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SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Part 1

Purpose and Authority

Section 101. Title. These regulations, rules, and standards for planning, subdividing, and developing land within the Township of Centre, Berks County, Pennsylvania, including procedures for the application and administration, and penalties for the violation thereof, shall be known, cited and referred to as the "Subdivision and Land Development Ordinance for the Township of Centre".

Section 102. Purpose. The general purpose of these regulations shall be to guide and regulate the planning, subdividing, and development of land in order to promote and protect the public health, safety and convenience, comfort, prosperity, and general welfare of the residents in the Township of Centre.

Section 103. Objectives. It is intended that the provisions of these regulations shall be applied to achieve the following objectives:

The accurate surveying of land and the preparation and recording of plats.

The coordination of Land Development with the Zoning Ordinance, Comprehensive Plan and other plans of the Township and the County.

Safe and convenient circulation for pedestrians and vehicles.

Adequate and economical provisions for utilities and public services.

The discouragement of premature, uneconomical or scattered Subdivisions or Land Developments.

Stormwater management to maintain natural stormwater run-off characteristics and reduce stream erosion.

Conservation of resources within the Township, including water.

To encourage conservation of land by clustering of units and by encouraging the development of community water and sewer.

Control Subdivisions and Land Development of flood plain areas in order to promote and protect the general health, safety and welfare of the community; that facilities be designed and installed to preclude flood damage; to minimize future flood hazards and future property damage by regulating building construction and land development on flood plain and floodway.

Section 104. Application of Regulations. No Subdivision or Land Development of any lot, tract, or parcel of land located in the municipality shall be implemented; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel until a Preliminary Plat has been approved by the Governing Body in a manner prescribed herein, and recorded, nor otherwise used except in strict accordance with the provisions of this Ordinance.

No lot in a Subdivision may be sold; no permit to erect, alter, or repair any building upon land in a Subdivision or Land Development may be issued; and no building may be erected in a Subdivision or Land Development unless and until a Final Plat has been approved and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.

Section 105. Interpretation. The provisions of these regulations shall be held to be minimum requirements to meet the above stated objectives and purposes. Where the provisions of these regulations impose lesser restrictions than those of any other statute, ordinance or regulations, then those other statutes, ordinances, or regulations shall prevail.

Part 2
Definitions

Section 201. General Terms: Constructions. Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

Words in the singular include the plural and those in the plural include the singular.

The word "shall" is always mandatory; the word "may" is permissive.

The words "person" or "subdivider" or "developer" or "owner" include a firm, association, organization, partnership, trust company, or corporation as well as an individual.

Section 202. Specific Terms. Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. Undefined terms or words used herein shall have their ordinarily accepted meanings or such as the context of this Ordinance may imply. In the case that a definition for a term which exists in this ordinance is different from the definition for the same term which exists in the Pennsylvania Municipalities Planning Code (PMPC), as amended, the definition that exists in the PMPC shall prevail.

ACCELERATED EROSION - the removal of the surface of the land through the combined action of man's activities and the natural processes at a rate greater than would occur because of the natural process alone.

ALLEY OR LANE - a minor right-of-way, primarily for vehicular service access to the rear or sides of properties.

BUILDING (SETBACK) LINE - a line established by the Township of Centre and Borough of Centerport Zoning Ordinance which defines the required minimum distance between any building and the adjacent public right-of-way.

CARTWAY - the portion of the street right-of-way, paved or unpaved, intended for vehicular use. The shoulder is not considered part of the cartway.

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

COUNTY - Berks County, Pennsylvania.

DETENTION STRUCTURE - a vegetated pond, swale, or other structure designed to drain completely after storing run-off only for a given storm event and release it at a predetermined rate. (Also known as a dry pond.)

EASEMENT - a right-of-way granted for limited use of land for public or

ENERGY DISSIPATER - a device used to slow the velocity of stormwater, particularly at points of concentrated discharge such as pipe outlets.

ENGINEER, PROFESSIONAL - an individual licensed and registered under the laws of Pennsylvania to engage in the practice of engineering.

FREEBOARD - the difference between the design flow elevation in the emergency spillway and top of the settled embankment.

GOVERNING BODY - the Township Supervisors.

GRASSED WATERWAY.- a natural or man-made drainageway of parabolic or trapezoidal cross-section shaped to required dimensions and vegetated for safe dispersal of run-off. (Also known as a swale.)

HOLDING POND - a retention or detention pond.

IMPROVEMENTS - physical additions and changes to the land, necessary to produce usable and desirable lots and developments.

LAND DEVELOPMENT - the term is used herein as it is defined in the Municipalities Planning Code, as amended.

LANDOWNER - the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase, 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.

LANDSCAPE ARCHITECT - a person licensed and registered under the laws of Pennsylvania to engage in the practice of landscape architecture.

LOT - any tract or parcel of land, regardless of size, intended as a unit, whether or not for transfer of ownership, use, improvement, or development.

LOT AREA - the area contained within the property line of a lot or the allocation of land, excluding space within any street right-of-way.

MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operation.

MOBILE HOME PARK - a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

MUNICIPALITY - Township of Centre

PLAN, FINAL - a complete and exact Subdivision or Land Development Plan prepared for recording as required by statute, this Ordinance and any other relevant ordinance to define property rights, proposed streets and other improvements; a Final Plat.

PLAN, MAJOR - any Subdivision or Land Development involving more than

proposing the opening, widening, extension, or improvement of a street or right-of-way, or the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving a group of two or more buildings; or the division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.

PLAN, MINOR - a proposed division of a parcel of land which adjoins an existing public street and does not involve the opening, widening, extension, or improvement of any street, or the installation of any public utility outside the frontage road and does not involve any of the elements of a major plan and does not involve more than five (5) lots. The calculations as to the number of lots shall not consider any Subdivision of a tract of land prior to the effective date of this Ordinance.

PLAN, PRELIMINARY - a tentative Subdivision or Land Development Plan showing proposed street and lot layout as a basis for consideration prior to preparation of a Final Plat. Submission of this plan and application shall be considered an Official Submission.

PLAN, SKETCH - an informal plan which should include at least the following: location map, general information about the project, property map of the proposed development, and sketch of the proposed layout. Submission of this plan shall be considered an Unofficial Submission.

PLANNING COMMISSION - the planning commission of the Township of Centre

PLANNING COMMISSION ENGINEER - a duly registered Professional Engineer, licensed as such in the Commonwealth of Pennsylvania, employed by the Planning Commission or engaged as a consultant thereto.

PLANNING COMMISSION SOLICITOR - an Attorney at Law, licensed by the Pennsylvania Supreme Court to practice law before the courts of the Commonwealth of Pennsylvania, employed by the Planning Commission.

PLAT - the map or plan of a Subdivision or Land Development, whether Preliminary or Final.

RECORD DRAWING OR "AS BUILT" DRAWINGS - set of prints of the original facilities showing those changes made during the construction process.

RETENTION STRUCTURE - a pond, swale, or other structure designed to retard stormwater run-off with its primary release of water being through the infiltration of said water into the ground.

RIGHT OF WAY - the total width of any land reserved or dedicated for use as street, alley, or for any other public purpose.

SEDIMENT BASIN - a temporary dam or barrier constructed across a waterway or at other suitable locations to intercept the run-off and to trap and retain the sediment.

STORAGE STRUCTURE - a retention or detention structure.

STORMWATER MANAGEMENT - the control of run-off to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site conforms to the Stormwater Management Ordinance and any other applicable regulations.

STREET - a street, road, highway, alley, lane and any other strip of land including the entire right-of-way used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET, ARTERIAL - a street whose primary function is to serve comparatively high volumes of through traffic at speeds higher than desirable on collector and local streets.

STREET, COLLECTOR - a street which, in addition to providing access to abutting properties, collects traffic from the local street system.

STREET, CUL-DE-SAC - a street terminating in a vehicular turn-around.

STREET LINE - the limit of a street right-of-way.

STREET, LOCAL - a street used primarily to provide access to abutting properties.

STREET, MARGINAL ACCESS - a local street parallel and adjacent to an arterial or collector street, providing access to abutting properties and control of intersections with collector or arterial streets.

STREET, PRIVATE - a strip of private land providing access to abutting properties and not offered for dedication or whose dedication was not accepted by the Township.

SUBDIVISION - the term is used herein as it is defined in the Municipalities Planning Code, as amended.

SUPERVISORS - the governing body of the Township of Centre. (Township Supervisors)

SURVEYOR, PROFESSIONAL LAND - an individual licensed and registered under the laws of Pennsylvania to engage in the practice of land surveying.

TOWNSHIP - the Township of Centre

Flood Plain Management.

BUILDING - a combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers used for human habitation.

DEVELOPMENT - any man-made change to improved or unimproved real estate, including, but not limited to, buildings, mobile homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

FLOOD PLAIN - (1.) a relatively flat or low area adjoining a river.

inundation of water. (2.) an area subject to the unusual and rapid accumulation of run-off of surface water from any source. For the purpose of this Ordinance, the flood plain shall be considered to be the one hundred (100) year flood plain which is a flood plain subject to the above conditions on an average of once every one hundred (100) years.

FLOODWAY - that portion of the one hundred (100) year flood plain including the channel of a river or other watercourse and the adjacent land areas which are required to carry and discharge the one hundred (100) year flood where the activities permitted elsewhere in the flood plain district will not cumulatively increase the water surface elevation more than one (1) foot at any given point. The detailed study of the regulatory flood provides specific flood profiles and allows for the delineation of both floodway and flood fringe areas within the bounds of the flood plain.

FLOOD FRINGE - that portion of the floodplain outside the floodway.

REGULATORY FLOOD - a flood having an average frequency of occurrence on the order of once in every one hundred (100) years, although the flood may occur in any year.

REGULATORY FLOOD ELEVATION - the one hundred (100) year flood elevation based upon the information contained in the Official Flood Insurance Study, and/or other available sources of flood plain information. In cases where the Official Flood Insurance Study has been completed, information from said study shall be used.

STRUCTURE - anything constructed or erected on the land or attached to the land including, but not limited to, buildings and similar items.

**Part 3
Procedures**

Section 301. Intent. The procedures established in this Part are intended to define the steps by which a Developer shall design plats, make an application for plat approval, record plats, and construct improvements, and by which the Township of Centre Officials may review, make recommendations, approve the plans and otherwise administer these regulations. For those Subdivisions hereinafter referred to as Minor Subdivisions or Land Developments, a Sketch Plan and abbreviated procedure is established. For all others which are classified as Major Subdivisions or Land Developments, a Preliminary Plan and Final Plan procedure is established.

Section 302. Pre-application. The Township of Centre shall, for a fee, make available to Developers copies of these Subdivision and Land Development Regulations, the Zoning Ordinance, the Well Ordinance, and any other applicable rules, regulations, codes or ordinances. Applications for approval of a Subdivision or Land Development shall be in accord with these regulations, and all other relevant ordinances and regulations. Prior to the formal submission of a Subdivision or Land Development Plan for review and approval, the Developer may submit a Sketch Plan to the Township for advice on the requirements necessary to achieve conformity to the standards of these regulations. Submission of a Sketch Plan shall not constitute formal filing of a Plan with the Planning Commission.

Section 303. Minor Subdivision or Land Development.

1. Classification - a proposed division of a parcel of land which adjoins an existing public street; and does not involve the opening, widening, extension, or improvement of any street, or the installation of any public utility outside the frontage road; and does not involve more than five (5) lots as set forth in the definition of minor plan which is incorporated herein.
2. Application - a Final Plat complying with the requirements set forth in Section 402 shall be prepared for each Minor Subdivision or Land Development and an approval requested from the Governing Body of the Township. When filing an application for approval of a Minor Subdivision or Land Development, the Developer shall submit to the Planning Commission secretary, or other duly authorized representative, at the time or times designated by resolution of the Governing Body of the Township, fifteen (15) white paper prints, in 18" x 24" size.
3. Approval - after an application for approval of a plat of a Minor Subdivision or Land Development has been filed with the Planning Commission secretary, together with all maps and necessary data and fees paid by the Applicant, the Planning Commission shall forward copies of the application to the Berks County Planning Commission for review and report. The Governing Body shall not approve such applications until the County report is received or until the expiration or thirty (30) days from the date the application was forwarded to the County. The Governing Body shall render its decision and communicate it to the Applicant not later than ninety

Commission next following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed. The decision of the Governing Body shall be in writing and shall be communicated to the Applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall in each case cite the provisions of the Ordinances relied upon. Failure of the Governing Body to render a decision and communicate it to the Applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the Applicant or the Applicant's designated agent such as a Surveyor, Engineer or Attorney, or a combination of the above, has agreed in writing to an extension of time (such extensions shall be granted by the Planning Commission, if the Commission so desires) or change in the prescribed manner of presentation or communication of the decision. Anyone acting as the Applicant's agent shall have a written authorization from Applicant to so act and the authorization will be valid until the Applicant revokes the authorization in writing. Failure to meet the extended time or change in manner of presentation or communication shall have like effect.

Section 304. Minor Subdivision or Land Development - Recording. Within ninety (90) days after approval of a Final Plan by the Governing Body, the Plan shall be recorded by the Applicant with the Berks County Recorder of Deeds. The Applicant shall promptly notify the Governing Body that the Plan as approved has been recorded without any changes and furnish proof of recording by supplying recording information to the Governing Body. The Governing Body will take no action on permits of any type until the recording information is received. Should the Plan not be recorded within such period, the action of the Governing Body shall become null and void, unless thereafter reaffirmed by the Governing Body.

Section 305. Major Subdivision or Land Development Preliminary Plat.

1. Classification - any Subdivision or Land Development which is not a Minor Subdivision or any Subdivision or Land Development proposing the opening, widening, extension, or improvement of a street or right-of-way, or the improvement of one lot or two or more contiguous lots, tracts, parcels of land for any purpose involving a group of two or more buildings, or the division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features, included, but not limited to this classification are: multi-family dwellings, commercial and industrial developments.
2. Application - a written application for approval and fourteen (14) blue or black line prints of a Preliminary Plan and four (4) copies of other supplementary required data prepared by a Professional Land Surveyor, Professional Engineer or Landscape Architect, as

applicable and as allowed under State registration acts, complying with the requirements set forth in this Ordinance shall be submitted to the Planning Commission secretary, or other duly authorized representative, fifteen (15) days (minimum) prior to the next regularly scheduled meeting, or at such other time or times as may be designated by resolution of the Governing Body from time to time. The purposes of the Preliminary Plan are to consider the design for the Subdivision or Land Development, the most suitable relationship to adjoining developments or undeveloped land, to outline a program of improvements and obtain the advice, suggestions, and requirements of the Governing Body before the Plan becomes rigid as in a detailed drawing; the submittal of alternate plans is recommended.

3. Additional Reviews - upon receipt of the Preliminary Plan, the Planning Commission shall submit copies of the Plan to the Township and to the Berks County Planning Commission, and shall submit the Plan to the Planning Commission Engineer, Zoning Officer, and Safety Committee and to the Planning Commission Solicitor where warranted.
4. Approval - approval procedures for Preliminary Plans shall be the same as those set forth in Section 303(3). If the Plans are approved, one copy shall be returned to the Applicant with the signatures of the Township. Provisions related to vested or other rights obtained through plan approval shall be those as set forth in the Municipalities Planning Code, as amended.
5. Improvement Plan - as part of the Preliminary Plan submission, the Applicant shall also submit detailed plans of the physical improvements of the roadways, utilities, and other improvements proposed in the Subdivision or Land Development. These improvements plans may include, but not be limited to, sanitary sewer, water lines, stormwater management facilities, sidewalks, curbs and pavement plans. These plans shall be prepared and stamped by a Professional Land Surveyor, Professional Engineer, or Landscape Architect, per applicable state laws governing the practice of individuals in these fields, and submitted in duplicate to the Township for approval or disapproval. All details and designs shall meet the improvement requirements of this Ordinance and all other applicable requirements of the Township.

One set of the improvement plans shall be submitted to the Township and one set shall be submitted to the Planning Commission Engineer for review and comment.

Section 306. Major Subdivision or Land Development - Final Plat. Within five (5) years after approval of the Preliminary Plat, a Final Plat with all necessary supplemental data shall be officially submitted to the Governing Body for final review and approval. Otherwise the Plan as submitted shall be considered as a new Preliminary Plat. The Final Plat may be submitted in phases or increments if phasing or increments is pre-approved by the Governing Body.

1. Application - the application for final approval shall include ten (10) blackline paper prints, two (2) sets of the final improvement

this Ordinance. The Final Plan shall conform in all important respects to the Preliminary Plans and any special conditions or modifications subsequently stipulated. Mathematical data and computations shall be correct, and designs and details of the required improvements as shown on the drawings and specifications shall conform with any comprehensive plans for streets and utilities and the construction standards in effect in the municipality. Accurate boundary lines, with dimensions and bearings, which provide a survey of the tract shall be indicated and shall close with an error of no more than one (1) foot in ten thousand (10,000) feet.

2. Approval - after an application for approval of a Final Plan of a Major Subdivision or Land Development has been filed with the Planning Commission together with all maps and necessary data and fees paid by the Applicant, the Planning Commission shall forward copies of the application to the Berks County Planning Commission for their review and report. The Planning Commission shall not approve such application until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

The Applicant may apply for final approval and recording of only a portion of the entire Subdivision or Land Development. Sale or lease of lots, or construction on lots may proceed only on that portion of the Subdivision or Land Development which has been approved by the Governing Body and recorded. This procedure is entirely within the discretion of the Governing Body.

3. Additional Reviews - upon receipt of the Final Plan, the Governing Body may submit the Plan to the Engineer and to the Solicitor.
4. Approval - approval procedures for Final Plans shall be the same as those set forth in Section 303(3).
5. All Final Plat procedures for application, approval, recording and payment of fees shall be identical to those outlined in the fee schedule adopted by resolution by the Governing Body from time to time in accordance with this Ordinance.

Section 307. Completion of Improvements.

1. No Plan application shall be finally approved unless the streets, sidewalks, walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, stormwater management facilities and other improvements as may be required by the Subdivision and Land Development Ordinance and other applicable requirements of the Governing Body(ies) have been installed in accordance with such requirements.
2. In lieu of the completion of any improvements required as a condition of the final approval of the Plan, the Developer shall file with the Governing Body financial security in an amount sufficient to cover the costs of any improvements or common amenities including, but not limited to, streets, street signs, stormwater management facilities, community and public water and sewage systems, recreational facilities, open space improvements or

- buffer or screen plantings, plus engineering, inspections, insurance and contingencies and any other justifiable item which the Governing Body shall require. Without limitation as to other types of financial security which the Governing Body may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution, irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the Applicant, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such bond or other security shall provide for and secure to the public completion of any required improvements within one (1) year of the date fixed on the finally approved Plan for the completion of such improvements. The amount of financial security shall be equal to one hundred ten percent (110%) of the cost of the required improvement for which financial security is to be posted. The cost of the improvements shall be established by the procedure set forth in the Municipalities Planning Code, as amended.
3. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security shall be increased by utilizing the method set forth in the Municipalities Planning Code, as amended.
 4. In the case where development is projected over a period of years, the Governing Body may authorize submission of Final Plan applications by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development, and which is consistent with the provisions of the Municipalities Planning Code, as amended.
 5. Prior to the start of any work, the municipal Engineer shall be contacted to determine an inspection schedule or protocol which will insure the proper construction/installation of all improvements. As the work of installing the required improvements proceeds, the Applicant/Developer may, from time to time, request the Governing Body to release or authorize the release of such portions of the financial security which reflects the actual cost to the Applicant/Developer for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Governing Body who shall have forty-five (45) days from receipt of such request to allow the Engineer to certify, in writing, to the Governing Body that such portion of the work upon the improvements have been completed in accordance with the approved Plan. Upon such certification, the Governing Body shall authorize release by the bonding company or lending institution or holder of the financial security of an amount as estimated by the Engineer fairly representing the value of ninety percent (90%) of the improvements completed or, if the Governing Body fails to act within said forty-five (45) day period, the Governing Body shall be deemed to have approved the release of

at the time of completion and certification by the Township Engineer, require retention of fifteen percent (15%) of the estimated cost of the aforesaid improvements as security for maintenance of the project.

In addition to the above, the Governing Body shall have the right, but not the duty, to require the Applicant/Developer to submit proof of payment of contractors, vendors and workers in order to insure that the cost of the work is actually being paid and that the Governing Body is not put in a position of answering requests for payment from organizations or individuals involved in site improvements. The Governing Body in requesting such information is only acting to protect the public and the project and is not acting to aid in the collection of debts owed by the Applicant/Developer.

6. When the Applicant/Developer has completed all the required improvements, he shall notify the Governing Body in writing by certified or registered mail, and shall send a copy of such notice to the Engineer. The Governing Body shall, within ten (10) days after receipt of such notice, authorize the Engineer to inspect the required improvements. The Engineer shall file a report, in writing, with the Governing Body, and shall mail a copy of the report to the Applicant/Developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Engineer of the aforesaid authorization by the Governing Body.
7. The Engineer, based upon authorization from the Governing Body, shall indicate approval or rejection of the improvements, either in whole or in part, according to the time frame set forth above. If the improvements are rejected, the report of the Engineer shall state the reasons for the rejection. The Governing Body, within fifteen (15) days of receipt of the Engineer's report, shall notify the Applicant/Developer in writing by certified or registered mail of the action of the Governing Body with relation to the acceptance or the rejection of the improvements.
8. If the Governing Body or the Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved, and the Applicant/Developer shall be released from all liability, pursuant to its performance guaranty bond, or other security agreement.
9. If any portion of said improvements are not approved or are rejected by the Governing Body, the Applicant/Developer shall proceed to complete the same and, upon completion, the same procedure of notification outlined herein shall be followed.
10. Where the Governing Body accepts dedication of all or some of the required improvements following completion, the Governing Body shall require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specification as depicted on the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as

such improvements, and the amount of the financial security shall not exceed fifteen percent (15%) of the actual cost or estimated cost, whichever is higher, of installation of said improvements.

11. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Governing Body, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulation of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.
12. If financial security has been provided in lieu of the completion of improvements required as a condition of the final approval of a Plan, the Governing Body shall not condition the issuance of building, grading, or other permits relating to the erection or placement of improvements and building, upon actual completion of the improvements depicted upon the approved Final Plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public streets to such building or buildings to permanently passable condition, as well as the completion of all other improvements as depicted upon the approved Plan, either upon the lot or lots or beyond the lot or lots in question, if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.
13. In the event any improvements which may be required have not been installed as provided in this Ordinance or in accordance with the approved Final Plan, the Governing Body has the power to enforce any corporate bond or other security by appropriate legal and equitable remedies or by self help or by taking control of the security and using it for required improvements. If proceeds are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Governing Body may, at its option, install part of such improvements in all or part of the Subdivision or Land Development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.

In addition to the above, the Governing Body shall have the right to record the improvements agreement, maintenance agreement and security agreement which documents shall have a provision pledging unsold lots for the payment of additional financial security if needed to complete the project.

In the event the Governing Body and/or its Engineer determines that the "As-Built Plan" of the Subdivision/Land Development is different from the recorded plan, the Governing Body may require that the "As-Built Plan" be recorded as part of the Subdivision/Land Development Plan including an appropriate entry in the Plan Book in the Recorder of Deeds Office to indicate that an "As-Built Plan" exists.

Section 308. Major Subdivision or Land Development - Recording of Final Plan. Within ninety (90) days after approval of a Final Plan by the Governing Body, the Plan shall be filed for recording by the Developer with the Berks County Recorder of Deeds. Should the Plan not be recorded within such period, the action of the governing body shall become null and void unless thereafter reaffirmed by the Governing Body.

Section 309. Resubdividing or Vacation. An application for resubdividing, replatting, or vacation of a Subdivision or Land Development shall be made by the owner or owners thereof to the Governing Body in the same form as for an original Subdivision or Land Development along with all required maps and other information. The original lots shall be shown by dotted line, and lot numbers, and references made to the previously recorded Subdivision.

Part 4
Plan Application Requirements

Section 401. Intent. Plans, maps, data and plats shall be prepared and furnished by the Developer as required herein to assure accurate surveying and to provide adequate information for designing, preparing, reviewing, approving, and recording plans.

Section 402. Minor Subdivision or Land Development.

1. The Minor Subdivision or Land Development Plan shall be clearly drawn at a scale of not smaller than fifty (50) feet to the inch showing the proposed layout and dimensions of each lot. The sheet size shall be 24" x 36".
2. The Developer shall furnish with the application for approval of a Minor Subdivision or Land Development the following information:
 - A. Name or identifying title of the Subdivision, or Land Development, other than that of the land owner or subdivider, and distinguishable from all other Subdivisions or Land Developments in the municipality, and the municipality or municipalities in which it is located.
 - B. Name, address, and phone number of the record owner, Developer, and authorized agent, if any.
 - C. Date of survey, north point, graphic scale, Plan date, dates of revision to the Plan, written scale.
 - D. Location - a drawing or print of a municipal map, or part thereof, showing the location of the proposed Subdivision or Land Development, scale one (1) inch equals eight hundred (800) feet.
 - E. Property - the tract boundaries showing distances and bearings and all survey information for the parcel which is to be subdivided or developed, including locations and sizes of existing structures, utilities and other significant physical features on the Subdivision or Land Development and within twenty-five (25) feet of the property boundaries.
 - F. Names of surrounding property owners, including title information.
 - G. Topography - information on the topography and drainage of the proposed Subdivision and within fifty (50) feet thereof, showing maximum five (5) foot contour intervals and detailing the water flow specifics.
 - H. Utilities - information on the accessibility of required utilities including easements, size, and existing and proposed location of all utilities.
 - I. Zoning - the zoning classification as designated by the joint Zoning Ordinance of the Township of Centre and Borough of

Centerport, including minimum lot size, lot width, yard and setback requirements, and other relevant zoning data.

- J. Source of title to the land of the Subdivision or Land Development as shown by the books of the Berks County Reorder of Deeds.
- K. Public and other rights-of-way, locations, width, and purpose.
- L. Total acreage of all parcels involved in the Subdivision or Land Development and the number of square feet within each subdivided parcel or Land Development exclusive of lands dedicated for public rights-of-way.
- M. Other data as set forth in the chapters on required improvements and design standards.
- N. Proposed land uses.
- O. Stormwater management control measures and run-off calculations for the proposed project.
- P. Location of proposed site improvements such as curbs, sidewalks, drives, street trees.
- Q. Proposed lot lines - exact dimensions and number.
- R. Existing streets on or adjacent to the tract including name, right-of-way width, and pavement width.
- S. Location and material of all permanent monuments and lot markers including a note that all monuments and lot markers are set or indicating when they will be set.
- T. Location of all buildings, private streets, and parking compounds on Land Development Plans.
- U. The following notes shall be shown on the Plan where applicable:
 - (1) A note indicating the type of sewer and water facilities to be provided for the development, as well as reference to the Township's Well Ordinance and the requirements therein.
 - (2) A note to be placed on the Plan indicating any area that is or is not to be offered for dedication.
 - (3) A note indicating the Governing Body is not responsible for construction or maintenance of any area not dedicated for public use.
 - (4) Any note which the Governing Body, Governing Body Solicitor or Engineer require for the purpose of clarification, delineation of responsibility, or any item which any of the above deems proper for a Plan.

- (5) There shall not be any notes stating that the Subdivision Plan is or is not a covenant running with the land or that areas not owned by private parties are dedicated to or belong to the Governing Body.
- (6) A note referencing the Township's Driveway Ordinance, Erosion Control Ordinance, and any other applicable Ordinances, and requirements therein.
- (7) Any dedications to the Governing Body shall be accomplished by documents in recordable form acceptable to the Solicitor and shall not include notes or drawing on a recorded Plan.

V. The following certificates shall be shown on the Plan if applicable:

- (1) Certification of accuracy to the effect that the survey and Plan are correct, name, address, phone number, and seal of the Professional Surveyor responsible for the preparation of the Plan. Certification of accuracy, name, address, phone number, and seal of the Professional Engineer or Landscape Architect responsible for the design and engineering aspects of the Plat.
- (2) Certification of ownership, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the Landowner of the property to the effect that the Subdivision or Land Development shown on the Final Plan is the act and deed of the Landowner, that he is the owner of the property shown on the survey and Plan, and that he desires the same to be recorded as such. The type of ownership shall be clearly indicated, including all parties involved
- (3) Certifications of agreement to provide service from applicable utility companies.
- (4) Certificate of dedication of streets and other public property.
- (5) Certificate for review by the Planning Commission.
- (6) Certificate for approval by the Governing Body.
- (7) Certificate for review by the Engineer, if required by the Governing Body.
- (8) Certificate acknowledging that the Plan has been reviewed by the Berks County Planning Commission.
- (9) A certificate to accommodate the recording information affixed by the Berks County Recorder of Deeds.
- (10) A statement indicating either the presence or absence of wetlands along with the name, address and signature of the

referencing the existence of regulations in effect related to work performed in or near wetlands shall also be conspicuously placed on the plan to be recorded.

3. A guarantee for the completion of all improvements shall be required in accordance with Section 307 of this Ordinance. A time shall be specified by the Developer for completion of the improvements, which time shall be satisfactory to the Governing Body. In the event that cash or its equivalent is deposited in compliance with these provisions concerning a guarantee for improvements, such cash or its equivalent shall be held in an escrow fund or account. In all cases a written agreement(s) acceptable to the Solicitor of the Governing Body is required.
4. A certified check or money order drawn to the Governing Body in the amount specified on the fee schedule, as amended from time to time, adopted by the Governing Body shall be included with the application for a Minor Subdivision or Land Development.
5. A copy of all State or other regulatory agency permits and/or approvals, including, but not limited to, Highway Occupancy Permits, PA DER Planning Module Letter of Approval, Stream Crossing/Encroachment Permits, etc.

Section 403. Preliminary Plan - Major Subdivision or Land Development.

1. The Preliminary Plan shall be clearly and accurately drawn at a scale of twenty (20), or fifty (50) feet to the inch, sheet size not exceeding 24" x 36".
2. The Developer shall furnish with the application for Preliminary Plan approval the following information:
 - A. All data as required by Section 402 of this Ordinance.
 - B. A vicinity map showing the proposed Subdivision or Land Development in relation to adjacent developments, streets, utilities and all community facilities which serve or influence it.
 - C. Utility map - a drawing showing utilities proposed on and adjacent to the parcel, including location, size, profiles, and invert elevations to all sanitary and storm sewers, locations and sizes of water lines and location of fire hydrants and valves.
 - D. Topographic map - a drawing showing contours at two (2) foot intervals based on the United States Geological Survey Plan. It shall show approximate direction and gradient of ground slope on immediately adjacent land; indicate subsurface condition of tract if not typical; show water courses, marshes, wooded areas, isolated preservable trees and other significant features. The topography may be compiled by photogrammetric

United States Geodetic Surveys are not acceptable. Topographical features shall be based on actual field readings in areas subject to ground surface alteration.

- E. The Developer shall submit additional Preliminary drawings showing street profiles and grades, typical cross sections of proposed roadways, sanitary and storm sewers, water service and prospective street system of adjacent land owned by the Developer. Also, calculations, drainage area divides, and points of concentration for review of the proposed storm drainage and stormwater management facilities.
- F. Streets - the layout, right-of-way and pavement widths, approximate grades, and names of existing and proposed streets.
- G. Site to be reserved or dedicated for parks, playgrounds or other public uses.
- H. Sites for multi-family institutions, business or industrial uses.
- I. Building lines - show all (i.e. front, side, and rear) proposed lines.
- J. Ownership - A certificate of ownership that indicates the relationship between the record owner and the entity seeking approval of the proposed Subdivision or Land Development.
- K. Soil types as indicated by the United States Department of Agriculture Soil Survey of Berks County.
- L. The names of all owners of all immediately adjacent undeveloped land; the names of all proposed or existing developments immediately adjacent, and the locations and dimensions of any streets or easements shown thereon; the names, locations and dimensions of all existing streets, railroads, public sewers, public water mains and feeder lines, fire hydrants, gas, electric, and transmission lines, storm drains, watercourses, one hundred (100) year floodplain, and other significant features on or within two hundred (200) feet of any part of the property proposed to be developed and the location of all buildings and approximate location of all tree masses within the property.
- M. A tentative timetable for the proposed sequence of development for the Subdivision or Land Development. The timetable may be in a letter, indicating the order in which activities will occur.
- N. Where the land included in the proposed development has a gas line, petroleum products transmission line, electric transmission line, or any other cable or pipeline located thereon, the application shall be accompanied by a letter from the owner of such pipeline stating minimum distance requirements and restrictions on the use of the land.

3. A certified check or money order drawn to the Township in the amount specified on the fee schedule, as amended from time to time, adopted by the Governing Body shall be included with the application for a Preliminary Plan of a Major Subdivision or Land Development.

Section 404. Final Plan - Major Subdivision or Land Development.

1. The Final Plat shall be drawn and signed on mylar at a scale of twenty (20), or fifty (50) feet to the inch. The sheet size shall not exceed 24" x 36". If necessary, the Plat shall consist of several sheets including an index and reference to adjoining sheets. The Plat shall include only the portion of the Subdivision or Land Development prepared for immediate recording and development.
2. The Developer shall furnish with the application for approval of a Final Plat of a Subdivision or Land Development the following information:
 - A. Name or identifying title of the Subdivision, or Land Development, other than that of the land owner or subdivider, and distinguishable from all other Subdivisions or Land Developments in the municipality, and the municipality or municipalities in which it is located.
 - B. Name, address, and phone number of the record owner, Developer, and authorized agent, if any.
 - C. Date of survey, north point, graphic scale, Plan date, dates of revision to the Plan, written scale.
 - D. Location - a drawing or print of a municipal map, or part thereof, showing the location of the proposed Subdivision or Land Development, scale one (1) inch equals eight hundred (800) feet.
 - E. Control points to which all dimension, angles, and bearings are to be referred; nearest established street line, section line or other established point.
 - F. Lines and boundaries - center lines and right-of-way lines of streets, easements, and other rights-of-way; natural and artificial water courses, streams, shorelines; corporation lines; and property lines of all deflection angles, nearest second and error of closure of no more than one (1) foot in ten thousand (10,000) feet.
 - G. Street - name and width of each street within the proposed Subdivision or Land Development and those adjoining. If a private street is approved, it should be noted on the Plat that the street is not dedicated and maintenance or other services by the Township are not required and will not be provided.
 - H. Complete curve data for all street centerline and street right-of-way line curves included in the Plan, including radius, delta angle, tangent, arc, and chord bearing and

distance. Curve segments included in lot descriptions shall be comprised of arc and chord bearing and distance. At intersections, tangent distance shall be included.

- I. Clear sight lines at all street intersections.
- J. Building setback lines not less than the minimum as fixed by the Township of Centre and Borough of Centerport Zoning Ordinance.
- K. Lot lines with accurate bearings and distances.
- L. Lot and block identification - number or letter in progressive order, for each lot and block conforming with the Berks County Recorder of Deeds procedures.
- M. Dedication and acceptance - show boundaries and by graphic symbols all parcels which are to be dedicated or reserved for public use or easements.
- N. Names of the owners of all adjoining unplatted land, and the names of all existing developments immediately adjacent to the property.
- O. Names of recorded owners of adjoining plotted land.
- P. A list of site data including: minimum lot area or average area per dwelling unit; total number of lots or dwelling units; total acreage of the development; density in units per acre or lots per acre; zoning district; and proposed use of land.
- Q. Source of title to the land of the Subdivision or Land Development as shown by the books of the Berks County Recorder of Deeds.
- R. Locations and material of all permanent monuments and lot markers including a note that all monuments and lot markers are set or indicating when and where they will be set.
- S. The location and size of all existing buildings.
- T. Easements for utilities and any limitations on such easements.
- U. Protective covenants - reference to or included on plat.
- V. Typical street cross-sections for each proposed street shown on the Final Plan and for each existing street which will be improved as part of the application.
- W. Locations of all buildings, private streets, and parking compounds on Land Development Plans.
- X. The following notes shall be shown on the Plan where applicable:

(1) A note indicating the type of sewer and water facilities to be provided for the development, as well as reference to

the Township's Well Ordinance, Driveway Ordinance, Erosion Control Ordinance, and any other applicable Ordinances.

- (2) A note to be placed on the Plan indicating any area that is or is not to be offered for dedication.
- (3) A note indicating the Township is not responsible for construction or maintenance of any area not dedicated for public use.
- (4) Any note which the Governing Body, Governing Body Solicitor or Engineer require for the purpose of clarification, delineation of responsibility, or any item which any of the above deems proper for a Plan.
- (5) There shall not be any notes stating that the Subdivision Plan is or is not a covenant running with the land or that areas not owned by private parties are dedicated to or belong to the Governing Body.
- (6) A note referencing the Township's Driveway Ordinance, Erosion Control Ordinance, and any other applicable Ordinances, and requirements therein.
- (7) Any dedications to the Governing Body shall be accomplished by documents in recordable form acceptable to the Solicitor and shall not include notes or drawing on a recorded Plan.
- (8) A note indicating that the proper number of parking spaces, as required by the Zoning Ordinance, shall be located on each lot.
- (9) A statement indicating either the presence or absence of wetlands along with the name, address and signature of the individual responsible for making such statement. A note referencing the existence of regulations in effect related to work performed in or near wetlands shall also be conspicuously placed on the plan to be recorded.

Y. The following certificates shall be shown on the Plan:

- (1) On Subdivision Plans a certification, with seal and signature of the Professional Engineer or Professional Land Surveyor to the effect that the survey and Plan are accurate and done in compliance with standard engineering and surveying practices, or on Land Development Plans, the certification, seal and signature may be by a Professional Engineer, Professional Land Surveyor or Landscape Architect.
- (2) A statement, duly acknowledged before an officer authorized to take acknowledgment of deeds and signed by the Landowner of the property, to the effect that the Subdivision or Land Development shown on the Final Plan is the act and deed of the Landowner, that he is the owner of the property shown on the survey and Plan. and that he desires the same to be

recorded as such. Said statement shall be dated following the last change or revision to the Final Plan. The type of ownership shall be clearly indicated, including all parties involved

- (3) Certificate of dedication of streets and other public property.
 - (4) Certificate for approval by the Governing Body.
 - (5) Certificate for review by the Planning Commission.
 - (6) Certificate for review by the Planning Commission Engineer.
 - (7) Certificate acknowledging that the Plan has been reviewed by the Berks County Planning Commission.
 - (8) A certificate to accommodate the recording information affixed by the Berks County Recorder of Deeds.
3. The application for Final Plan approval shall contain the following supporting information:
- A. Final Plans, profiles, cross-sections, elevations, construction details, and specifications for street improvements, sanitary sewage facilities, stormwater management facilities, water distribution systems and all other required land improvements.
 - B. Restrictions of all types which will run with the land and become covenants in the deeds of lands shown on the Plans, which may be subject to the review of the Planning Commission Solicitor.
 - C. Protective covenants - in final form to be recorded separately.
 - D. A grading plan, in the case of Land Development, showing existing grades and proposed finished grades on the site.
 - E. A planting plan, in the case of Land Development, showing the location, size and type of all plant material to be installed on the site.
 - F. A stormwater management plan, including stormwater run-off calculations for pre-development and post-development conditions.
 - G. An erosion and sedimentation control plan that conforms to the requirements of the Pennsylvania Department of Environmental Resources, and a letter from the Conservation District indicating that said plan has been reviewed and approved by the Conservation District.
 - H. Such certificates or letters of approval by proper authorities as required by the Governing Body, including certificates approving the water supply system and sanitary sewer system of the Subdivision or Land Development.

- I. A plan, approved by the proper utility company, showing the location and type of street lights to be installed, if applicable, and a letter from all applicable utilities indicating that they will provide service to the Land Development/Subdivision.
- J. A certified check or money order drawn to the Township in the amount as specified on the fee schedule, as may be amended from time to time, adopted by resolution of the Governing Body.
- K. A guarantee for the completion of all improvements shall be required in accordance with Section 307 of this Ordinance. A time shall be specified by the Developer for completion of the improvements, which time shall be satisfactory to the Township. In the event that cash or its equivalent is deposited in compliance with these provisions concerning a guarantee for improvements, such cash or its equivalent shall be held in an escrow fund or account.
- L. A copy of all State or other regulatory agency permits and/or approvals, including, but not limited to, Highway Occupancy Permits, PA DER Planning Module Letter of Approval, Stream Crossing/Encroachment Permits, etc.

Section 405. Lot Additions and Plan Revision. Plans for lot additions and/or Plan revisions shall be prepared in accordance with the requirements for Preliminary and/or Final Plan preparation, whichever is applicable. The Plan shall show bearings and distances of the tract and, if a Final Plan, the applicable certificates required for a Final Plan approval and recording. In addition, the Plan shall show the applicable items of information and the Applicant shall submit the supporting data as determined by the Township.

Part 5
Required Improvements and Design Standards

Section 501. Intent. The standards and requirements contained in this section are intended as the minimum for the promotion of the public health, safety and general welfare, and shall be applied as such by the Planning Commission in reviewing all Subdivision or Land Development Plans.

Section 502. General Standards. Whenever other Township, regulations impose more restrictive standards and requirements than those contained herein, such other regulations shall be observed.

Land subject to hazards to life, health or property, such as may arise from fire, floods, disease, or other causes, shall not be subdivided for building purposes unless such hazards have adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.

Subdivision Plans shall give due recognition of the "Official Plans" of the Township, and of the County or to such parts thereof as may have been adopted pursuant to statute.

Section 503. Improvements Required.

1. General Requirements

- A. Physical improvements to the property being subdivided shall be provided, constructed and installed as shown on the Record Plan, in accordance with the requirements of the Township.
- B. As a condition to review of a Final Plan by the Planning Commission, the Subdivider shall agree with the Township, as to installations of all improvements shown on the Plan and required by these regulations. Before the Record Plan may be endorsed by the Planning Commission, the Subdivider shall submit a completed original copy of the Subdivision Improvements Agreement.
- C. All improvements installed by the Subdivider shall be constructed in accordance with the design specifications of the Township; where there are no applicable Township specifications furnished, through the County Planning Commission, by the Berks County Engineer, or the Pennsylvania Department of Transportation, or the Pennsylvania Department of Environmental Resources, or such other state agency as applicable. If there are no applicable county or state regulations, the Planning Commission may authorize that specifications be prepared by a Registered Professional Engineer.
- D. Supervision of the installation of the improvements required by Part 5 shall in all cases be the responsibility of the Township, or of the appropriate state regulatory agency.

Section 504. Grading

1. Grading shall conform to the Township's Roads Standards Ordinance.

Section 505. Stormwater Management.

1. Stormwater management shall be in accordance with the STORMWATER MANAGEMENT ORDINANCE.
2. Stone or riprap-lined swales shall not be permitted within Township rights-of-way.

Section 506. Sanitary Facilities.

1. The Subdivider shall provide the highest type of sanitary sewage disposal facility consistent with the Municipality's Sewage Facility Plan.
2. Each property shall connect with an approved sewer system, if accessible. Where the sewer is not yet accessible, but is planned for extension to the Subdivision, the Subdivider shall install sewer lines, including lateral connections as may be necessary to provide adequate service to each lot when connection with the sewer system is made. The sewer lines shall be suitably capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities for temporary use shall also be provided.
3. Design of the capped system shall be in accordance with the Department of Environmental Resources, of Pennsylvania and shall be subject to the approval of the Township. Installation shall be inspected and approved by the Township, with all costs of the inspection to be reimbursed to the Township, by the Subdivider.
4. Two (2) copies of an accurate sketch of on-site facilities shall be provided showing the location of all important features, including pipe size, the run of the various pipes, the locations of tile fields, location of vents and cleanouts for septic tanks and septic tank capacity.
5. Where studies by the County Planning Commission and the Township, as applicable, indicate that construction or extension of sanitary trunk sewers to serve the property being subdivided appears probable within a reasonably short time (up to five (5) years), the Township, shall require the installation and capping of sanitary sewer mains and house connections, in addition to the installation of temporary individual on-site sanitary sewage disposal systems. It shall, however, be the responsibility of the Township, or other such appropriate agency to supervise the design and installation of such capped sewers.

Section 507. Water Supply.

1. Whenever an existing public or approved community water system is geographically and economically accessible to a proposed Subdivision, a distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations to meet the specifications of the Middle

Department Association of Fire Underwriters. A copy of the approval of such system by the appropriate public agency or utility company shall be established for the ownership and maintenance of such distribution system.

2. Where such systems are not accessible, particularly where on-site sanitary disposal systems are to be used, a community water supply is advisable. If such a system is provided, it shall be approved by the Pennsylvania Department of Environmental Resources, and appropriate measures provided to ensure adequate maintenance, preferably by the municipality.
3. Where individual on-site water supply system(s) are to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system, and the well shall be installed in accordance with the WELL ORDINANCE.
4. Where the Subdivider proposes that individual on-site water supply systems shall be utilized within the Subdivision, the Subdivider shall require, by deed restriction or otherwise, as a condition of the sale of each lot or parcel within the Subdivision, that the facilities shall be installed by the purchaser of such lot or parcel at the time that a principal building is constructed, and in accordance with these regulations.
5. Wherever economically feasible, the Subdivision shall be provided with a complete public or community water distribution system. The design and installation of such public or community system shall be subject to the approval of the Engineer of the appropriate water utility company or the municipal Engineer; the design and installation of such community distribution system shall be subject to the approval of the Pennsylvania Department of Environmental Resources and such system shall be further subject to satisfactory provision for the maintenance thereof.
6. Fire Hydrants: Wherever a public or community water supply system is provided, fire hydrants shall be installed within six hundred (600) feet of all existing and proposed structures, measured by way of accessible streets, as specified by the Middle Department Association of Fire Underwriters.

Section 508. Other Utilities and Improvements.

1. Public Use and Service Areas

A. Public Open Spaces

(1) In reviewing Subdivision Plans, the Planning Commission shall consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the Subdivision, and shall make such report thereon as it deems necessary in the public interest.

(2) Subdividers shall give earnest consideration to the providing of facilities and the reserving of areas for

facilities normally required in residential neighborhoods, including churches, libraries, schools and other public buildings; parks, playgrounds, and playfields; shopping and local business centers. Areas provided or reserved for such community facilities should be suitably prepared for its use at the expense of the Subdivider and should be adequate for building sites, landscaping and off-street parking as appropriate to the use proposed. Prior to the preparation of Plans, Subdividers of large tracts should review with the staff of the County Planning Commission the minimum standards for various community facilities applicable to the tract being subdivided.

- (3) In Subdivisions which are intended to provide housing for more than fifty (50) families, the Planning Commission shall make a recommendation thereon. Standards to be used by the Planning Commission in requesting the reservations of space for recreation shall be as follows:

<u>Neighborhood Families to be Served</u>	<u>Minimum Playground and Park Acreage to be Recommended</u>
50 - 174	3.0
175 - 374	5.5
375 - 624	6.5
625 - 800	8.0
for each additional 175 families	1.5

B. Community Assets

- (1) Consideration shall be shown for all natural features such as large trees, watercourses, historic areas and structures, and similar community assets which, if preserved, will add attractiveness and value to the remainder of the Subdivision. Trees shall be preserved wherever possible.

C. Utility Easements

- (1) Easements with a minimum width of fifteen (15) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.
- (2) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- (3) There shall be a minimum distance of twenty-five (25) feet, measured from the right-of-way line, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the Subdivision.

- (a) No company intending to install any petroleum, petroleum products, or natural gas transmission line shall be allowed to construct the line on less than fifty (50) foot rights-of-way, such lines to be installed in the center of the right-of-way, and shall comply to the applicable standards of the Pennsylvania Public Utilities Commission.
- (4) On July 8, 1970, the Pennsylvania Public Utilities Commission issued an order requiring all electric distribution lines to be installed underground in residential developments of five (5) or more family units. This also applies to mobile home parks, apartment houses, and row houses. The order is mandatory and every electric utility company in Pennsylvania must now provide underground service as directed by this Order. In compliance with these regulations and with the cooperation of local utility companies, the following procedure will be followed in reviewing lands subject to underground electric service:
- (a) Upon receipt of a Preliminary Plan or an Official Sketch Plan for review, the Planning Commission will forward a copy of the notice of review to the appropriate utility company if the development would fall subject to the Order. This would apprise the utility company of the project status and indicate that a developer would be contacting them in the near future.
 - (b) The Planning Commission will, upon receipt and review of a Final Plan, forward a letter of review, indicating approval (possibly subject to certain conditions) to all parties including the utility company involved. In this letter, the developer is directed to contact the appropriate utility company and secure an approved plan for the underground electric system. A copy of this approved plan will be required prior to County endorsement of any plan for recording. The responsibility for securing this approval and coordinating the plan with the utility company would be that of the developer and/or his representatives.
2. Street Signs: Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by the Township.
3. Street Lights: In accordance with the conditions to be agreed upon by the Subdivider, the Township, and the appropriate public utility, street lights may be required to be installed in all Subdivisions. The minimum requirements shall be that one street light shall be placed at all proposed street intersections.

Section 509. Lots and Parcels.

1. General Standards

- A. The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated, and must conform to the requirements of the Township of Centre and Borough of Centerport Zoning Ordinance.
- B. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
- C. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- D. Generally, the depth of residential lots shall be not less than one (1) nor more than two and one-half (2-1/2) times their width. Further, the width of a proposed lot, measured at the road right-of-way line, shall not be less than eighty percent (80 %) of the required lot width measured at the building set back line, as required in the Zoning Ordinance.
- E. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
- F. If, after subdividing, there exist remnants of land, these shall be either:
 - (1) Incorporated in existing or proposed lots, or
 - (2) Legally dedicated to public use, if acceptable to the Township.

2. Lot Frontage

- A. All lots shall have direct access to an existing or proposed public street, or to a private street if it meets the requirements of these regulations.
- B. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.
- C. All residential reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet, measured in the shortest distance from the proposed dwelling unit to the ultimate right-of-way and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

3. Driveways

- A. Each proposed dwelling unit in a Subdivision shall be provided with at least two (2) off-street parking spaces per family exclusive of garage or carport.

(1) Each off-street parking area shall provide a usable parking space of at least two hundred (200) square feet, and an adequate turn-around space shall be provided behind the right-of-way line.

- B. Commercial and Industrial Subdivision shall provide paved parking areas, in accordance with the Township of Centre and Borough of Centerport Zoning Ordinance.
- C. All driveways shall meet the requirements of the DRIVEWAY ORDINANCE. The Planning Commission may, at its discretion, require that Subdivision and Land Development Plans show sufficient detail to assure that such requirements can be met.

4. Lot Size

- A. Lot dimensions and areas shall be not less than specified by the provisions of the Township of Centre and Borough of Centerport Zoning Ordinance.
- B. Markers: Metal markers shall be accurately placed at all lot corners.

Section 510. Blocks.

1. Layout

- A. The length, width and shape of blocks shall be determined with due regard to :
- (1) Provisions of adequate sites for buildings of the type proposed
 - (2) Zoning requirements
 - (3) Topography
 - (4) Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

2. Length

- A. Blocks shall have a minimum length of five hundred (500) feet and a maximum length of one thousand six hundred (1,600) feet.
- B. In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of

- C. Where practicable, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

3. Crosswalks

- A. Crosswalks shall be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities.
- B. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.

4. Depth

- A. Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:
 - (1) Where reverse frontage lots are required, or
 - (2) Where prevented by the size, topographical conditions or other inherent conditions of the property, in which case the Planning Commission may approve a single tier of lots.

5. Commercial and Industrial Blocks

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

Section 511. Streets.

1. General Standards:

- A. The location and width of all streets shall conform to the "Official Plans" or to such parts thereof as may have been adopted by the Township, and/or the County.
- B. The proposed streets system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width of the street standards on Section 511(3)(A).
- C. Where, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended by dedication to the boundary of such property.
- D. New minor streets shall be so designed as to discourage through traffic, but the Subdivider shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.

- E. Where a Subdivision abuts an existing street of improper width or alignment, the Planning Commission may require the dedication of land sufficient to widen the street or correct the alignment, and may recommend that the Governing Body require the Applicant/Developer to widen the street or correct the alignment.
- F. Private streets (streets not to be offered for dedication) are prohibited, unless they meet the design standards of these regulations.

2. Partial and Half-Streets:

- A. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained.
- B. The Subdivider shall provide the entire required right-of-way, or as much thereof as is possible within his property, along all existing streets which traverse or abut his property.

3. Specific Standards:

- A. Street construction shall conform to the ROAD STANDARDS ORDINANCE.
- B. Additional right-of-way and cartway widths may be required by the Planning Commission for the purpose of promoting the public safety and convenience, or to provide parking in commercial and industrial areas and in areas of high density residential development.
- C. Unless future extension is clearly impractical or undesirable, the turn-around right-of-way of a cul-de-sac shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.
- D. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turn-around.

4. Street Names:

- A. Proposed streets which are obviously in alignment with other already existing and named streets shall bear the names of the existing streets.
- B. In no case shall the name of a proposed street duplicate an existing street name in the Township, and in the postal district, irrespective of the use of the suffix (street, road, avenue, boulevard, drive, way, place, court, lane, etc.)
- C. All street names shall be subject to the approval of the Township.

5. Service Streets (Alleys)

- A. Service streets are prohibited in Subdivision for single-family detached residences, except where required to avoid direct driveway access to major streets.
- B. No part of any dwelling, garage or other structure shall be located within a minimum distance of sixteen (16) feet of the centerline of a cartway of a service street.
- C. Except where other adequate provision is made for off-street loading and parking consistent with the use proposed, service streets shall be required in commercial and industrial districts and shall have a minimum paved width of twenty-two (22) feet.
- D. Dead-end service street shall be avoided, but where this proves impossible, dead-end service streets shall be terminated with a paved circular turn-around.
 - (1) If parking will be prohibited on the turn-around, the minimum radius to the outer pavement edge (curb line) shall be forty (40) feet.
 - (2) If parking will be permitted on the turn-around, the minimum radius to the outer pavement edge (curb line) shall be fifty (50) feet.
- E. Service street intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.
- F. Service streets may be permitted in other types of residential development provided that the Subdivider produces satisfactory evidence of the need for such service streets, provided these are not the primary means of access.

Section 512. Curbs. Curbs as required by the Township, shall be installed along both sides of all streets, except where the average lot frontage (measured at the street right-of-way line) is one hundred (100) feet or larger, and except along service streets. For the purposes of determining the average lot frontage, only fifty percent (50%) of the lots shall be considered, and these lots shall be those with the smallest lot frontages in the proposed development. Curbs shall be the vertical type. A standard detail of the curbing shall be shown on the Plan.

Section 513. Sidewalks. Sidewalks shall be a minimum of four (4) feet in width and shall be installed on both side of all streets, except:

- 1. Where required for the extension of existing, abutting sidewalks, no sidewalks shall be required along minor streets where the average lot frontage is one hundred (100) feet or larger, unless such streets are within the required walking distance area of a school or community facilities encouraging pedestrian traffic.

2. Along service streets
3. Where required, sidewalks shall be installed on only one (1) side of marginal access streets.

Section 514. Monuments and Markers.

1. Monuments:

- A. Permanent stone, concrete or steel pin monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property subdivided.
- B. All monuments shall be placed by a Registered Professional Surveyor so that the scored (by an indented cross in the top of the monument) point shall coincide exactly with the point of intersection of the line being monumented.
- C. Monuments shall be set with their top level with the finished grade of the surrounding ground, except:
 - (1) Monuments which are placed within the lines of existing or proposed sidewalks shall be so located (preferably beneath the sidewalks) that their tops will not be affected by lateral movement of the sidewalks, and
 - (2) Where monuments are located beneath a sidewalk, proper access shall be provided for their use.
 - (3) Where sidewalks are existing, a stone point (a four (4) inch square chisel cut with a drill hole in the center) may be substituted for a monument.
- D. All streets shall be monumented (preferably on the right-of-way lines or the five (5) foot range line) at the following locations:
 - (1) At least one monument at each intersection
 - (2) At changes in direction of street lines, excluding curb arcs at intersections
 - (3) At each end of each curved street line, excluding curb arcs at intersections
 - (4) An intermediate monument wherever topographical or other conditions make it impossible to sight between two otherwise required monuments
 - (5) At such other places along the line of streets as may be determined by the Township, Engineer to be necessary so that any street may be readily defined in the future

2. Metal Markers: Metal markers are to be accurately placed at all lot corners.

Section 515. Access Drives to Parking Areas. All access drives shall conform to the Township's Driveway Ordinance.

Section 516. Trees. The following improvements, intended to enhance the sales value of the Subdivision as well as to benefit the municipality, are recommended:

1. **Shade Trees:** Reasonable efforts should be made by the Subdivider to preserve existing shade trees and, in addition, deciduous hardwood trees with a minimum caliber of one and one-half (1 1/2) inches (measured at a point three feet above the top of the ground at the base of the plant) should be provided, in accordance with conditions to be agreed upon by the Township and, if necessary, the appropriate public utility. Where provided, such trees shall be planted between the public street right-of-way line and the building reserve (setback) line at least ten (10) feet from the public street right-of-way line. No trees or bushes shall be planted between the sidewalk and curb.

Part 9
Administration

Section 901. Authority: The Governing Body of the Township of Centre, pursuant to the Pennsylvania Municipality Planning Code, as amended, hereby adopt these regulations governing the Subdivision of land.

Section 902. Modifications.

1. Section 512.1 of the Municipalities Planning Code, as Amended, shall apply to modifications.

Section 903. Enforcement and Penalties.

1. Sections 515.1 and 515.3 of the Municipalities Planning Code, as amended, shall apply to enforcement and penalties.
2. The Governing Body may institute and maintain an appropriate action in law or in equity to restrain, correct or update violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises.
3. The Governing Body may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision in violation of this ordinance. The authority to deny such a permit or approval applies only to the following applicants:
 - A. The owner of record at the time of such violation.
 - B. A vendee or lessee of the owner of record at the time of such violation without regard as to whether vendee or lessee had actual or constructive knowledge of the violation.
 - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current had actual or constructive knowledge of the violation.
 - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
4. The Governing Body may require any of the aforementioned applicants to comply with conditions that would have been applicable to the property at the time the applicant acquired interest in such property.
5. The Governing Body may institute a civil enforcement proceeding against any person, partnership, or corporation who or which has violated this ordinance or any previous subdivision and land development ordinance. Upon being found liable, the violator shall pay a judgement or not more than \$500.00 plus all court costs including reasonable attorney's fees incurred by the township. Each day that a violation continues will constitute a separate violation, unless the District Justice determines there is a good faith basis for the violator to have believed there was no such violation, in which event there shall be deemed to have been only one violation until the fifth day following the date of determination of the violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation.

Section 904. Challenge and Appeal.

1. Any person aggrieved by the action of the Township may appeal the action as prescribed by law.

Section 905. Schedule of Fees.

1. The Governing Body shall establish by resolution a collection procedure and Schedule of Fees to be paid by the Subdivider at the time of filing a Preliminary Plan.
2. Said Schedule of Fees shall be posted in the office of the Township Secretary.
3. Charges for field inspection shall be established on the basis of the number of lots to be inspected.
4. No Final Plan shall be approved unless all fees and charges have been paid in full.

Section 906. Repeal.

1. This ordinance may be amended from time to time in accordance with the procedure established by law.

Section 907. Validity.

1. Should any action or provision of these regulations be declared by the courts to be invalid, such decision shall not affect the validity of the regulations as a whole, nor the validity of any other section or provisions of the regulations than the one so declared.
2. Whenever there is a difference between the minimum standards specified herein and those included in other official Township regulations, the most stringent requirements shall apply.
3. All existing ordinances or parts of ordinances which are contrary to the provisions of this Ordinance are hereby repealed.

Section 908. Effective Date.

The effective date of this Ordinance is the earliest date allowed by law.

Section 909. Inconsistent Ordinances.

All prior inconsistent Ordinances are hereby repealed.

ENACTED and ORDAINED as an Ordinance this 20TH day of August, 1991.

BOARD OF SUPERVISORS
CENTRE TOWNSHIP, BERKS COUNTY, PA

Attest:

Albert W. Benfante Jr.
Chairman

George C. Sargent
Secretary

Richard J. Leonard
Harold A. Spang