management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park, and to any official of the municipality in which the mobile home park is located.

6.15 REMOVAL OF MOBILE HOMES

No mobile home, whether installed on a single lot or in a mobile home park shall be removed from the municipality without first obtaining a permit from the municipal tax collector charged with the collection of municipal real estate taxes. Such a permit for removal will be issued upon payment of any applicable fee established by resolution and payment of all real estate taxes, and personal tax owed by any having occupied the mobile home.

6.16 VIOLATIONS

Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which violate any provision of the ordinance, any amendment thereto, or any regulation adopted pursuant thereto, the Clinton Township Board of Supervisors shall give notice in writing, which notice may be served by certified mail, personal service on the owner or authorized representative in charge of the premises, or in the event that service cannot be had by either specified manner, then by posting such notice in a conspicuous place upon the premises. Such notice shall advise the person to whom the permit is issued to operate such mobile home park, the nature of the violation, the section of the Township Ordinance which is being violated, the penalty for such violation and a reasonable time to correct the conditions, to be not more than thirty (30) days, weather permitting.

A. Hearings

1. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this ordinance, may request and shall be granted a hearing on the matter before the Clinton Township Board of Supervisors; provided, that such person shall file with the Clinton Township office within ten days after the notice was served, a written petition requesting such hearing and setting forth a brief statement of the grounds therefore. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension.

2. Upon receipt of such petition, the Clinton Township Board of Supervisors shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided that upon the application of the petitioner the Clinton Township Board of Supervisors may postpone the date of the hearing for a reasonable time beyond such ten-day period when in their judgment the petitioner has submitted good and sufficient reasons for such postponements.
 3. After such hearing the Clinton Township Board of Supervisors shall make findings as to compliance with the provisions of the Ordinance and shall issue an order in writing sustaining, modifying, or withdrawing the notice.
 4. In the event that any mobile home park fails to comply with lawful notice as herein provided and fails to correct any volatile condition after notice, the right to operate a mobile home park within the Township may be suspended or revoked, and the Township may require the posting of bond by owners of such mobile home park in the amount to be determined by the Township to ensure the compliance with this Ordinance, and may require sufficient surety to secure any bond.
- B. Emergency Action: Whenever the Clinton Township Board of Supervisors finds that an emergency exists which requires immediate action to protect the public health, the Board of Supervisors may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that such action be taken as may be necessary to meet the emergency, including the suspension of the permit. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately. any person to whom such an order is directed shall comply therewith immediately, but upon petition to the Clinton Township Board of Supervisors shall be afforded a hearing as soon as possible.

SECTION VII

PROCEDURE FOR SUBMISSION

The following shall be submitted to the Clinton Township Planning Commission when a subdivision or land development, or mobile home parks are presented for consideration.

7.01 PRELIMINARY PLAN

A preliminary plan drawn in accordance with the regulations prescribed in Section III shall be submitted in duplicate to the Planning Commission at least ten (10) calendar days prior to the regular meeting of the Planning Commission. Any descriptive matter regarding the intent of the owner or developer as to the type, kind or class of the proposed subdivision or land development shall be included, as well as any other information and data required by the Planning Commission. The Planning Commission shall consider the appointment, design, compliance with this ordinance and applicable municipal and state regulations, etc., of the proposed development as shown on the plan, and shall direct such changes to be made in the plan as it considers desirable or expedient.

A. *Sewage Disposal and Water Supply*

1. The Planning Commission shall not receive, approve or review any subdivision or land development plan unless accompanied by a statement from the developer that the proposed method of sanitary sewage disposal and water supply meets the requirements of the municipality or the Pennsylvania Department of Environmental Protection.
2. If individual sewage systems (septic tanks) are to be utilized in the development, the Planning Commission shall not receive, approve or review any subdivision or land development plan unless accompanied by a copy of soil percolation tests for the property, certified by the municipal sewage enforcement officer or by the developer's engineer. The soil percolation test shall be conducted in accordance with the provisions of the Pennsylvania Sewage Facilities Act, Standard for Sewage Disposal Facilities, and the Planning Commission may require the certification of the percolation test by the Pennsylvania Department of Environmental Protection. Where the Soil Survey for Butler County indicates a severe soil limitation for the property, and the developer submits acceptable soil percolation tests, the Planning Commission shall request a written statement from the developer setting forth the procedure utilized in conducting the percolation test.

B. *Preliminary Plan Processing*

1. The Planning Commission shall review the submitted documents at its next regularly scheduled meeting after they are filed. The Commission may submit, at its option, one copy to the County Planning Commission for review and comment.
2. The Planning Commission shall indicate any specific deviations from the requirements of this ordinance it finds in the documents to the developer in writing, and shall send its recommendations and findings to the Board of Supervisors.
3. The Board of Supervisors, after receiving Planning Commission recommendations and comments, shall render its decision and communicate it to the applicant not later than ninety (90) days after the date that the Planning Commission first reviewed the documents, but not later than fifteen (15) days after the decision is made, whichever is earlier. The decision shall indicate approval, disapproval or approval provided certain specific revisions are made to the documents.

4. Failure of the Board of Supervisors to render a decision and/or to communicate it to the developer within the time and in the manner required above shall be deemed an approval of the application, as presented, unless the developer has agreed in writing to an extension of time or change in the prescribed manner of presentation of the decision, in which case failure to meet the extended time or change in manner of presentation or communication shall have the same effect.
5. From the time an application for approval of a subdivision or land development is duly filed with the Planning Commission and while such application is pending approval or disapproval, no change or amendment of this Ordinance or others affecting development enacted by the Township shall influence the decision on such application adversely to the developer and the developer shall be entitled to a decision in accordance with the provisions of this Ordinance and others affecting development as they stood at the time the application was duly filed. However, if an application is properly and finally denied, any subsequent application shall be subject to any intervening changes in this or other ordinances. When an application has been approved or approved subject to conditions acceptable to the developer, no subsequent change or amendment to this or other ordinances affecting development shall be applied to influence adversely the right of the developer to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from the date of such preliminary approval.
6. Approval of a preliminary application shall not be construed to constitute final approval but only an authorization to proceed with preparation of the Final Plan Application for presentation to the Planning Commission within one (1) year.

7.02 FINAL PLAN

After approval of the preliminary plan by the Planning Commission, the final plan, drawn in accordance with the regulations prescribed in Section III, shall be submitted to the Planning Commission at least ten (10) days prior to the regular meeting of the Planning Commission. The original reproducible and two copies of the final plan, signed by the owner or developer and duly attested as such by a Notary Public, shall be submitted to the Planning Commission for final review or approval. The plan, when approved, shall be signed by the Chairman and by the Secretary of the Planning Commission, and the seal of Clinton Township imprinted thereon.

- A. *Required Documents:* The Planning Commission shall not receive a final plan for review or approval unless and until accompanied by the required documents as set forth in Section III, 3.06 of this Ordinance.
- B. *Final Plan Processing*
 1. The application may be for a part, or all, of the plan given preliminary approval. If the final plan will be processed in parts, each plan shall include a key map showing the location of the part within the overall plan that received preliminary approval.
 2. The Planning Commission shall review the submitted plan and supporting documents at its next regularly scheduled meeting after they are filed.
 3. The Planning Commission shall indicate any specific deviations from the requirements of this ordinance it finds in the plans and documents to the developer in writing, referring to particular sections of the ordinance, and shall send its recommendations and findings to the Board of Supervisors.
 4. The Board of Supervisors, after receiving the recommendations and comments from the

Township Planning Commission, shall render its decision and communicate it to the applicant not later than ninety (90) days after the date that the Planning Commission first reviewed the plan and documents, but not later than fifteen days after the decision is made, whichever is earlier. The decision shall indicate approval, disapproval, or approval provided certain specific revisions are made to the plan and/or documents.

5. After the Board of Supervisors has signed the final plan to be recorded, the applicant must secure the signature of the County Planning Commission, prior to the recording the plan.
6. Failure of the Board to render decision and/or to communicate it to the developer within the time limits in paragraph four above shall be deemed an approval of the application as presented unless the developer agrees in writing to an extension of the time limits.

7.03 RECORDING OF THE PLAN

- A. Upon approval of the final plan, the developer shall, within ninety (90) days, record the plan in the office of the Butler County Recorder of Deeds. The Recorder of Deed shall not accept any plan for recording unless it has been officially signed by the Board of Supervisors and notes that the plan has been reviewed by the Township and County Planning Commissions.
- B. Failure of the developer to record within the ninety (90) day period shall render the plan void, subject to re-approval by the Board.
- C. The recording of the plan shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the plan.

SECTION VIII

ADMINISTRATION

8.01 MODIFICATIONS

- A. The Planning Commission may, in specific cases involving a subdivision, land development or mobile home park plan, recommend modifications from the provisions of these regulations, subject to approval by the Board of Supervisors that will not be contrary to the public interest or the spirit and intent of this Ordinance. Modifications shall only be granted where, owing to special conditions in a specific subdivision or plan, the literal interpretation and strict application of the provisions of these regulations would cause unfair and unnecessary hardship.
- B. All requests for modifications shall be in writing and shall be a part of the final plan application. The request shall state in full the grounds for the modification and the facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved, and the minimum modification necessary.
- C. The Board of Supervisors shall note in the minutes of the meeting at which modifications were granted, the action taken on each specific modification request.

8.02 AMENDMENTS

- A. Amendments of this Ordinance shall become effective only after a public hearing held by the Board of Supervisors pursuant to public notice (see definition). At least thirty (30) days before the scheduled hearing, the Board shall refer the proposed amendment to the Township Planning Commission for recommendation, and to the County Planning Commission for comment.
- B. Amendments shall not be enacted until notice of proposed enactment has been published once in a local newspaper not more than thirty (30) days nor less than seven (7) days before planned enactment. The notice shall state the date, time and place of the meeting at which enactment will be considered, and where and when copies of the amendment may be examined by the public before the hearing. The notice shall contain the full text of the amendment or a brief summary prepared by the Township Solicitor setting forth all the provisions in reasonable detail. If the full text is not published, a copy shall be given to the newspaper carrying the notice and an attested copy shall be provided to the County Law Library.
- C. In the event substantial changes are made to the amendment before the Board votes on enactment, the Board shall, at least ten (10) days prior to enactment, re-advertise once a brief summary setting forth the revised amendment in reasonable detail, noting the proposed changes.
- D. Within thirty (30) days after enactment, the Board shall send a certified copy of the amendment to the County Planning Commission.

8.03 PREVENTIVE REMEDIES

- A. In addition to other remedies, the Board of Supervisors may undertake 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.
- B. The Board may refuse to issue any permit or grant any approval necessary to further improve or develop property which was illegally subdivided or upon which construction or site preparation has occurred in violation of this ordinance. The authority to deny a permit or approval shall apply to the owner of record at the time the violation occurred, subsequent owners regardless of their

knowledge of the violation, and any vendor or lease holder of the property or their successor whether or not they knew of the violations.

8.04 ENFORCEMENT

- A. The provisions of these regulations shall be enforced by an administrator appointed by and responsible to the Board of Supervisors.
- B. The administrator shall be responsible for determining if violations of this ordinance are occurring within a plan already approved by the Board of Supervisors, or on land for which no plan has been approved. The administrator shall inform the landowner of the alleged violation noting specific sections of the ordinance, and require compliance with the terms of the ordinance, or require the landowner to stop the violation immediately. The landowner may appeal the administrator's order to the Board of Supervisors, but if the order is not carried out within a reasonable specific time period determined by the administrator, the administrator shall take the landowner before the District Justice after informing the Board of Supervisors of his proposed action.
- C. Any person, partnership or corporation who or which has violated this Ordinance, or any prior regulations incorporated into this Ordinance, shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Board, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result of the litigation.
- D. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice, who shall have first jurisdiction in such proceedings.
- E. If the defendant neither pays nor appeals the judgment, the Township may enforce it pursuant to applicable rules of civil procedure.
- F. Each day that a violation continues shall constitute a separate offense unless the District Justice determines that the defendant had believed there was no violation. In that case only one (1) violation shall be deemed to have occurred until the fifth day after the determination, after which each subsequent day shall be a separate violation.
- G. Nothing contained in this section shall be construed to grant to any person, partnership or corporation other than Clinton Township the right to commence any action for enforcement pursuant to this Section.
- H. All fines, costs and reasonable legal expenses of the Township recovered in the proceedings, shall be paid to the Township.

8.05 SCHEDULE OF FEES

- A. A schedule of fees for subdivision, land development plans not involving subdivision, mobile home park permits, requests for modifications, and petitions for amendments of this ordinance shall be established by resolution of the Board of Supervisors, posted conspicuously in the Township Building, and subsequently amended by future resolutions of the Board.
- B. No subdivision or development plan shall be finally approved, and no petition or requests acted upon, unless or until all applicable fees have been paid in full.

8.06 REPEALER OF CONFLICTING ORDINANCES

All ordinances and any sections, paragraphs, or phrases of ordinances that are inconsistent or in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall be effective immediately upon its adoption by the Board of Supervisors.

SECTION IX

CERTIFICATES AND APPROVALS

The following applicable certificates shall be inscribed permanently on the reproducible, exactly as stated, and shall be properly signed with permanent ink:

9.01 OWNER'S ADOPTION

Know All Men By These Presents That (I/We) _____ (Name of Individual Owner) _____, County of Butler and State of Pennsylvania for (myself/ourselves), (my, our) heirs, executors, administrators and assigns, do hereby adopt this as (my/our) plan of lots of (my/our) property, situate in the Township of Clinton, County of Butler and State of Pennsylvania, and do hereby dedicate forever, for public use for highway and utility purposes, all drives, roads, lanes, rights-of-way, ways, and other public highways shown upon the plan, and (I/We) hereby release and forever discharge the Township of Clinton, its' successor or assigns, from any liability, courses of action, claims or damages arising from or pertaining to in any manner said roads and rights-of-way. This dedication and release shall be binding upon the above named property owner(s), (her/his/their) heirs, executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I/We) hereunto set (my/our) hand(s) and seals(s) this _____ day of _____, _____.

Owner

Owner

COMMONWEALTH OF PENNSYLVANIA:

: ss.

County of Butler :

Before me, the subscriber, a Notary Public in and for said State and County, personally came _____ Name of Owner(s) _____ and acknowledged the foregoing release and dedication and plan to be (her/his/their) act and deed and desired the same to be recorded as such.

WITNESS MY HAND AND NOTARIAL SEAL

this _____ day of _____, _____.

My commission expires

the _____ day of _____, _____

Notary Public

9.02 CORPORATION ADOPTION

KNOW ALL MEN BY THESE PRESENTS:

That the _____ (Name of Corporation) a corporation duly registered under the laws of the Commonwealth of Pennsylvania, by virtue of a resolution of the Board of Directors, thereof, does hereby adopt this plan as its Plan for its property situate in Clinton Township, Butler County, Pennsylvania, and does hereby dedicate forever, for public use for highway and utility purposes, drives, roads, streets, right-of-ways, lanes and ways and other public highways shown upon the plan, and we release and forever discharge said Commonwealth of Pennsylvania, County of Butler and Township of Clinton, their successors or assigns from any liability, courses of action, claims or damages arising from or pertaining to in any manner said roads and right-of-ways. This dedication and release shall be binding upon _____ (Name of Corporation), its successors and assigns and purchasers of lots in this plan.

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

President

Secretary

SEAL

9.03 CORPORATION ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA:

: ss.

County of Butler :

Before me, the subscriber, a Notary Public in and for said Commonwealth and County personally appeared _____ (Name and Title of Officer) of the _____ (Name of Corporation), who being duly sworn, deposeth and saith that he was personally present at the execution of the adoption, release and dedication and saw the common and corporate seal duly affixed and that the above release and dedication was duly signed and sealed by and as for the act and deed of the said _____ (Name of Corporation), for the uses and purposes therein mentioned and that the name of this deponent subscribed to the said release and dedication as _____ (Title of Officer) of said corporation, in attestation of the due execution and delivery of said release and dedication is this deponent's own and proper and respective handwriting.

Signature, Title of Officer

WITNESS MY HAND AND NOTARIAL SEAL

this _____ day of _____, _____.

My commission expires

the _____ day of _____

Notary Public

9.04 TITLE CLAUSE (NO MORTGAGE)

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

Witness

Owner

9.05 TITLE CLAUSE - MORTGAGE CLAUSE

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

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

Witness

Owner

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

Witness

Mortgagee

9.06 SURVEYOR'S CERTIFICATION (required)

I _____, a Registered Professional Surveyor of the Commonwealth of Pennsylvania, do hereby certify that the plan as shown hereon is based upon actual field survey of the land described and that all angles, distances and courses are correctly shown, that the monuments and markers have been set as shown on the plan, and that this plan correctly represents the lots, lands, streets and highways as surveyed and plotted by me for the owners or agents.

SEAL

Signature of Surveyor

Registration Number

9.07 LOCAL AUTHORITY STIPULATION (required)

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

_____ (SEAL)
Secretary

Chairman of the Board

9.08 CLINTON TOWNSHIP PLANNING COMMISSION APPROVAL (required)

Reviewed by the Clinton Township Planning Commission this

_____ day of _____, _____.

_____(SEAL)_____
Secretary *Chairman*

9.09 CLINTON TOWNSHIP BOARD OF SUPERVISORS APPROVAL (required)

Approved by the Clinton Township Board of Supervisors this

_____ day of _____, _____.

_____(SEAL)_____
Secretary *Chairman*

9.10 COUNTY PLANNING COMMISSION REVIEW (required)

Reviewed by the Butler County Planning Commission this

_____ day of _____, _____.

_____(SEAL)_____
Secretary *Chairman*

9.11 PROOF OF RECORDING (required)

COMMONWEALTH OF PENNSYLVANIA:

: ss.

County of Butler :

Recorded in the Recorder Office for the recording of deeds, plans, etc., in said County in Plan Book Volume _____ page _____.

Given under my hand and seal this _____ day of _____, _____.

SEAL _____
Recorder

SECTION X

EFFECTIVE DATE

This Ordinance is necessary to promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, the provisions of adequate light and air, transportation, water, sewerage, public grounds and other public requirements, to protect natural resources, as well as to prevent overcrowding of land.

Duly presented and adopted at a regular meeting of the Board of Supervisors of Clinton Township, Butler County, Pennsylvania, held on the 10th day of November 2009.

This Ordinance becomes effective on November 15th 2009.

_____ Mary Zacherl
Chairman

_____ James H Halstead
Vice Chairman

_____ Blaine S Martin
Supervisor

ATTEST:

Margaret S. Nelson
Secretary Treasurer

SEAL