

ORDINANCE NO. 1 OF 1990

TO BE KNOWN AS THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF WEST FINLEY REQUIRING BASIC MINIMUM STANDARDS FOR THE DEVELOPMENT OF LAND INCLUDING SUBDIVISION THEREOF INTO SEPARATE LOTS AND ESTABLISHING RULES, REGULATIONS, DEFINITIONS, APPLICATION PROCEDURES AND PERMITS BY WHICH THE STANDARDS MAY BE CARRIED OUT.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of West Finley Township, Washington County, Pennsylvania, pursuant to Act 247 of the Pennsylvania Municipalities Planning Code, as amended by Act 170 (53 P.S. 10101 et. seq.) and it is hereby Ordained and Enacted as follows: .

100- This Ordinance shall be known and may be cited as the Subdivision and Land Development Ordinance of the Township of West Finley, Washington County, Pennsylvania.

ARTICLE I

Purpose and Authority

101 - GRANT OF POWER:

For the purpose of assuring sites suitable for building purposes and human habitation, and to provide for the harmonious development of the Township, for adequate open spaces for traffic, recreation, light and air for proper distribution of population, thereby creating conditions favorable to the health, safety, moral and general welfare of the citizens, the Board of Supervisors in empowered to adopt, by Ordinance, land subdivision regulations. Such regulations may include definitions, design standards, plan requirements, plan processing procedures, improvement construction requirements, and conditions of acceptance of public improvements by the Township.

102 - EFFECTIVE DATE:

These regulations shall become effective five (5) days after enactment and shall remain in effect until modified or rescinded by the West Finley Township Board of Supervisors.

103 - SUBJECT PROPERTIES:

No subdivision of any lot, tract or parcel of land shall be effected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated to public use or travel thereon except in strict accordance with the provisions of these regulations.

104 - SALE OF LOTS:

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

ARTICLE II

200 - For the purpose of these regulations, words used in the present tense include the future tense, and the term "shall and will" are always mandatory. Unless otherwise expressly stated, the following words shall have the meaning herein indicated.

201 - BOARD:

Hearing Board.

202 - BUILDING OR STRUCTURE:

Any structure having a roof supported by columns or by walls and designed for shelter or housing of any person, animal or chattel.

203 - BUILDING LINE:

The line within the property defining the required minimum distance between any enclosed structure and the adjacent street right of way.

204 - CARTWAY:

That portion of the street right of way surfaced for vehicular use. The width is determined from the face of curb to face of curb.

205 - CUL-DE-SAC:

A residential street with one end open for public vehicular and pedestrian access and the other end terminating in a vehicular turn-around.

206 - DEVELOPER:

Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made

a subdivision of land or land development.

207 - EASEMENT:

Grant by a property owner of the use, for a specific purpose or purposes, of a strip of land by the general public, corporation or a certain person or persons.

208 - ESSENTIAL SERVICE:

Is the erection, construction, alteration or maintenance by public utilities or municipal department or commissions, including building necessary for the furnishing of adequate services for the public health, safety, or general welfare.

209 - GROUP HOUSING PROJECT:

One (1) or more multi-family residential structures on a site of two (2) or more acres which cannot subsequently be divided into convenient streets or lots that meet the requirements of this Ordinance.

210 - IMPROVEMENTS:

Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to: grading, paving, curb, gutter, storm sewers and drains, improvements to existing watercourses, sidewalks, crosswalks, street signs, monuments, water supply facilities, and sewage disposal facilities.

211 - LOT:

A tract or parcel of land intended for the transfer of ownership, use or improvement, whether immediate or future.

212 - LOT DEPTH:

The horizontal distance between the front lot line and the rear lot line.

213 - OPEN SPACE:

Any area of land which is predominantly free of structures.

214 - PLAN:

A. Plan - Final:

A complete and exact subdivision plan, prepared for official recording as required by statute, to define

property right and proposed streets and other improvements.

B. Master Plan:

The complete plan, or any of its parts, for the development of the municipality.

C. Plan - Preliminary:

A tentative subdivision plan, in lesser detail than a final plan, showing approximate street and lot layout on a topographic map as a basis for consideration prior to preparation of a final plan.

215 - OFFICIAL MAP:

The map of West Finley Township showing existing and recorded streets: supplementary notations may record right of way and cartway widths.

216 - PERSON:

Shall mean natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager lessee, agent, servant, or employee of any of them.

217 - RE-SUBDIVISION OR REPLATTING:

The replatting of a recorded subdivision, in whole or in part, by a redesign of lots by change of size in area frontage or dept, or by street layout.

218 - RIGHT OF WAY:

Any public highway, street or alley accepted by different levels of government for public use; all must be recorded in the Recorder of Deeds Office, Courthouse, Washington County, Washington, Pennsylvania.

219 - SIGHT LINE:

A three and one-half (3 1/2) foot vertical zone, eye level of the driver, above finished grade level at the center line of the right of way.

220 - STREETS AND ALLEYS:

A. Arterial:

Streets serving large columns of comparatively high speed and long distance traffic, and including

facilities classified as main and secondary highways by the Pennsylvania Department of Highways.

B. Collector:

Streets which, in addition to giving access to abutting properties, intercept minor streets and provide routes, carrying considerable volume of local traffic to community facilities and to arterial streets.

C. Minor Streets:

Streets used primarily to provide access to abutting properties.

D. Marginal Access:

Minor streets parallel and adjacent to arterial streets, providing access to adjoining properties and control of intersection with the arterial streets.

E. Alley:

A minor right of way providing secondary vehicular access to the side or rear of two (2) or more properties.

221 - SUBDIVISION:

The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling shall be exempted.

222 - TOWNSHIP:

A. Engineer:

The Engineer of West Finley Township.

B. Planning Commission:

The West Finley Township Planning Commission.

C. Supervisors:

The legislative body of West Finley Township,
Washington County, Pennsylvania.

223 - YARDS:

A. Front Yard:

The open space extending across the whole width of
the lot, between the front line of the building line
and the street right of way.

B. Rear Yard:

The required open space extending from the rear of
the main structure and along the rear lot line (not
a street line) throughout the whole width of the lot.

C. Side Yard:

The required open space extending from a building and
the adjacent side line of the lot extending from the
front line of the building to the rear line of the
building. Corner lots shall have a street side yard
of the same dimensions as a front yard.

224 - VARIANCE:

When the developer can show that a provision of these
regulations would cause unnecessary hardship if strictly
adhered to and where, because of topographical or other
conditions peculiar to the site, in the opinion of the
Planning Commission, a departure may be made without
destroying the intent of such provisions, the Planning
Commission may authorize a variance. Any variance so
authorized is required to be entered in the Minutes of the
Board of Township Supervisors and the reasoning on which the
departure was justified.

225 - WAIVERS:

Modifications to the minimum standards of the Ordinance
in accordance with Section 512.1, when the literal compliance
with mandatory provisions is shown to the satisfaction of the
governing body or planning agency, where applicable, to be
unreasonable, to cause undue hardship, or when an alternative
standard can be demonstrated to provide equal or better
results.

ARTICLE III

Application and Plan Requirements

300 - The plan requirements and application procedure shall be followed by developers as set forth herein and shall be submitted to the Township Secretary for review prior to consideration by the Township Planning Commission.

301 - PRE-APPLICATION:

Previous to the filing of an application for conditional approval of a preliminary subdivision plan, the developer shall submit the following plans and data to the Township Planning Commission:

A. General Information:

Describe existing covenants, land characteristics, community facilities and utilities; the number of lots and sizes, business areas, playgrounds and proposed protective covenants, utilities and street improvements.

B. Location Map:

Map shall show relationship of the proposed subdivision to existing community facilities which serve or influence it and shall include development name, location and existing facilities, title, scale and north arrow.

C. Sketch Plan:

Sketch Plan on a topographic map shall show in simple sketch form, the proposed layout of streets, lots and other features in relation to existing conditions and may be drawn free hand.

303 - PRELIMINARY PLAN REVIEW:

A. Application:

On reaching conclusions as recommended above regarding the general program and objectives, the developer shall prepare and submit one (1) copy of a preliminary plat with improvement plans. This plat shall be submitted to the Township Planning Commission for review according to requirements and standards contained herein.

B. Planning Commission Review:

The Township Planning Commission shall review the plat submitted covering the requirements of these regulations point by point, and shall consult with the Township Engineer and Officials of any other department or authority concerned.

C. Planning Commission Action:

The Township Planning Commission shall notify the developer of the scheduled meeting place, date, time and agenda schedule. Within thirty-five (35) days of this scheduled agenda review, the Planning Commission shall report, in writing, to the Township Supervisors on the subdivision, recommending approval conditional approval or disapproval, each with reasons for action and, in case of disapproval, the report shall specify the defects found in the application and describe the requirements which have not been met, citing the provisions of the Ordinance relied on.

D. Action of Township Supervisors:

The Township Supervisors shall act on the preliminary plan stating its approval, conditional approval, or disapproval, giving reasons for each, and may authorize in writing submission of a final plan for approval. In case of disapproval, the report shall specify the defects found in the application and describe the requirements which have not been met, citing the provisions of the Ordinance relied on. The decision of the Board shall be communicated to the developer within fifteen (15) days following the decision.

E. Nature of Approval:

Approval of a preliminary plan shall not constitute approval of a final plan, but rather an expression of approval of the layout submitted on the preliminary plat as a guide to the preparation of the final plat.

304 - PRELIMINARY PLANS AND DATA:

Shall include but not be limited to the following:

- A. The preliminary plan shall be drawn at a scale of one hundred (100) feet to the inch or greater.

- B. The Plan shall show or be accompanied by the following:
1. Material required in Section 301;
 2. Draft of protective covenants, if any;
 3. Title to include:
 - a. Name by which the subdivision will be recorded,
 - b. Location by municipality, county and state,
 - c. Names and addresses of the owner or owners,
 - d. Name of registered engineer or surveyor who surveyed the property and prepared the plan,
 - e. North point, date, and graphic scale;
 4. Tract boundaries with bearings, distances and area in acres to the nearest hundredths;
 5. Tract closures and block closures with an allowable error of 1:25,000;
 6. Contours at vertical intervals of five (5) feet, or at such intervals as may be necessary for study of the tract as determined by the Township Engineer;
 7. Datum to which contour elevations refer;
 8. Bench marks;
 9. Existing physical features to include:
 - a. Water courses, culverts, bridges and drains,
 - b. Buildings, sewers, water mains and fire hydrants,
 - c. Streets and alleys on or adjacent to the tract, including name, right of way widths and cartway widths, and
 - d. All other significant natural and man-made features.
 10. Proposed improvements to include:
 - a. Location, name and width of all proposed streets and alleys and paved cartway widths,
 - b. Sidewalks and crosswalks,
 - c. All rights of way and easements,
 - d. Lot lines with bearings and dimensions,
 - e. Building lines,
 - f. Reservations of grounds for public use,

- g. General drainage plan for storm water to include proposed directions of flow for storm water in relation to natural drainage channels,
 - h. A plan of the proposed water distribution system or a plan showing the location of individual wells,
 - i. A plan of the proposed sanitary sewerage system or a plan, where required, showing the proposed location of on-lot sewage disposal facilities, and
 - j. Proposed land use of the improvement.
11. The following additional data shall be submitted upon request by the Planning Commission:
- a. Names of abutting property owners,
 - b. Subsurface condition of the tract,
 - c. Profiles showing existing ground and proposed centerline street grades.
 - d. Typical cross-sections of roadways and sidewalks,
 - e. Sizes of water pipes and location of valves and fire hydrants, and
 - f. Location of manholes, invert elevations, grades and sizes of sanitary sewers.

305 - APPROVAL OF FINAL PLAN:

A. Application to Planning Commission:

When filing an application for examination for final plan, upon approval of the preliminary plan, the developer shall submit to the Township Secretary at least ten (10) days prior to a regular meeting of the Township Planning Commission, one (1) paper copy of all plans and other information. Four (4) copies may be submitted to meet requirements "F" of this Section. All final plans and other exhibits required for approval shall be submitted to the Township Planning Commission within three (3) months after approval of the Preliminary Plan. Otherwise, such approval shall become null and void unless an extension of time be applied for and granted by the Township Planning Commission.

B. Planning Commission Review:

The Township Planning Commission shall notify the developer of the scheduled meeting place, date, time and agenda schedule. Within thirty-five (35) days of this scheduled agenda, the Planning Commission

shall report to the Township Supervisors on the subdivision, recommending an approval, conditional approval or disapproval, each with reasons for action. Approved final plans shall bear the signatures of the Chairman and the Secretary of the Planning Commission to a certified statement that all plan procedure requirements have been met.

C. Planning Commission Action:

Following review by the Township Planning Commission, all final plans shall be submitted by the Planning Commission to the Township Secretary at least ten (10) days prior to a regular meeting of the Township Supervisors.

D. Action of Township Supervisors:

The Township Supervisors shall review the final plan for recording and shall indicate approval, conditional approval or disapproval. Approved final plans for recording shall bear the signatures of the Chairman and Secretary of the Township Supervisors and the official seal of the Township to a certified statement that all plan procedure requirements have been met. To approve a subdivision that the Township Planning Commission has not approved, the Township Supervisors must have a two-thirds (2/3) vote of the whole legislative body.

E. Notice of the decision of the Board or the Planning Commission shall be communicated, in writing, to the developer within fifteen (15) days following the decision.

Decision of the Board or Planning Commission shall be rendered within ninety (90) days after the filing of the application.

F. Review Fee:

At the time of filing the application of plans, the developer shall pay to the Township Supervisors, for use by the Township, a review fee to defray the cost of processing such plans and drafting same on the Official Map of West Finley Township. Review fees shall include reasonable and necessary charges by the Township's professional consultants for review and report thereon to the Board. Such review fees shall be based upon a schedule established by resolution of the Board pursuant to Section 503 of the Municipalities Planning Code.

G. Disposition of Plans:

One (1) copy of all plans submitted for approval shall be retained by the Planning Commission, one (1) copy by the Township Supervisors, and the third copy shall be returned to the Subdivider.

306 - FINAL PLAN AND DATA FOR APPROVAL:

For any subdivision requiring approval, the plan submitted:

- A. Shall be drawn on milar or linen and shall be on standard sheets in multiples of eighteen (18) inches by twenty-four (24) inches with a border of one-half (1/2) inch on all sides except the binding edge which shall be one and one-half (1 1/2) inches. More than one (1) sheet may be used for larger tracts and must be indexed.
- B. Shall be drawn with waterproof black ink and all records, data, entries, statements, etc. thereon shall also be made with the same type of ink or reproducible typing.
- C. Shall be drawn to a scale of one hundred (100) feet to the inch or larger.
- D. Shall contain a title block in the lower right corner with the following:
 1. Name under which the subdivision is to be recorded,
 2. Date of plan, graphic scale, and location of subdivision,
 3. Name of developer, and
 4. Name and address of engineer or surveyor preparing plan.
- E. All final plans submitted shall be drawn according to the following:
 1. Streets and other ways of medium solid lines,
 2. Property lines of adjacent subdivisions by medium dashed and two (2) dotted lines,
 3. Lot lines by light dotted lines, and

4. Restriction lines, easements, etc. by light dashed lines.

Within Subdivision

1. Streets or ways of heavy solid lines,
2. Perimeter property lines of the subdivision by heavy dashed and two (2) dotted lines,
3. Lot lines of medium solid lines,
4. Restriction or building lines by medium dashed lines, and
5. Easements or other reserved areas by light dotted lines.

F. The Final Plan Shall Show:

1. Primary control points, approved by the Township Engineer, or description and ties to which all dimensions, angles, bearings, and similar data shall be referred,
2. Tract boundary lines, right of way lines of streets, easements and other rights of way, and property lines of residential lots and other sites with accurate dimensions, bearing or deflection angles, and radii, arcs and central angles of all curves,
3. Name and right of way width of each street or right of way,
4. Location, dimensions, and purpose of all easements,
5. Number to identify each lot or site,
6. Purpose for which sites other than residential are to be dedicated,
7. Building setback line on all lots and sites,
8. Location and description of survey monuments,
9. Names of record owners of adjoining unplotted land,
10. Certification of surveyor or engineer as to the accuracy of survey and plat,

11. Statement by the owner dedicating streets, right of way and sites for public use,
12. Protective covenants, if any, in form for recording, and
13. Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of these regulations.

307 - RE-SUBDIVISION OR REPLATTING:

The combination or recombination of lots or portions of previously plotted lots when the resultant lots are increased in street frontage and total area size that reach or exceed the standards of this Ordinance, and the street patterns are in conformity to the Township Master Plan, the procedures and regulations heretofore described shall be followed except as they may be modified on application to the Township Planning Commission.

ARTICLE IV

Variances

- 400 - Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variance will not have the effect of nullifying the interest and purpose of the Master Plan, the Official Map or these regulations.
- 401 - In granting variances and modifications, the Planning Commission may require such conditions, as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified. The granting of variances and modifications by the Planning Commission shall be conditional and subject to the final approval of the Board of Supervisors.

ARTICLE V

Design Standards

500 - APPLICATION OF STANDARDS:

The following land subdivision principles, standards and requirements shall be applied by the Township Planning

Commission in evaluating the plans for proposed subdivisions and shall be considered minimum requirements.

501 - LAND REQUIREMENTS:

- A. Land shall be suited for the purpose for which it is to be subdivided in accordance with the interest and purpose of the Master Plan.
- B. Land subject to hazards of life, health, and safety shall not be subdivided for residential use until such hazards have been removed.

502 - STREET REQUIREMENTS:

- A. Proposed streets shall be properly related to Township, County and State road and highway plans which have been prepared and officially adopted.
- B. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades.
- C. Minor streets shall be so laid out as to discourage through traffic, but provisions for street connections into and from adjacent areas will be generally required.
- D. Where a subdivision abuts or contains an existing or proposed arterial street, the Township Planning Commission may require a marginal access street, reverse frontage or other treatment which will provide protection for abutting properties, reduction of number of intersections, and separation of local and through traffic.
- E. Half streets shall be prohibited except to complete an existing half street.
- F. Dead end streets shall be prohibited except as stubs to permit future street extension into adjoining tracts, or when designated as cul-de-sacs.
- G. Maximum allowable grades:

Arterial	Six (6) percent
Collector	Eight (8) percent
Minor	Twelve (12) percent
- H. Minimum grades on all streets shall not be less than 0.5%.

I. Vertical curves shall be installed on all street grade changes exceeding one (1) percent.

J. Alignment:

Minimum centerline radius for horizontal curves:

Arterial	Five Hundred (500) feet
Collector	Two Hundred (200) feet
Minor	One Hundred (100) feet

K. Widths:

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

<u>Type of Street</u>	<u>Type of Development</u>	<u>Cartway</u>	<u>Right of Way</u>
Minor and Marginal Access	Single family lots 100 ft. or more in width or plan of less than twenty (20) lots.	22 ft.	50 ft.
	Single family lots 60-100 ft. in width or multi-family.	22 ft.	50 ft.
	Commercial or industrial.	22 ft.	50 ft.
Collector	Single family lots 133 ft. in width or greater.	22 ft.	50 ft.
	Single family lots 100-133 ft. in width.	22 ft.	50 ft.
	Single family lots under 100 ft. multi-family, commercial or industrial.	32 ft.	50 ft.
Arterial	Interstate, Class 1 and Class 2	As prescribed by the Pennsylvania Department of Highways.	

In cases where a new subdivision is planned to join the street system of an existing subdivision, the above minimum shall apply except where the existing streets and right of ways are larger as the existing. Private covenants may apply if there provisions are in excess of this Ordinance.

L. Cul-de-sacs:

Cul-de-sacs are permitted where the street length does exceed six hundred (600) feet and where a turnaround with a right of way diameter of ninety (90) feet is provided. Extensions of a cul-de-sac will be permitted to connect to a street system of a new or extended subdivision provided that the maximum street lengths for blocks and cul-de-sacs are not exceeded. This street design shall be avoided unless it is clear that a through street is not essential to the street system of the area.

M. Street Intersections:

1. All curbs at intersections shall be rounded by a minimum radius of:
 - a. Collector and Arterial streets twenty (20) feet,
 - b. Minor and Marginal Access streets fifteen (15) feet.
2. When any street or alley intersection will involve banks or vegetation existing or to be planted inside any lot corner that would create a traffic hazard by limiting visibility, from a height of three and one-half (3 1/2) feet, finished paved area, at the center line of the right of way provided a sight line of 100 feet at major street intersections and 75 feet at minor street intersections. When a major street intersects, each shall retain its respective footage requirements to form the sight triangle.
3. Where the grade of any street at the approach to an intersection exceeds five percent (5%), a leveling area shall be provided with a transitional grade not to exceed two percent (2%) for a distance of 50 feet from the nearest right of way line of the intersection.
4. Multiple intersections of more than four (4) streets shall be avoided.
5. Minimum street intersection angles shall be sixty (60) degrees.

N. Street Offsets:

Street offsets of less than 125 feet are to be avoided.

O. Reverse Curves:

Reverse curves shall have a minimum tangent between them of:

Collector Streets	75 feet
Minor Streets	50 feet

P. Alleys:

1. Not permitted in residential areas.
2. Permitted in commercial and industrial areas subject to approval of the Township Planning Commission.
3. Alleys shall be paved at least twenty (20) feet in width.
4. Maximum alley grade shall be fifteen percent (15%).
5. Any alley with a grade exceeding twelve percent (12%) shall be paved.

503 - LOTS:

- A. Residential lots where not served by either public water or sanitary sewers shall not be less than two hundred (200) feet wide at the building line not less than forty-three thousand five hundred sixty (43,560) square feet or 1 acre in area per family.
- B. Residential lots where served by one (1) public facility, that is either public water or sanitary sewers, shall not be less than one hundred (100) feet wide at the building line or nor less than twenty-two thousand (22,000) square feet or 1/2 acre in area per family.
- C. Residential lots where served by both public water and sanitary sewers shall not be less than sixty (60) feet wide at the building line, or less than ten thousand (10,000) square feet in area per family.
- D. Where lots are intended for the use of two (2) families, the minimum lot area shall be increased by one thousand five hundred (1,500) square feet; for each residential unit of three (3) or more families

the minimum lot sizes shall be increased by three thousand (3,000) square feet per dwelling unit beyond the requirements of a two (2) family dwelling.

- E. Subdivision of land other than for residential purpose shall be subject to a review by the Township Planning Commission and the Township Supervisors in so far as size, depth, width of lots and parking are concerned.
- F. Corner lots shall have an extra width of at least fifteen percent (15%) of the above required widths to permit appropriate building set back to meet required side yard regulations listed below for orientation for both streets.
- G. The frontage width of a lot fronting a cul-de-sac shall be determined at the building line. The side yard set back requirements will be calculated from the mid-point of the structure along the average length of both sides of the structure.
- H. All lot lines shall be set perpendicular or radial to the centerline of street whenever possible. All nonradial lines shall be denoted as such on plat.
- I. Lots abutting minor streets shall front upon the street which parallel the long dimension of the block, if possible.

BUILDING LINES:

The following shall be considered minimum on all streets:

<u>Front Yard</u>	<u>At Corners</u>	
	<u>Front Yard</u>	<u>Side Yard</u>
35 feet	40 feet	20 feet

504 - OTHER MINIMUM SETBACK DISTANCES SHALL BE:

Side Yard	20 feet from the main building.
Rear Yard	10 percent of total lot depth.

Accessory buildings may be placed no closer than five (5) feet from the side lot line in the rear yard. Where such subdivision has existing buildings on either side, the building setback line for the new subdivision may be the average of the setback of existing buildings within twenty (20) feet.

505 - BLOCKS:

- A. Block lengths shall not exceed one thousand six hundred (1,600) feet nor be less than five hundred (500) feet.
- B. Blocks shall be at least two (2) lots in depth.

506 - EASEMENTS:

- A. Utility easements shall be a minimum of fourteen (14) feet and placed at the side or rear lot line; when the Engineer determines that natural conditions, streets, or lot design are suitable for essential services, an easement reservation will be required.
- B. Anchor easements shall be approximately four (4) feet by thirty (30) feet and placed on dotted lines.
- C. Aerial easements shall be a minimum of fifteen (15) feet in width.

507 - STREET NAMES:

The developer may choose his street names subject to the approval of the Township Supervisors. No street, other than an extension, may be given the name of an existing street in the Township.

ARTICLE VI

Improvements

600 - MONUMENTS:

Monuments shall be placed at all block corners, angle points, points of curves in the streets, and intermediate points as determined by the Township Supervisors. Same shall be of such size, length and material as approved by the Township Supervisors.

601 - SCHEDULES OF REQUIRED UTILITIES AND STREET IMPROVEMENTS:

A. Water Supply:

- 1. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the governing body or planning

agency, as the case may be, that the subdivision or development is to be supplied by a certificated public utility or by a municipal corporation, authority or utility

2. Location of individual wells or project wells for water supply in relation to location of sanitary systems shall be approved by the Sewage Enforcement Officer and a copy of the approval shall be submitted to the Township Supervisors.
3. Inspection: by local agency or Sewage Enforcement Officer.

B. Storm Sewers:

1. Storm sewers shall be located in the right of way at an edge of the cartway or curb.
2. Storm drains shall have a minimum diameter of fifteen (15) inches and a minimum grade of 0.50 percent.
3. Manholes or cleanouts shall be spaced at intervals of three hundred (300) feet or less for pipes twenty-four (24) inches and under, not more than four hundred fifty (450) feet for pipes twenty-four (24) inches and larger, and at all grade changes, alignment changes and pipe size changes.
4. Bridges and culverts shall be designed to support the expected loads, to carry expected construction the full width of the right of way, where deemed necessary by the Township Supervisors.
5. Drainage plans shall be submitted for approval with preliminary application.
6. Inspection of storm drainage shall be made by the Township Supervisors.

C. Sanitary Sewers:

1. Installation of sanitary sewers including house lines, laterals, trunks, manholes, and other appurtenances shall comply with the rules and regulations of the Township Engineer or authorized agent and said installations subject to inspection by the same.

2. In areas where a municipal sewer is not available (over one thousand (1,000) feet from the nearest point of the subdivision), is not topographically feasible, or where an easement cannot be obtained through adjoining property, individual septic tanks or project sewage systems will be permitted, subject to approval of drawings and design by the Township SEO and DER.
3. In areas where a municipal sewer is available, all properties within the subdivision shall be connected thereto.

D. Streets, Base and Drainage:

1. Streets to be graded to grades as established on preliminary plan and street profiles and as approved by the Township Supervisors.

2. Cross Drains:

Shall be a minimum of fifteen (15) inches reinforced concrete or BCCM pipe with paved invert and shall be placed wherever necessary to transfer water across the road to a natural water course and at road intersections where needed. (Valley gutters may be used when approved by the Township Supervisors)

3. Base Course:

Eight (8) inch thick (rolled measurement) native stone, limestone, or crushed slag properly graded and meeting the requirements of the current specifications of the Pennsylvania Department of Highways. Form 408, and subject to their complete tests. Lesser base courses, to a minimum of six (6) inches, may be authorized on advice of the Township Supervisors on smaller streets where the character of the drainage of the subgrade, the size of the subdivision and the nature of the traffic warrants.

E. Curbing, Paving and Sidewalks:

NOTE: The following shall be enforced only as required by the Township Supervisors.

1. Curbing:

Curbing shall be of concrete, either straight, battered or rolled as shown on the accompany-

ing illustration. At the discretion of the Township Supervisors molded bituminous curbing may be approved but only on specific application to said Supervisors.

2. Pavement:

A two and one-half (2 1/2) inch bituminous plant-mixed surface shall be placed on the prepared base to meet the requirements of the specifications of the Pennsylvania Department of Highways, Form 408. Where a six (6) inch base is authorized, a bituminous surface treatment in accordance with an AT-1 specification complying with the Pennsylvania Department of Highways Form 408 may be used. Where concrete pavement is used, the standard requirements of the Pennsylvania Department of Highways shall govern and all work shall be performed in the manner prescribed in the standard specifications for road construction of said Department, and shall be approved by the Engineer. Minor streets shall be at least six (6) inches in thickness and conform to other specifications of the Pennsylvania Department of Highways. Either type of pavement listed above must be approved the Township Supervisors before application. Said installation shall be under the direct supervision of the Township Supervisors.

3. Sidewalks:

Sidewalks shall be of Portland Concrete four (4) inches in thickness except at driveways where they shall be a minimum of six (6) inches. Sidewalks shall be a minimum of four (4) feet in width. Sidewalks may be omitted with the approval of the Township Supervisors.

F. Street Signs:

Street name signs shall be installed at each street intersection in accordance with standards established by the Township.

ARTICLE VII

Conditions of Acceptance

700 - RECORDING:

Within ninety (90) days after the date of approval of the final plat, the developer shall record one (1) approved duplicate copy of same in the office of the County Recorder of Deeds, and file with the Secretary of the Township a Recorder's Certificate that the approved plan has been recorded with the Plat Book and Page Number indicated and approval shall not become final and effective until such Certificate has been filed.

- A. After an approved subdivision plan shall have been officially recorded, the streets, parks, and other public improvements shown thereon shall be so considered to be a part of the Official Map of the Township.
- B. Streets, parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the municipality by formal notation thereof on the plat.
- C. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or other improvement until such time as the same shall have been offered for dedication to the municipality and accepted by ordinance or resolution, or until it shall have been condemned for use as a public street, park or other improvement.

701 - GENERAL:

- A. The Township Supervisors shall not approve any subdivision plan except in conformance with the provisions of this Ordinance.
- B. The Township Supervisors may specify alterations, changes, or modifications in any subdivision plan which it deems necessary and may make its approval subject to such alterations, changes or modification.
- C. No road, street, lane way or related improvement shall be accepted as a part of the highway system of the municipality or for maintenance unless opened, laid out, graded and improved in strict accordance with the standards and regulations of the Township

Supervisors.

- D. Before acting to approve any subdivision plan, the Township Supervisors may arrange for a public hearing thereon, after giving such notice as may be deemed desirable.
- E. Before approving any subdivision plan, the Township Supervisors shall require a written agreement that necessary grading, paving and street improvements, side walks, street lights, fire hydrants, water mains, and sanitary sewers, as may be required by the municipality shall be installed in strict accordance with the standards and specifications by the subdivider within a specified time period. The written agreement shall include a bond, deposit of funds, or other securities sufficient in amount, as shall be determined by the Township Supervisors, to cover the cost of such improvements. If the improvements shall not have been installed within the time required and in accordance with the standards and specifications, such deposit shall be forfeited to the municipality. Upon written certification by the Township Supervisors that such improvements have been satisfactorily completed, the deposit shall be returned to the developer.
- F. County Planning Commission Review

Applications for subdivision and land development shall be promptly forwarded, by the Township Planning Commission, to the Washington County Planning Commission for review and report together with such fee as required by the County Planning Commission, the fee for same to be advanced by the applicant; Provided, however, that neither the Township Planning Commission or the Township Supervisors shall approve the application until the County Planning Commission's report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County Planning Commission.

ARTICLE VIII

Certificates, Affidavits, Approvals

800 - The certificates quoted above shall be inscribed on the plan as quoted and shall be properly signed and attested when the plan is submitted to the Township Planning Commission.

ARTICLE IX

Validity and Penalty

900 - Any person, co-partnership, or corporation who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding before a District Justice, pay a judgment of not more than Five Hundred Dollars (\$500) plus all court costs, including reasonable attorney's fees incurred by the municipality as a result thereof.

Each day that a violation continues shall constitute a separate violation, unless it is determined that a good faith basis existed for the violation in which case there shall be deemed only one violation until the fifth (5) day following the violation; thereafter each day shall constitute a separate violation.

901 - Should any Section or provision of these regulations be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole, or any other part thereof.

ORDAINED AND ENACTED this 26th day of February,
1990, to become effective five (5) days thereafter.

Robert B McCleery
Chairman of the Board of
West Finley Township

ATTEST:

Mary Alice Kichey
Secretary