

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

PART 1

TITLE AND GENERAL PROVISIONS

- §101. Short Title
- §102. Purpose
- §103. Subdivision and Land Development Control
- §104. Other Regulations Incorporated Herein
- §105. Conflicts Between Regulations and Modifications
- §106. Effect of Ordinance
- §107. Effect of Noncompliance
- §108. Effect On Prior Applications Or Approvals
- §109. Separation of Ownership
- §110. Prevention Remedies

PART 2

DEFINITIONS

- §201. Strict Construction
- §202. Meaning of Words

PART 3

CLASSIFICATIONS OF APPROVALS AND APPLICATIONS

- §301. General
- §302. Approvals Overview
- §303. Simple Subdivision
- §304. Minor Land Development
- §305. Major Land Development
- §306. Pre-Application Conference
- §307. Application Producers
- §308. Preliminary Applications
- §309. Preliminary Application Content
- §310. Preliminary Plan Content
- §311. Preliminary Plan Approval Procedure
- §312. Final Applications
- §313. Final Application Content
- §314. Final Plan Content
- §315. Final Plan Approval

SUBDIVISION AND LAND DEVELOPMENT

- §316. Phased Plan Approval
- §317. Mediation
- §318. Approval Resolution
- §319. Completion of Improvements/Improvement Guarantee
- §320. Final Release From Improvement Guarantee
- §321. Partial Release from Improvement Guarantee
- §322. Modifications
- §323. Development Agreement
- §324. Approval by Other Agencies
- §325. Recording of Final Plat

PART 4

INSTALLATION, INSPECTION AND ACCEPTANCE OF IMPROVEMENTS

- §401. General
- §402. Required Improvements
- §403. Inspections
- §404. Notice of Completion
- §405. Final Inspection
- §406. Acceptance of Improvements

PART 5

DESIGN STANDARDS

- §501. General
- §502. Land Requirements
- §503. Easements and Utilities
- §504. Blocks, Lots, Parcels
- §505. Streets
- §506. Road Construction – Design Standards
- §507. Calendar Construction Limitations
- §508. Sidewalks and Crosswalks
- §509. Vegetation
- §510. Street Trees
- §511. Development on Private Streets Discouraged
- §512. Open Space, Lot Siting, Plant and Beautification for Subdivision and Land Developments
- §513. Erosion and Sediment Control
- §514. Floodplain Area Regulations

PART 6

ADMINISTRATION

- §601. Fees**
- §602. Public Hearings**
- §603. Certificates and Approvals**
- §604. Permits**
- §605. Liability for Borough Roads**

PART 7

AMENDMENT AND REVIEW BY COUNTY

- §701. Amendments**
- §702. County Review**
- §703. Copy Forwarded**
- §704. Public Examination**
- §705. Right to Proceed**

PART 8

ENFORCEMENT REMEDIES

- §801. Violations**
- §802. Preventative Remedies**

PART 9

VALIDITY AND REPEALER

- §901. Validity**
- §902. Repealer**
- §903. The Sewickley Borough Zoning Ordinance**

PART 10

EFFECTIVE DATE

- §1001. Effective Date**

PART 1

TITLE AND GENERAL PROVISIONS

§101. Short Title.

This Chapter shall be known and may be cited, as “The Borough of Sewickley Subdivision and Land Development Ordinance.”

(Ord. 1216, 6/16/2003, Art. I)

§102. Purpose.

This Chapter is established for the purpose:

- A. Of assuring sites suitable for building purposes and human habitation.
- B. To provide for the harmonious development of the Borough.
- C. For the coordination of proposed development with existing development within the Borough.
- D. For adequate open spaces, for proper traffic flows, recreation, light and air and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens.
- E. To protect the character and social and economic stability of the Borough and to encourage the orderly and beneficial development of the Borough.
- F. To protect and conserve the value of land throughout the Borough and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
- G. To guide public and private policy and action in order to provide adequate and efficient transportation, water supply, sewage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- H. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic within the Borough, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
- I. To establish reasonable standards of design and procedures for subdivision and re-subdivision, in order to further the orderly layout and use of land;

SUBDIVISION AND LAND DEVELOPMENT

and to insure proper legal descriptions and monumenting of subdivided land.

- J. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- K. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the community and value of the land.
- L. To preserve the natural beauty and topography of the Borough and to ensure appropriate development with regard to these natural features.
- M. To provide for open spaces through efficient design and layout of the land.
- N. And finally, to ensure that documents prepared as part of land ownership transfer fully and accurately describe the parcel of land being subdivided and new parcels thus created.

(Ord. 1216, 6/16/2003, Art. I)

§103. Subdivision and Land Development Control.

- 1. Subdivision Control. No subdivision, as herein defined, of any lot, tract or parcel of land shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, open or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Part.
- 2. Land Development Control.
 - A. Land development, as herein defined, must comply with the regulations contained herein. Such compliance shall include, but not be limited to: the filing of preliminary and final plans, the dedication and improvement of rights-of-way, streets and roads and the payment of fees and charges as established by resolution of Borough Council.
 - B. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas and improvements to public rights-of-way. Developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features and shall be indicated on the land development plans.

(Ord. 1216, 6/16/2003, Art. I)

§104. Other Regulations Incorporated Herein.

The Borough of Sewickley Zoning Ordinance [Chapter 27] and other applicable ordinances and regulations of the Borough are incorporated herein and made a part hereof, by reference.

(Ord. 1216, 6/16/2003, Art. I)

§105. Conflicts Between Regulations and Modifications.

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

(Ord. 1216, 6/16/2003, Art. I)

§106. Effect of Ordinance.

Hereafter, no lot in a subdivision may be sold; no permit to erect any building upon land in a subdivision may be issued; no cuts, grading or filling permitted; no street, walkway, curbs, gutters, street lights, fire hydrants, shade trees, sanitary sewer, storm sewer, water line, utilities or other improvements as may be required herein shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Chapter.

(Ord. 1216, 6/16/2003, Art. I)

SUBDIVISION AND LAND DEVELOPMENT

§107. Effect of Noncompliance.

Hereafter, except as provided in this Chapter, any plat of any subdivision, street or development of land not approved by the Borough Council in accordance with the provisions and procedure, as set forth herein, shall be null and void.

(Ord. 1216, 6/16/2003, Art. I)

§108. Effect on Prior Applications or Approvals.

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

(Ord. 1216, 6/16/2003, Art. I)

§109. Separation of Ownership.

1. Any attempt at division or separation of ownership of portions of a development tract shall constitute a subdivision within the meaning of the term as used in this Chapter and shall require review by the Planning Commission and approval by Council. "Separation of ownership" as used herein shall not be meant to include normal transfers between individuals involving only a single building lot or single residence.

2. For developmental purposes only, any separation of ownership, as defined herein, within a garden apartment development and/or townhouse type of development shall for the purpose of this Chapter, be considered a condominium.
3. The term “condominium” shall have the meaning assigned to it in accordance with the requirements set forth in FHA Bulletin Series 1400 Suggested Legal Documents for Planned Unit Developments (April, 1973, as amended) and the Unit Property Act of Pennsylvania (as amended). Said requirements shall be considered minimum standards for the establishment of a condominium association and the Planning Commission may in its discretion require additional information and documentation from the applicant to establish that an appropriate plan has been formulated to adequately assure the continued maintenance of the common areas of the plan.
4. The final decision as to the propriety of the maintenance guarantees or the plan proposed by the applicant to deal with these questions shall rest with Borough Council.
5. In all other land development projects, all subdivisions or separations of ownership (as set forth above), shall otherwise meet all area, bulk, open space, parking and other applicable regulations of the zoning district as set forth in Chapter and amendments of Sewickley Borough.

(Ord. 1216, 6/16/2003, Art. I)

§110. Prevention Remedies.

1. In addition to other remedies, the Borough may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
2. The Borough may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - A. The owner of record at the time of such violation.
 - B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

SUBDIVISION AND LAND DEVELOPMENT

- C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- 3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owners, vendee or lessee for the development of any such real property, the Borough may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.
 - 4. Enforcement Remedies.
 - A. Any person, partnership, or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Chapter to have believed that there was no such violation, in which event here shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
 - B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending the final adjudication of the violation and judgment.
 - C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement pursuant to this Chapter.
 - D. District justices shall have initial jurisdiction in proceedings brought under this Chapter.

(Ord. 1216, 6/16/2003, Art I)

PART 2

DEFINITIONS

§201. Strict Construction.

Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated:

- A. Words in the singular include the plural and those in the plural include the singular.
- B. Words used in the present tense include the future tense.
- C. The words “person,” “subdivider” and “owner” include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual.
- D. The work “structure” includes “building” and shall be construed as if followed by the phrase “or part thereof.”
- E. The word “watercourse” includes channel, creek, ditch, dry run, spring and stream.
- F. The words “should” and “may” are permissive; the words “shall” and “will” are mandatory and directive.

(Ord. 1216, 6/16/2003, Art. II)

§202. Meaning of Words.

Other terms or words used herein shall be interpreted or defined as follows:

ALLEY — a thoroughfare, publicly or privately owned, other than a side street, which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

APPLICANT — a landowner or developer, including his heirs, successors, or assigns, who has filed an application for development.

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

BLOCK — an area bounded by three or more streets.

SUBDIVISION AND LAND DEVELOPMENT

BOROUGH COUNCIL — the Council of the Borough of Sewickley.

BOROUGH — the Borough of Sewickley, Allegheny County, Pennsylvania.

BOROUGH STREET — a street adopted as a public street by the Borough, or having become a Borough street as legally determined.

BUILDING — a combination of materials to form a permanent structure having walls and a roof including, but not limited to, all mobile homes and trailers.

BUILDING SETBACK LINE — the line within a property defining the minimum required distance between any building to be erected and the edge of any required adjacent right-of-way (front lot line).

CARTWAY (ROADWAY) — the improved or paved portion or portions of a street available for vehicular or other traffic; the portion or portions between curbs where curbs are used.

CLEAR SIGHT TRIANGLE — an area of unobstructed vision at intersections defined by lines of sight between points at a given distance from the intersection of street center lines.

COMMON OPEN SPACE — see “open space.”

COMPLETION BOND/FINANCIAL SECURITY — a bond in cash or with an approved surety company, or other type of financial security, guaranteeing the satisfactory completion of the improvements to and in accordance with this Chapter.

CONDOMINIUM — the term “condominium” shall be used in accordance with the definition and concept set forth in the Unit Property Act of Pennsylvania.

COUNTY — the County of Allegheny, Commonwealth of Pennsylvania.

CROSSWALK (INTERIOR WALK) — a publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

CUL-DE-SAC — a dead-end street with a vehicular turnaround at the dead end.

CUT — an excavation. The difference in vertical elevation between a point on the surface of original ground and a point on the final grade. The material removed in excavation.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) — the Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

DETENTION POND — an area in which surface water runoff is temporarily stored pending its release at a controlled rate.

DEVELOPER — any landowner, agent of such landowner, or tenant acting with the permission of such landowners, who makes or causes to be made, a subdivision of land or a land development.

DEVELOPMENT PLAN — all of the written and graphic materials which describe provisions for development including, but not limited to, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities, and presented in sufficient detail so that its compliance with this Chapter may be permitted.

DRAINAGE — the removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

DRAINAGE RIGHT-OF-WAY — the lands required for the installation of storm-water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DWELLING — any building which is designed for human living quarters, but not including hotels, boarding houses, tourist cabins, motels and other accommodations used for transient occupancy.

DRIVEWAY — an improved surface for vehicular circulation or access on a lot or parcel of land.

DRAINAGE FACILITY — any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

EASEMENT — an interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose.

ENGINEER — a licensed professional engineer registered as such, in the Commonwealth of Pennsylvania.

EROSION — the removal of surface materials by the action of natural elements.

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

SUBDIVISION AND LAND DEVELOPMENT

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

FLOODPLAIN — the area along a natural watercourse which is periodically overflowed by water therefrom.

FLOODWAY — the channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one-hundred-year magnitude.

IMPROVEMENTS TO LAND: A construction or installation including, but not limited to, of any of the following: streets, gutters, culverts, sidewalks, storm sewers, fiber optic cable, water drainage facilities, utilities (gas, electric, telephone services), water system, fire hydrants, sanitary sewers, septic tanks, street signs, street lights and including cuts and/or fills.

GOVERNING BODY — the duly elected Borough Council of Sewickley, Allegheny County, Commonwealth of Pennsylvania.

LAND DEVELOPMENT — any one of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - (b) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose, of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land.
- (3) Excluding the following the certain types of land development:
 - (a) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are to be a condominium.
 - (b) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal buildings.

- (c) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

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

LOT AREA — the area contained within the property lines of a lot as shown on the plat, excluding space within the right-of-ways for streets, public or private, but including the areas of all easements.

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

LOT, CORNER — any lot situated at the intersection of two or more streets having an angle of intersection of not more than 135°. A corner lot shall maintain front yard requirements along the street upon which the principal building faces. Side yard requirements for a principal building on the intersecting street or streets shall not be less than 1/2 of the front yard requirements along said street. Yard requirements for accessory buildings on corner lots shall not be less than the front yard requirements for adjoining lots.

LOT, DOUBLE FRONTAGE — an interior lot which abuts streets in both the front and rear.

LOT, INTERIOR — a lot having side lot lines which does not abut on a street.

LOT, MINIMUM WIDTH — the distance between the side lot lines measured at the building set-back line.

LOT, NONCONFORMING — a lot of record at the time of the adoption of this Chapter, which by reason of area or dimension, does not conform to the requirements of this Chapter.

LOT OF RECORD — a lot described in a deed or shown on a plan of lots which has been recorded in the office of the Recorder of Deeds of Allegheny County, Pennsylvania.

LOT, REVERSE FRONTAGE — a lot extending between and having frontage on an arterial street and a local access street, and with vehicular access solely from the latter.

SUBDIVISION AND LAND DEVELOPMENT

MARKER — a metal pipe or pin of at least 1/2 inch diameter (preferred three fourths 3/4 inch or 7/8 inch and at least 24 inches in length (preferred 30 inches to 36 inches) which shall be used for survey purposes.

MEDIATION — a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MONUMENT — a stone or concrete monument with a flat top at least four inches in diameter or square, containing a copper or brass dowel (plug), and at least 24 inches in length (preferred 30 inches to 36 inches. The bottom, sides or radius shall be at least two inches greater than the top, to minimize movements caused by front which shall be used for survey purposes.

OPEN SPACE — common open space is a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed as intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, driveways and areas set aside as public grounds.

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

PERFORMANCE GUARANTEE — any security which may be in lieu of a requirement that certain improvements be made before the Council approves a final subdivision or land development plan, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

PERSON — an individual, partnership, corporation or other legally recognized entity.

PLANNING COMMISSION or BOROUGH PLANNING COMMISSION — the Planning Commission of the Borough of Sewickley.

PLAT, FINAL — a complete and exact map or plan of a subdivision or land development (and including all required supplementary data), prepared for official recording as required by statute, defining property rights as well as proposed streets and other improvements.

PLAT, PRELIMINARY — a tentative map or plan of a subdivision of land development (and including all required supplementary data), in lesser detail than a final plat, showing approximate proposed street and lot layout as a basis for con-

sideration prior to preparation of a final plat, said plat shall be prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania.

PLAT OF RECORD — the copy of the final plat which contains the required original endorsements and which is recorded with the County Recorder of Deeds.

PRIVATE STREET (see “street”) — a right-of-way not adopted or otherwise determined to be a public street by Borough of Sewickley, or not having otherwise been adopted as a County, State or Borough street.

PUBLIC GROUNDS — public grounds includes:

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

PUBLIC HEARING — a formal meeting held pursuant to public notice by the Planning Commission or Council of the Borough of Sewickley, intended to inform and obtain public comment, prior to the taking of official action.

PUBLIC MEETING — a forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act.”

PUBLIC NOTICE — a notice published once each week for two successive weeks in a newspaper of general circulation in the Borough. Such notice shall state the time and place of the hearing.

RESERVE STRIP — a parcel of ground in separate (sometimes public) ownership separating a street from the adjacent properties, or from another street.

RE-SUBDIVISION — any subdivision or transfer of land, laid out on a plan which has been approved by the Borough Council which changes or proposes to change property lines and/or public rights-of-way not in strict accordance with approved plan.

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

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

SUBDIVISION AND LAND DEVELOPMENT

SANITARY SEWAGE DISPOSAL, ONSITE — any structure designed to bio-chemical treat sanitary sewage within the boundaries of an individual lot, or tract of lots.

SANITARY SEWAGE DISPOSAL (PRIVATE) — a sanitary sewage collection system managed and operated under private auspices, in which sewage is carried from individual lots by a system of pipes, to a central treatment and disposal plant, generally serving a neighborhood area.

SANITARY SEWAGE DISPOSAL, PUBLIC — a sanitary sewage collection system, managed and operated by the Borough, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

SEDIMENTATION:- the process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is considered sediment.

SEPTIC TANK — a covered watertight settling tank in which raw sewage is bio-chemically changed into solid, liquid and gaseous states to facilitate further treatment and final disposal.

SHOULDER — the portion of a roadway (cartway) between the curb or gutter and the travelway intended for emergency and parking use.

SLOPE — the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slope is expressed in a percentage based upon vertical difference in feet/100 feet of horizontal distance.

SOIL PERCOLATION TEST — a field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for onsite sewage disposal.

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

STREET — includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the functions they perform:

- (1) **Arterial.** A two, three or four lane roadway with signalized access with intermediate permissible speeds that functions as an intra-community link and serves as a feeder to other arterial streets.
- (2) **Collector.** A wide two-laned roadway with signalized or controlled intersections which functions to facilitate the collection of traffic from local roads.

- (3) Local Roads. A two-laned roadway which functions to give access to individual land parcels.
- (4) Marginal Access Streets. Are minor streets, parallel and adjacent to arterial streets, providing access to abutting properties and control of intersection with the arterial street.
- (5) Half or Partial Street. Is a street generally parallel and adjacent to a property line having a lesser right-of-way width than normally required for satisfactory improvements and use of the street.

STRUCTURE — any manmade object have an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER — the term “subdivider” shall be synonymous in meaning with developer as defined herein and shall be used interchangeably with same.

SUBDIVISION — the division or redivision of a lot, tract or parcel of and by any means into two or more lots, tracts, parcels or other division of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, petition by the court for distribution to heirs or devisees, transfer of ownership, building or lot development: The type of subdivision include simple -as defined in Part 3, §303, minor – as defined in Part 3, §304, major- as defined in Part 3, §305.

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

SURVEYOR — a surveyor registered by the Commonwealth of Pennsylvania.

SWALE — a low lying stretch of land which gathers, or carries, surface water runoff.

THROUGH LOT — a lot extending between and having frontage on, two generally parallel streets, excluding service streets.

WATERCOURSE — a permanent stream; intermittent stream; river; brook; creek; or a channel or ditch for water whether natural or manmade.

WATER DISTRIBUTION SYSTEM, ONSITE — a system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

SUBDIVISION AND LAND DEVELOPMENT

ZONING DISTRICT MAP — a map showing the various zoning districts into which the Borough has been divided, for the purpose of applying the regulations of the Zoning Ordinance.

(Ord. 1216, 6/16/2003, Art. II)

PART 3

CLASSIFICATIONS OF APPROVALS AND APPLICATIONS

§301. General.

1. The regulations in this Part are intended to assure that adequate information is submitted to permit the Borough to undertake a thorough review of each proposal as related to the transportation, environment and other aspects of an application.
2. Any developer of land within the Borough desiring approval of a subdivision or land development application shall comply with the following procedures.
3. Any replatting of recorded plans, or any revisions of approved plans that have not been recorded shall be considered as new applications and shall be required to comply with all requirements of this Chapter, unless such replatting or revision is limited to a survey correction, or unless the applicant requests and receives a modification of any requirements from the Borough Council pursuant to §302(1) of this Chapter.

(Ord. 1216, 6/16/2003, Art. III)

§302. Approvals Overview.

Three types of approvals regulate lot revisions, lot consolidations, subdivisions and land development. The three approvals include:

- A. Simple subdivision.
- B. Minor land development.
- C. Major land development.

(Ord. 1216, 6/16/2003, Art. III)

§303. Simple Subdivision.

Applicants are required to apply for and receive a simple subdivision approval from the Borough in accordance with the following criteria.

- A. Applicability.
 - (1) For lot line revisions that do not create new parcels or buildings or public improvements.

SUBDIVISION AND LAND DEVELOPMENT

- (2) Revisions of easements and/or of right-of-ways.
 - (3) Consolidation of existing lots.
- B. Recommendations and Approvals.
- (1) The Planning Commission shall make recommendations to the Council regarding simple subdivisions.
 - (2) The Council shall be responsible for approving or denying simple subdivision.
 - (3) In the case of simple subdivision, as defined by this Part, only a final application and filing fee shall be required, provided that all requirements for submission of a final application are met. In addition, the Planning Commission may require a topographical survey to be submitted as part of the final application in simple subdivisions where warranted by physical conditions.
- C. Conferences. Conferences with the Planning Commission are suggested prior to the submission of a final application.
- D. Final Application. The contents of a final application for a simple subdivision shall include the following:
- (1) Final Plat.
 - (2) Written confirmation of Zoning Hearing Board approval of any or all variances.

(Ord. 1216. 6/16/2003, Art. III)

§304. Minor Land Development.

Applicants are required to apply for and receive a minor land development approval from the Borough in accordance with the following criteria:

- A. Applicability.
- (1) A single-family residential development that creates two to four lots.
 - (2) A nonresidential development with 5,000 square feet or less of new gross floor area.
- B. Recommendations and Approvals.

- (1) The Planning Commission shall make recommendations to the Council regarding minor land developments.
- (2) The Council shall be responsible for approving or denying minor land developments. When necessary for the protection of public welfare, persons and property, the Council may conditionally approve a minor land development subject to compliance with provisions and standards defined in this Part, Zoning; and any additional requirements deemed necessary. The conditions of approval shall be specified, in writing, in the notice of approval required by §315.
- (3) In the case of minor land developments, as defined by this Part, only a final application and filing fee shall be required, provided that all requirements for submission of a final application are met.

C. Conferences.

- (1) A pre-application conference is recommended with the Planning Commission prior to the submission of a final application. Refer to §306 for the requirements of a pre-application conference.

(Ord. 1216, 6/16/2003, Art. III)

§305. Major Land Development.

Applicants are required to apply for and receive both preliminary and final approval for a major land development approval from the Borough in accordance with the following criteria:

A. Applicability.

- (1) A single-family residential development that creates five or more lots.
- (2) All multifamily residential development.
- (3) A nonresidential development with more than 5,000 square feet of new gross floor area.
- (4) All planned residential and planned nonresidential developments.
- (5) All subdivisions and land developments that constitute conditional users or uses by special exception.
- (6) All mobile home parks.

B. Recommendations and Approvals.

SUBDIVISION AND LAND DEVELOPMENT

- (1) The Planning Commission shall make recommendations to Council regarding major land development.
- (2) Council shall be responsible for approving or denying major land developments. When necessary for the protection of public welfare, persons and property, the Council may conditionally approve a major land development subject to compliance with the provisions and standards defined in this Part, Zoning; and any additional requirements deemed necessary.

C. Conferences.

- (1) A voluntary sketch plan conference is recommended with the Planning Commission prior to a pre-application conference with the Planning Commission. Refer to §306 for suggestions regarding a sketch plan conference.
- (2) A pre-application conference is recommended with the Planning Commission prior to the submission of a preliminary application. Refer to §306 for the requirements of a pre-application conference.

(Ord. 1216, 6/16/2003, Art. III)

§306. Pre-Application Conference.

1. A voluntary sketch plan conference with the Planning Commission is recommended prior to the pre-application conference. The sketch plan conference requires no formal application or fee.
2. Any materials submitted for a pre-application conference shall not be considered an application for preliminary or final review. These opportunities are afforded to the developer to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.
3. The applicant shall notify the Borough at least seven calendar days prior to the regular meeting of the Planning Commission regarding his/her desire to attend a pre-application conference with the Planning Commission.
4. Sufficient information shall be provided on the sketch plan to clearly indicate the character and extent of the proposed subdivision of land development and its relationship to existing natural features and public facilities within the area in which the land is situated. Such submission should include a map establishing the location of the proposed plat and a plan showing any existing or proposed streets, property lines, building sites, utilities, natural features, including topographic contours and any other significant elements within the proposed subdivision or land development. Such plans are not required to be engineered drawings but

shall be drawn to scale. The preparation of a sketch plan shall not constitute the filing of an application for approval of a plat.

(Ord. 1216, 6/16/2003, Art. III)

§307. Application Producers.

1. Preliminary Application. .
 - A. A preliminary application shall be submitted at least 14 calendar days prior to the Planning Commission's next regular monthly meeting.
 - B. Any application submitted later than 12:00 noon, 14 calendar days before the Planning commission's meeting shall not be reviewed until the next regularly scheduled meeting.

(Ord. 1216, 6/16/2003, Art. III)

§308. Preliminary Applications.

1. Preliminary plan applications shall be prepared in conformance with the provisions of this Chapter and any other applicable requirements of law. The preliminary plan application shall not be considered to be complete and properly filed unless and until all items required have been submitted and addressed. Further, the preliminary plan shall demonstrate conformance with the design standard requirements of Part 5 of this Chapter. The Borough shall have seven working days from the date of submission to check the plans and documents to determine if they are in proper form and contain all the information. If defective, the application may be returned to the applicant with a statement that the application is incomplete within the seven-day period; otherwise, the application shall be deemed filed as of the submission date. Acceptance shall not constitute a waiver of any deficiencies.
2. Copies of the preliminary plan shall be submitted, by the applicant, to the following agencies, as applicable. Evidence of submission shall be included in the application.
 - A. Pennsylvania Department of Environmental Protection.
 - B. Allegheny County Conservation District.
 - C. Pennsylvania Department of Transportation.
 - D. Other agencies, as determined by the Borough and/or determined by law.

(Ord. 1216, 6/16/2003, Art. III)

SUBDIVISION AND LAND DEVELOPMENT

§309. Preliminary Application Content.

All preliminary plan applications shall include the following, plus any additional information and copies as required by the Borough.

- A. One application form as specified and obtained from the Borough.
- B. One letter of transmittal, identifying the proposed activity and the purpose for the development.
- C. A minimum of 14 copies of the preliminary plan, including one copy for each municipality within 1/2 mile of the site. One electronic file shall be submitted of all plans, maps, drawing in a format compatible to the Borough of Sewickley.
- D. Filing fee (see schedule available at Borough office). The fee shall be submitted in the form of a check or money order payable to the Borough of Sewickley.
- E. Where applicable, a copy of the decision granting approval of any zoning variance, conditional use or special exception as required, including all conditions imposed.
- F. Review Fees.
 - (1) Review fees shall include the reasonable and necessary charges by the Borough professional consultants or engineer for review and report to the Borough and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Borough Engineer or consultant for similar service in the community, but in no event shall be the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on applicants.
 - (2) In the event the applicant disputes the amount of any such review fees, the applicant shall, within 10 days of the billing date, notify the Borough that such fees are disputed, in which case the Borough shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.
 - (3) In the event that the Borough and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Borough and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be

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

(Ord. 1216, 6/16/2003, Art. III)

§310. Preliminary Plan Content.

1. The preliminary plan drawing shall be at a scale of not less than one inch equals 100 feet. The plan shall be drawn in accordance with standard architectural and engineering practices, and using standard map symbols to clearly indicate the following:
 - A. Name of the proposed project.
 - B. Location map showing the subdivision/land development location (including major transportation routes, title, north arrow and graphic scale.)
 - C. Property lines, adjacent property owners, parcel block and lot numbers.
 - D. Name, address, telephone number of property owners and firm that prepared the plan(s).
 - E. The entire existing tract boundary with bearings and distances as per deed.
 - F. The total acreage of the entire existing tract.
 - G. Zoning information legend (to include, but not limited to, district, minimum lot size, density, requirements).
 - H. Streets abutting the property, indicating names, right-of-way widths and cartway widths.
 - I. Existing and proposed easements, indicating location, width, purpose and lessee.
 - J. Location of existing and proposed buildings, sanitary sewer, storm sewer, water, gas, petroleum and high pressure gas lines indicating line size, man-holes, fire hydrants, utilities and other visible elements in the system on or adjacent to the property proposed to be developed.
 - K. Existing contours at a minimum vertical interval of two feet.
 - L. Preliminary Grading Plan.

SUBDIVISION AND LAND DEVELOPMENT

- M. Location of relevant natural features including, but not limited to, streams, other natural watercourses, wetlands, general land cover, significant tree masses and other significant natural features.
- N. Location of slopes with grades between 15 and 25% and those that exceed 4:1 or 25%.
- O. Also to be provided at time of submission:
 - (1) The layout of lots, with approximate dimensions, including setback and/or buildings lines.
 - (2) The location of all sanitary sewer and stormwater management structures.
 - (3) In developments proposed for uses other than single family dwellings, a parking plan indicating location of parking area(s), arrangement of spaces, access lanes and number of cars to be accommodated; the configuration of proposed building(s) and all other significant planned facilities.
 - (4) Location size and general layout of public areas, open space and recreation areas.
 - (5) Typical street cross sections for each proposed street and typical cross-section for any existing street that will be improved.
 - (6) Proposed street names.
 - (7) A statement on the plan indicating requested modifications to the provisions of this Chapter.
 - (8) Building elevation drawings. Building elevation drawings including types of exterior building materials utilized. Recommended exterior materials include:
 - (a) Residential, Commercial, Institutional.
 - 1) Brick.
 - 2) Vinyl/Aluminum Siding.
 - 3) Wood siding.
 - 4) Stone.
 - 5) Stucko.

- (b) Multifamily. All materials included under residential.
 - (c) Industrial. All materials included under residential also including:
 - 1) Cement Block.
 - 2) Steel panel siding.
 - (9) Proposed Landscape Plan.
- 2. Data to be submitted with Preliminary Plat. Preliminary plat submission shall be accompanied by the following:
 - A. A description of the soil types located on the tract, delineating all slide-prone areas as well as any mined-areas.
 - B. A description of the tract locating existing and pre-existing gas and oil wells.
 - C. Where applicable, a Sewerage Facilities Planning Module for Land Development shall be the responsibility of the applicant and shall be prepared in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection. The completed module shall accompany the preliminary plan submission.
 - D. A preliminary stormwater management plan in accordance with Part 6.
 - E. A description of the method to be utilized and the organization formed for the maintenance of any common areas and facilities not to be dedicated for public use.
 - F. A statement that the proposed subdivision or land development will not cause any environmental hazard or subsidence.
 - G. Profiles and other explanatory data concerning installation and construction of sanitary and storm sewer system and other utility systems. The size or capacity of each should be shown and the locations and distance to each utility indicated.
 - H. Street pattern, showing the names (which shall not duplicate names of other streets in the post office district) and width of rights-of-way and cartways of streets, and width of crosswalks, easements and alleys; proposed lot lines with approximate dimensions and areas and parcels of land proposed to be dedicated or reserved for public use; proposed watercourses and detention ponds; proposed phasing of land development; typical section of all streets.

SUBDIVISION AND LAND DEVELOPMENT

- I. Datum to which contour elevations refer shall be U.S. Coast and Geodetic Survey datum.
- J. Provisions for collecting and discharging surface drainage on or off the site, pipe sizes, location, sizes of inlets and catch basins, etc., and preliminary design of any bridge and culvert which may be required.
- K. Block for signatures of the Planning Commission, the Council and the Engineer and date of approval.
- L. Land development plans shall show building locations and waiver from the regulations herein established and citing the reasons for same.
- M. Water Supply. Water supply shall be provided by the Sewickley Water Authority. Proof of service from the Water Authority shall accompany all information submitted for review.
- N. Sewage Supply.
- O. Reports and Studies. To ensure a full and adequate review of a subdivision or land development proposal, the Borough may request the submission of more detailed information. Based on the size and special characteristics of a particular project, the following additional information may be requested for the purpose of assessing the impacts and consequences of the project including, but not limited to:
 - (1) Environmental Analysis.
 - (2) Geotechnical Report.
 - (3) Traffic Impact study for any multiple family, commercial and planned residential development.
 - (4) Phasing schedules.
 - (5) Additional design information.

(Ord. 1216, 6/16/2003, Art. III)

§311. Preliminary Plan Approval Procedure.

1. In the event the application is determined to be complete, the Planning Commission shall review the application at its next regular meeting. A copy of such plan shall have been submitted at this time to the Allegheny County Planning Department for review and comment. The County shall have 30 days in which to comment, prior to Borough approval.

2. After review, the Planning Commission shall submit a recommendation to the Borough Council. The recommendation of the Planning Commission shall provide reasons for the recommendation and, in the case of a recommendation for disapproval, shall cite the specific requirements of this Chapter which have not been met.
3. Council shall issue a decision within 90 days of the date of the first regular meeting of the Planning Commission following the date that a complete application has been received, provided that should the next regular meeting occur more than 30 days following the filing of the application, the ninety-day period shall be measured from the 30th day following receipt of the complete application, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet such extended time or change shall have like effect.
4. Not later than 15 days after the public meeting at which a decision is rendered by Borough Council, the Borough shall communicate such decision in writing to the applicant personally or by mailing same to him at his last known address.
5. Within the time period set forth above, the Council shall take one of the following actions:
 - A. Approve the application.
 - B. Approve the application with conditions subject to the applicant's consent.
 - C. Disapprove the application on the basis of specified defects contained therein and describe the requirements not met, with specific references to the statute or provisions of ordinance(s) relied upon. Such disapproval, with such specifics, shall be thereafter communicated in writing to the applicant.
6. Preliminary Approval/Denial.
 - A. Applicant shall have 20 days to accept or reject any conditions of approval imposed by Borough. Failure of applicant to so accept or reject such conditions shall result in the Borough's automatic rescission of such conditional approval and denial of approval without further action of Borough Council.
 - B. Where the applicant chooses not to comply with, or accept the Borough's conditions for approval, the Borough Council or Code Enforcement Officer may either approve or deny the application as submitted.
 - C. Approval of a preliminary plan application shall constitute approval of the proposed subdivision or land development as to the character and intensity of development and the general arrangement of streets, lots, structures and other planned facilities, but shall not constitute final plan approval.

SUBDIVISION AND LAND DEVELOPMENT

7. Plan Approval Time Limitation. When an application for approval of a plat (plan), whether preliminary or final, has been approved without conditions, or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, subdivision and land development or governing ordinance or plan, shall be applied to affect adversely, the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval, within five years from such approval.

(Ord. 1216, 6/16/2003, Art. III)

§312. Final Applications.

1. After a preliminary application has been approved by the Borough, the developer may proceed by submitting an application for final plan approval which shall be prepared in accordance with the additional requirements of this Chapter and shall provide sufficient design information to demonstrate compliance with the requirements of Part 5 of this Chapter.
2. For those applicants not required to obtain preliminary plan approval, the final plan application shall include all information regarding location and identification, existing features, plan information, drafting standards and other relevant requirements for preliminary plans under §310. The application shall also include all finalized data and certificates as required in §310.
3. A final plan application shall not be considered to be complete and properly filed unless and until all items required by §310 of this Chapter, including the application fee and the application form provided by the Borough, have been received.

(Ord. 1216, 6/16/2003, Art. III)

§313. Final Application Content.

1. All final plan applications shall include the following, plus any additional information and copies as required by the Borough.
 - A. One application form.
 - B. One letter of transmittal, identifying the proposed activity and the purpose for the development.
 - C. A minimum of 14 copies of the final plan, plus one copy for each municipality within 1/2 mile of the site. One copy of the final plan shall be submitted in digital format.
 - D. Filing Fee: A separate filing fee shall be submitted for each application.

- E. Two copies of all reports, notifications and certifications not provided on the preliminary plan.
 - F. Where applicable, a copy of the decision granting approval of any zoning variance, conditional use or special exception, as required, including all conditions imposed.
2. The final plan application shall not be considered to be complete and properly filed unless and until all items required have been submitted and addressed. Further, the final plan shall demonstrate conformance with the design standard requirements of Part 5 of this Chapter. The Borough shall have seven days from the date of submission to check the plans and documents to determine if they are in proper form and contain all the information required. If defective, the application shall be returned to the applicant with a statement that the application is incomplete within the seven-day period; otherwise, the application shall be deemed accepted as of the submission date. Acceptance shall not constitute a waiver of any deficiencies.
3. Copies of the final plan shall be submitted by the applicant to the following agencies, as applicable:
- A. Pennsylvania Department of Environmental Protection.
 - B. Allegheny County Conservation District.
 - C. Pennsylvania Department of Transportation.
 - D. Other agencies, as determined by the Borough.

(Ord. 1216, 6/16/2003, Art III)

§314. Final Plan Content.

1. All final plan drawings shall be drawn at a scale of either one inch equals 100 feet or one inch equals 50 feet. The final plan shall be in such a format and/or such material as is required for recording by the Allegheny County Recorder of Deeds office. The final plan shall also meet the following requirements:
- A. Name of plan or development.
 - B. Date of plan, graphic scale and location of plan.
 - C. Name and address of property owner(s).
 - D. Zoning Legend. A zoning legend shall be made part of the final plan. The legend shall show all pertinent zoning requirements, but not limited to, set

SUBDIVISION AND LAND DEVELOPMENT

back requirements, zoning district, parking requirements, existing use, any variances, etc. This legend shall be incorporated into the title sheet.

- E. Name and address of the professional registered land surveyor preparing the plan with number and seal affixed.
- F. North point.
- G. Accurate distances and directions to the nearest established reference monument, to be described on plan.
- H. Tractboundary lines, right-of-way lines for streets and utilities, and property lines with accurate dimensions, bearings or deflection angles, radii, arcs and central angles of all corners.
- I. Approved name and right-of-way width of each street or right-of-way.
- J. Lot lines, with a number to identify each lot on the site and the area (in square feet) of each lot.
- K. Location of existing buildings.
- L. Building setback lines of all lots.
- M. Statement by the owner dedicating streets, rights-of-way and lands for public use.
- N. Names of owners of record of adjoining lands.
- O. Protective covenants, if any, in a form for recording.
- P. Location, dimensions and purpose of all proposed easements.
- Q. Notation on the plat, if applicable, that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 402 of the State Highway Law (P.L. 1242, No. 428, of June 1, 1945).
- R. Water supply. Water supply shall be provided by the Sewickley Water Authority. Proof of service, from the Water Authority shall accompany all information submitted for review.
- S. Availability of sewage supply.
- T. Approval blocks providing for the signatures of all reviewing agencies and the Borough Council with the date of approval, in accordance with Allegheny County Subdivision and Land Development Ordinance.

- U. An appropriate statement signed by owner unequivocally indicating his intention either: (i) to dedicate for public use all streets, roads, easements and rights-of-way so intended and designated; or (ii) to reserve as private any streets, roads, easements or rights-of-way intended not be dedicated for public use.
 - V. A statement of acknowledgement in legal form, executed by a notary, stating that the subdivider is the owner or equitable owner of the land proposed for subdivision, and that the subdivision as shown on the final plan is the act and deed of the subdivider and that it is desired to record the same.
 - W. A copy of the sewerage “Planning Module for Land Development” or other equivalent documentation approved by the Department of Environmental Protection in compliance with the requirements of the Pennsylvania Sewage Facilities Act.
2. Development Plan Information. The final plan shall be accompanied by construction plans for public improvements, as prepared by a registered engineer which show the following:
- A. A grading plan which shall include finished land contours and grades; directions of water movement, type of soils, location of silt fences and erosion control measures, and ground floor elevations.
 - B. A site plan indicating the location of all proposed buildings, parking areas, landscaping, internal circulation system, and common and open space areas.
 - C. Plans in profile of each street in the plan.
 - D. Cross sections of each street at intervals not to exceed 100 feet and extending 25 feet outside the street right-of-way.
 - E. All drainage easements over private property.
 - F. A stormwater management plan which complies with the Allegheny County model stormwater management provisions and the standards provided in Part 6 of this Chapter.
 - G. The location of all necessary sewers, manholes and catch basins; the top and invert elevation of each inlet and manhole, together with the grade of each sewer line.
 - H. The grade line, distance and pipe size of each line of the storm drainage system within the plan and any storm drainage system immediately adjacent thereto.
 - I. All pipe sizes shown by plan and profile.

SUBDIVISION AND LAND DEVELOPMENT

- J. The location of each wye as proposed for installation, including a station for that wye, measured from the downstream manhole.
3. Supplementary Information: The following information shall be provided with the final plan:
- A. When applicable, notification from the Department of Environmental Protection (DEP) that either approval of the Sewer Facilities Plan Revision (plan revision module) or supplement has been granted, or that such approval is not required.
 - B. Certificate, signature and seal of the surveyor signifying that the survey is correct.
 - C. Certificate, signature and seal of the surveyor, engineer, landscape architect or other profession that completed the final plan, signifying that all other information shown on the plan is accurate.
 - D. When applicable, a copy of the application to the Allegheny County Conservation District requesting approval of the Erosion and Sedimentation Control Plan.
 - E. When applicable, a feasibility plan to provide solutions to problems related to soil, water or mineral conditions underlying the property.
 - F. A grading plan, including justification, for any slopes in excess of that permitted in the Borough's ordinance.
 - G. When applicable, a copy of the Homeowner's Association documents.

(Ord. 1216, 6/16/2003, Art. III)

§315. Final Plan Approval.

1. In the event the application is determined to be complete, the Planning Commission shall review the application at its next regular meeting. A copy of such plan shall have been submitted at this time to the Allegheny County Economic Development for review and comment. The County shall have 30 days in which to comment, prior to Borough approval.
2. After review, the Planning Commission shall submit a recommendation to the Borough Council. The recommendation of the Planning Commission shall provide reasons for the recommendation, and in the case of a recommendation for disapproval, shall cite the specific requirements of this Chapter which have not been met.

3. The Borough Council shall issue a decision within 90 days of the date of the first regular meeting of the Planning Commission following the date that a complete application has been received, provided that should the next regular meeting occur more than 30 days following the filing of the application, the ninety-day period shall be measured from the 30th day following receipt of the complete application unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet such extended time or change shall have like effect.
4. Within the time period set forth above, the Borough Council shall take one of the following actions:
 - A. Approve the application.
 - B. Approve the application with conditions subject to the applicant's consent.
 - C. Disapprove the application on the basis of specified defects contained therein and describe the requirements not met, with specific references to the statute or provisions of ordinance(s) relied upon. Such disapproval, with such specifics, shall be thereafter communicated in writing to the applicant.
5. Not later than 15 days after the public meeting at which a decision is rendered by Borough Council, the Borough shall communicate such decision in writing to the applicant personally or by mailing same to him at his last known address.
6. Applicant shall 20 days to accept or reject any conditions of approval imposed by Borough. Failure of applicant to so accept or reject such conditions shall result in the Borough's automatic rescission of such conditional approval and denial of approval without further action of Borough Council.

(Ord. 1216, 6/16/2003, Art. III)

§316. Phased Plan Approval.

1. Where the applicant proposed the development of a subdivision or land development in separate phases over a period of years, the Borough authorizes submission of the final plan applications, subject to such requirements or guarantees for public improvements in future phases which are essential for the protection of the public welfare and any existing or proposed phase of the plan.
2. All phases must conform to the preliminary plan application as previously approved by the Borough. Any phase that contains substantive changes in the number of lots, location of lots, buildings or streets previously approved in the preliminary plan will require complete resubmission of the preliminary application in accordance with §308 of this Chapter.

SUBDIVISION AND LAND DEVELOPMENT

3. Each phase, except for the last phase, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan unless the Borough approves a lesser percentage for one or more of the phases.

(Ord. 1216, 6/16/2003, Art. III)

§317. Mediation.

1. The Borough may offer the mediation option as an aid in completing the proceedings authorized by this Part. Mediation shall supplement, not replace, the defined procedures in this Part once they have been formally initiated. Nothing in this Section shall be interpreted as expanding or limiting Borough police powers or as modifying any principles of substantive law.
2. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. In offering the mediation option, the Council shall assure that in each case, the mediating parties, assisted by the mediator as appropriate, develop terms and conditions for:
 - A. Funding mediation.
 - B. Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.
 - C. Completing mediation, including time limits for such completion.
 - D. Suspending time limits otherwise authorized in this Part or in the Municipalities Planning Code provided that there is written consent by the mediating parties and by an applicant or the Commissions if either is not a party to the mediation.
 - E. Identifying all parties and affording them the opportunity to participate.
 - F. Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.
 - G. Assuring that mediated solutions are in writing and signed by the parties and become subject to review and approval by the appropriate decision making body pursuant to the authorized procedures set forth in this Part.

No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

(Ord. 1216, 6/16/2003, Art. III)

§318. Approval Resolution.

When requested by the developer and/or landowner, in order to facilitate financing, the Council shall furnish the developer and/or landowner with a signed copy of a resolution indicating approval of the final plat contingent upon the developer and/or landowner obtaining a satisfactory completion bond. The final plat shall not be signed nor recorded until the completion bond and development agreement are executed. The resolution shall expire and be deemed to be revoked if the completion bond and development agreement are not executed within 90 calendar days, unless the Commissions grants a written extension. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer and/or landowner.

(Ord. 1216, 6/16/2003, Art. III)

§319. Completion Of Improvements/Improvement Guarantee.

1. No plan shall be given final approval by the Borough Council unless the public improvements required by this Chapter have been installed in accordance with the standards set forth in Part 5.
2. In lieu of the completion of any improvements(s) required prior to, and as a condition for, final approval, the applicant shall provide for the deposit, in a form acceptable with the Borough of financial security in an amount sufficient to the Borough to cover the costs of such improvement(s) or common amenities.
3. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost completion estimated by the developer. Annually, the Borough may adjust the amount of the financial security by comparing the actual cost of the improvement(s) which have been completed and the estimated cost for the completion of the remaining improvement(s) as of the expiration of the 90th day after either the original date schedule for completion, or a rescheduled date of completion. Subsequent to the annual adjustment, the Borough may require the developer to post additional security in order to assure that the financial security equals 110%.
4. The amount of the financial security required shall be based upon an estimate of the cost of completion of the required improvement(s), submitted by the applicant and prepared by a registered professional engineer and certified by such engineer to be fair and reasonable estimate of such cost. The Borough Engineer shall review the proposed estimate and make a recommendation to the Borough Council as to acceptance and may provide an estimate if deemed unacceptable.
 - A. If the applicant and the Borough cannot agree upon an estimate, then the estimate shall be recalculated and recertified by another registered profes-

SUBDIVISION AND LAND DEVELOPMENT

sional engineer chosen mutually by the applicant and the Borough. The estimate by the third engineer shall be deemed as the final estimate.

- B. If a third engineer is selected, the fees for services shall be evenly divided between the applicant and the Borough.
5. 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 may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount equal to 110% of the revised cost of completing the improvement(s) as established on or about the one-year anniversary of the original posting. The revised costs shall be determined by using the same manner as described for the initial financial security.
6. When the Borough accepts dedication of all or some of the required improvement(s) following completion, the Borough Council shall require the positing of financial security to secure the structural integrity of the improvement(s) in accordance with the design and specifications as depicted on the final plan. The term for financial security for the maintenance of the improvement(s) shall be 18 months and the amount shall not exceed 15% of the actual cost of installation.

(Ord. 1216, 6/16/2003, Art. III)

§320. Final Release From Improvement Guarantee.

1. When the applicant has completed all of the necessary and appropriate improvements, he/she shall notify the Borough, in writing, by certified or registered mail, of the completion of said improvements, and shall also send a copy to the Borough Engineer. The Borough shall, within 10 days after receipt of such notice, direct the Borough Engineer to inspect all of the installed improvements.
2. Within 30 days of authorization by the Borough Council, the Borough Engineer shall file a report, in writing, of the result of the inspection. A copy shall also be forwarded to the applicant by certified or registered mail. The report shall detail the improvements and shall indicate approval or rejection, in whole, or in part of the improvement(s). Rejection, in whole, or in part of the improvement(s) shall contain a statement of reasons for such recommendation.
3. The Borough shall notify the applicant within 15 days of receipt of the engineer's recommendation, in writing, by certified or registered mail, of the action by the Borough Council.
4. If any portion of the said improvement(s) shall not be approved, or shall be rejected by the Borough, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification as identified above shall be followed.

5. The applicant shall reimburse the Borough for the reasonable and necessary fees based upon a schedule established by ordinance or resolution. Such fees shall be those customarily paid for engineering or consulting work performed in the Borough.
6. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, within 10 business days of the billing, the applicant shall notify the Borough of the charges that are disputed as unreasonable and unnecessary. The Borough shall not delay any approvals or permits due to the dispute over engineer's expenses.
7. If the applicant and the Borough cannot agree on the amount within 20 days of the billing date, a mutually agreed to engineer will be selected to review the necessary expenses. The decision shall be rendered within 50 days of billing date and the applicant shall be required to pay the entire amount determined in the decision immediately.
8. If agreement on the engineer cannot be agreed to by the applicant and the Borough within 20 days of the billing date, then the Court of Common Pleas shall be applied to select an engineer who has not performed duties for either the applicant or Borough for a period of five years.
9. If the decision of the appointed engineer is equal to or greater than the original billing, the applicant shall be responsible for the fee. If the amount is less than the original bill by \$1,000 or more, the Borough shall be responsible. Any amount in between shall be split evenly.

(Ord. 1216, 6/16/2003, Art. III)

§321. Partial Release From Improvement Guarantee.

1. As the work of installing the required improvements proceeds, the developer may request the Borough to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work.
2. Any such requests must be in writing and describe the portion of the work claimed to be completed and the amount of security requested to be released.
3. The Borough shall have 45 days from receipt of such request to have the Borough Engineer certify in writing to the Borough that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Borough shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed, or if the Borough fails to act within said forty-five-day period the release of funds shall be deemed approved.

SUBDIVISION AND LAND DEVELOPMENT

Notwithstanding anything to the contrary, the Borough may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of improvements.

4. If any portion of the said improvement(s) shall not be approved, or shall be rejected by the Borough, the applicant shall proceed to complete the same and, upon completion, the same procedure of notification as identified above shall be followed.
5. The applicant shall reimburse the Borough for the reasonable and necessary fees based upon a schedule established by ordinance or resolution. Such fees shall be those customarily paid for engineering or consulting work performed in the Borough.
6. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, within 10 business days of the billing, the applicant shall notify the Borough of the charges that are disputed as unreasonable and unnecessary. The Borough shall not delay any approvals or permits due to the dispute over engineer's expenses.
7. If the applicant and the Borough cannot agree on the amount within 20 days of the billing date, a mutually agreed to engineer will be selected to review the necessary expenses. The decision shall be rendered within 50 days of billing date and the applicant shall be required to pay the entire amount determined in the decision immediately.
8. If agreement on the engineer cannot be agreed to by the applicant and the Borough within 20 days of the billing date, then the Court of Common Pleas shall be applied to select an engineer who has not performed duties for either the applicant or Borough for a period of five years.
9. If the decision of the appointed engineer is equal to or greater than the original billing, the applicant shall be responsible for the fee. If the amount is less than the original bill by \$1,000 or more, the Borough shall be responsible. Any amount in between shall be split evenly.

(Ord. 1216, 6/16/2003, Art. III)

§322. Modifications.

1. Where the applicant shows to the satisfaction of the Borough that the literal compliance with any mandatory provision of these regulations and causes undue hardship to the applicant because of peculiar conditions pertaining to the particular property, the Borough may grant a modification to one or more provisions of this Chapter. Such modification, however, shall not have the effect of nullifying the intent and/or purpose of this Chapter.

2. In granting any modification, the Borough may impose such conditions as will substantially secure the objectives of the standards and requirements of this Chapter.
3. All requests for modification of any standard and/or requirement contained in this Chapter shall be made in accordance with the following procedure:
 - A. The request shall be made in writing and shall accompany the preliminary plan application. The request shall include:
 - (1) A full description of the unreasonableness or hardship on which the request is based, and any, peculiar circumstances.
 - (2) A full description of the alternative standard proposed to provide equal or better results.
 - (3) The section(s) of this Chapter that are requested to be modified and the minimum modification necessary to relieve the hardship.
 - B. The request for modification shall be reviewed by the Planning Commission during preliminary plan review to determine compliance with the requirements in subsection (A), above, and shall be recommended for action to the Borough Council.
 - C. The Borough Council, after receipt of the Planning Commission recommendation, shall complete its own review and shall grant or reject the required modification.
 - D. If the modification is granted, a note shall appear on the final plan for recordation.
 - F. The Borough Council shall keep a written record of all action on all requests for modifications.

§323. Development Agreement.

1. As a condition of granting final plan approval, the Borough shall require that the developer execute a development agreement with the Borough in a form acceptable to the Borough Solicitor, containing provisions that are reasonably required to ensure compliance with any conditions of approval, any ordinance or regulation of the Borough and to guarantee the proper installation of onsite improvements related to the subdivision and/or land development, and provisions necessary to indemnify the Borough in connection with such subdivision and/or land development.
2. If the applicant fails to execute the development agreement within 90 days of the date of final plan approval, or fails to initiate construction within one year of the

SUBDIVISION AND LAND DEVELOPMENT

date of execution of the development agreement, final plan approval shall expire, unless the applicant/developer submits a written request for an extension prior to the expiration of the one-year period and the Borough Council grants the request in writing. In the event that final plan approval expires, the developer shall re-submit a final plan application for approval.

(Ord. 1216, 6/16/2003, Art. III)

§324. Approval by Other Agencies.

Approval of the final plan by the Borough Council shall not be binding if County, State or Federal agencies disapprove the development. It shall be the applicant/developer's responsibility to obtain all necessary approvals from County, State and Federal agencies and submit these approvals to the Borough.

(Ord. 1216, 6/16/2003, Art. III)

§325. Recording of Final Plat.

1. Upon approval of a final plat by the Borough, the developer and/or landowner shall, within 90 calendar days of such final approval or the date the approval Council is noted on the plat, whichever is later, record such plat in the office of the Allegheny County Recorder of Deeds. The Allegheny County Recorder of Deeds shall not accept any plat for recording, unless such plat officially noted the approval of the Planning Commission and Council and the review of the Allegheny County planning agency or its designee. Approval Certification shall be:

Approved by the [governing body] of [name of Municipality] by resolution, this day of _____, 20____

Signed and noted as approved this ____ day of____, 20____:

Secretary [head of governing body]

(Seal)

2. In the event that the plan has not been recorded within the required 90 calendar days, the Presidents of Council and the Chairman of the Planning Commission are authorized to reinstate the Borough's approval for recording upon receiving a report from the Borough Engineer that there are not changes in the subdivision or land development plan previously granted approval and that all requirements of this Part regarding posting of a complete plan is submitted for reinstatement of approval within 90 calendar days following the expiration of the original 90 calendar days from the date of final approval.

3. Any request for final approval, which is submitted after 180 calendar days from the date of the original granting of final approval, shall be required to resubmit an application for final approval in conformance with the requirements of §314.
4. Upon recording of the final plat in the office of the Allegheny County Recorder of Deeds, the developer and/or landowner shall deliver to the Township two paper prints of the final plat as recorded. In addition to the two paper prints, the applicant must submit one Mylar and one copy of the final plat in an electronic format compatible with the Borough's geographic information system (GIS).
5. At the time of final plat submission, the applicant shall be required to pay a recorded plan deposit in an amount determined from time to time by resolution of the Council.
6. Said deposit shall be returned to the applicant when the Borough receives the two signed and recorded paper prints of the final plat, the one Mylar and the one electronic copy, or when the applicant has officially withdrawn the application.

(Ord. 1216, 6/16/2003, Art. III)

PART 4

INSTALLATION, INSPECTION AND ACCEPTANCE OF IMPROVEMENTS

§401. General.

1. No improvements shall be installed, or work begun, unless the following has been accomplished:
 - A. All necessary plans, profiles and specifications for the improvements have been submitted to, and approved by, the Borough.
 - B. The construction guarantee has been provided.
 - C. A fully executed developer's agreement has been submitted.
 - D. All required permits have been obtained.
 - E. PA One call is made.
2. The developer shall notify the Borough at least 48 hours prior to beginning any installation of public improvements in an approved plan.

(Ord. 1216, 6/16/2003, Art. IV)

§402. Required Improvements.

The following improvements, as shown on the recorded plan, shall be provided by the developer in accordance with the details and/or specifications cited in Part 5. Developer/owner give certified copy to Borough.

1. Cartway paving.
2. Curbs.
3. Sidewalks and crosswalks.
4. Monuments.
5. Street signs.
6. Sanitary sewage disposal.
7. Water supply and fire hydrants.
8. Stormwater management facilities.

SUBDIVISION AND LAND DEVELOPMENT

9. Erosion and sedimentation control measures.
10. Street trees.
11. Street lights.

(Ord. 1216, 6/16/2003, Art. IV)

§403. Inspections.

1. Once the installation of improvements has been approved, in accordance with §320(1) while work is in progress, the developer shall notify the Borough at least 48 hours prior to the time that the following required progress inspections are warranted:
 - A. Inspection of sub-grade of streets prior to laying of base.
 - B. Inspection of base prior to final paving of streets.
 - C. Inspection of installed water lines, sanitary sewer lines, storm sewers and drainage facilities before they are covered.
2. The inspector shall prepare a written report of all inspections, with a copy being submitted to the Borough for their files.
3. The inspection of sanitary sewer installations shall be in accordance with the procedures of the applicable sanitary authority with a copy of any notices or reports being submitted to the Borough.
4. When it is evident that any street in a partially completed plan of lots may be extensively used by construction vehicles hauling building materials and equipment, and where such street, if completed, may be damaged during the course of construction of houses on lots abutting the right-of-way within which the street is centered, the Borough shall require the developer to complete 80% of the dwelling units prior to the final paving of the street or otherwise be responsible for damage through the posting of an additional bond including, but not limited to, streets and other required improvements.

(Ord. 1216, 6/16/2003, Art. IV)

§404. Notice of Completion.

When the developer has completed the required public improvements in a plan, in accordance with §320(1) the developer shall notify the Borough, in writing, by certified or registered mail. Within 10 days of the receipt of the notification, the Borough Council

shall authorize the Borough Engineer, to inspect the public improvements in the plan to determine compliance with the design standards specified in Part 5 of this Chapter.

(Ord. 1216, 6/16/2003, Art. IV)

§405. Final Inspection.

Upon authorization by the Borough Council, the Borough Engineer shall perform a final inspection of the public improvements. The procedures and timing of such inspection notifications and action shall follow that identified in §403 of this Chapter.

(Ord. 1216, 6/16/2003, Art. IV)

§406. Acceptance of Improvements.

1. Every street, sewer, drainage facility or other required improvement shown on the recorded plan shall remain as a private improvement, and the Borough shall have no responsibility with respect to maintenance, repair or replacement until such time as the improvement has been offered for dedication to the Borough, inspected, approved and accepted by resolution or ordinance.
2. No public improvement(s) required by this Chapter shall be accepted by ordinance or resolution or the Borough Council unless, prior thereto, the following shall be submitted to the Borough:
 - A. A dedication of the installed improvements in a form acceptable to the Borough Solicitor.
 - B. Two sets of “as-built” plans. The “as-built” plans and profiles shall indicate all public improvements, as constructed and shall show the top and invert elevations for all manholes, inlets and sewer structures; the distance between all manholes, inlets and sewer structures; wye (“y”) locations on all sanitary sewers; and significant changes to the street profiles as approved.
 - C. A certificate or notification by the Borough Engineer or other person designated by the Borough, that the improvements have been constructed in accordance with the standards established by this Chapter.
 - D. The results of core boring tests for composition and thickness of paving, prepared by a qualified testing firm. The location and size of the borings shall be in accordance with PennDOT Form 408, or as determined by the Borough Engineer.

SUBDIVISION AND LAND DEVELOPMENT

A maintenance guarantee which shall be provided for a period of 18 months. The guarantee shall be in an amount of 15% of the original construction cost of installation of the public improvement(s).

(Ord. 1216, 6/16/2003, Art. IV)

PART 5

DESIGN STANDARDS

The following land subdivision principles, standards and requirements shall be applied by the Borough Council in evaluating the plans for proposed subdivisions and shall be the minimum requirements.

§501. General.

This Part sets forth design standards and requirements for all subdivision and land development proposals. The following standards and requirements shall be applied by the Borough in evaluating the plans for proposed subdivisions and land developments and shall be the minimum requirements. Any application fee for development shall conform to the standards set forth in this Part, unless a modification is granted under the provisions of this Chapter.

- A. All plans shall be prepared in compliance with any applicable municipal ordinance, including the Zoning Ordinance in effect, and in compliance with any requirement imposed by any local, State, or Federal entity exercising valid regulatory authority.
- B. When other local regulations, or State Federal statutes impose more restrictive standards and requirements than those contained herein, the more restrictive standards shall be observed.

(Ord. 1216, 6/16/2003, Art. V)

§502. Land Requirements.

Land shall be subdivided only for the purposes for which the subdivision has been approved or proposed.

- A. **Preservation of Natural Features:** A subdivider or developer shall make every effort to preserve shade trees, other salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff. Whenever possible applicant shall preserve trees, scenic points, historic spots and other community assets and landmarks. All subdivisions over five acres in size shall include a comprehensive environmental analysis prepared by a qualified environmental engineer. Such environmental analysis shall include:
 - (1) A description of the project.
 - (2) A map indicating:

SUBDIVISION AND LAND DEVELOPMENT

- (a) Limits of the following slope areas:
 - 1) Zero to 15%.
 - 2) Sixteen to 25%.
 - 3) Over 25%.
 - (b) All natural watercourses and wetlands.
 - (c) Undermined areas with less than 100 feet overburden.
 - (d) Landslide-prone area.
 - (e) Soil type.
- (3) An assessment of the impact of the proposed development on those items identified in subsection (2) above.
 - (4) A list of steps proposed to mitigate environmental damage to the site during construction in accordance with latest revision of EPA Clean Water Act.
 - (5) Evidence that the analysis was completed by a qualified environmental engineer.
- B. Subsidence. Land subject to subsidence or underground fires shall either be made safe for the purpose for which it is to be used, or such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.
 - C. Flood Prone Areas. Portions of land which are poorly drained or subject to periodic flooding, shall not be developed or subdivided for residential occupancy or for any uses which may involve danger to health, safety, and the general welfare of the community.
 - D. Grading, Excavating and Filling. No change shall be made in the contour of the land, no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced unless approved in the preliminary and final plat, and where applicable reviewed and approved by the Allegheny County Conservation District. Such approval shall be based on the preliminary grading plan for minimizing erosion and sedimentation, controls for excessive slope areas, grading regulations, and storm drainage regulations in this Chapter, and as may be required by applicable regulatory agencies having jurisdiction thereof.

- E. Land subject to hazards of life, health and safety shall not be subdivided until such hazards have been reviewed or corrected.
- F. All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands, or other proposed uses so that remnants and land-locked areas shall be avoided.

(Ord. 1216, 6/16/2003, Art. V)

§503. Easements and Utilities.

Easements with a minimum width of 20 feet shall be provided in all subdivisions and land developments for poles, wires, conduits, storm drains, sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots, tracts or parcels. Additional widths may be required if more than one utility is located in the same easement. Easements shall be centered on or adjacent to rear or side lot lines. No structures or trees shall be placed within such easements. The developer shall comply with the Pennsylvania Public Utility Commission (PUC) order of July 8, 1973, which requires electric and telephone service in residential developments to be placed underground. Where a subdivision is traversed by a water course, there shall be provided a drainage easement or right-of-way, conforming substantially with the line of such water course and with such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance. Subdividers and land developers shall avail themselves of the facilities provided by the various authorities or public utility companies in determining the proper locations for utility line easements.

A. Water Supply.

- (1) All properties in subdivisions shall connect with an approved public water supply system, if available. The subdivider shall construct a system of water mains which are to be connected to the public water system serving the Borough wherever same is available. Subdivisions of three lots or less, which are located 1,000 feet beyond the existing system may be exempted from this requirement by the Borough Council. If the water distribution system cannot be tied-in with an approved public system, an individual well or spring must be installed and operated in full compliance with the latest Pennsylvania Department of Environmental Protection specifications covering such facilities. All land developments of other types must be equipped with a public water supply system, approved as adequate by the Borough Council.
- (2) The plans for the installation of the mains of a water distribution system shall be prepared with the cooperation of the applicable public water authority, and reviewed and approved by its engineer. A statement of approval from the Borough shall be submitted to the Borough Council.

SUBDIVISION AND LAND DEVELOPMENT

- (3) Upon completion of water distribution and supply system, one copy of the plans for the system shall be filed with the Borough Council. The plan shall also be reviewed and approved by the Department of Environmental Protection.
- (4) Fire Hydrants. It will be the responsibility of the developer to provide all subdivisions and land developments with fire hydrants. Hydrants shall be installed with the installation of the water lines or as soon as they become available. The location of the hydrants shall be approximately every 1,000 feet and shall be subject to approval by the Borough on the final plat.

B. Sanitary Sewage Disposal.

- (1) Each property shall connect with an approved public sewer system. Where the sewer is not yet provided the developer shall install the sewer line, 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 limits of the subdivision or development, and the laterals shall be capped at the street right-of-way line.
- (2) All plats submitted for approval must show sanitary drains separated from all other drains. No stormwater shall be permitted in sanitary drains.
- (3) All plats, designs, and data of any new sewage system or for extension for tapping into any existing system shall be submitted to the Borough of Sewickley for approval and be subject to all their requirements.
- (4) The subdivider shall contract the necessary and required sanitary sewer lines which shall, when possible, be connected to the public sewer system serving the Borough or a portion thereof.
- (5) Subdivision of three lots or less, which are located 1,000 feet beyond the existing public system, may be exempted from these requirements by the Borough Council where individually approved septic systems are to be constructed. Said approval thereof shall be subject to Borough of Sewickley recommendations and Allegheny County Health Department approval. Preliminary plans and a request for sewer service shall receive sewer authority approval prior to approval of the final plat.
- (6) If, in the opinion, of the County Health Officer, the Borough Engineer and/or the Borough Council, factors exist which would create a public health and sanitation problem if a certain area is developed, the Board shall not, in those cases, approve the subdivision and platting

of such area until such factors are corrected by an adequate sanitary sewer system.

- C. Propane. All propane installation shall be subject to prior approval of the Borough Engineer or other person designated by the Borough and the Department of Labor and Industry.

(Ord. 1216, 6/16/2003, Art. V)

§504. Blocks, Lots, Parcels.

1. Blocks.

- A. Layout. The length, width and shape of blocks shall be determined with due regard to:
 - (1) Provision of adequate sites for buildings of the type proposed.
 - (a) Any other zoning requirements.
 - (b) Topography.
 - (2) Street intersection requirements as outlined in §505(F) of this Chapter.
- B. Length in Residential Districts. Blocks shall have a minimum length of 500 feet and a maximum length of 1,000 feet.
 - (1) Any other zoning requirements;
 - (2) In the design of blocks (fronting on minor streets) longer than 1,000 feet, special consideration shall be given to the requirements of satisfactory fire protection. Where practicable, blocks along arterial and collector streets shall not be less than 1,000 feet long.
- C. Length in Commercial and Industrial Districts. Blocks in commercial and industrial areas may vary from the elements of design detailed above, if required by the nature of the use. Any subdivision of land or land development in the commercial or industrial districts shall take into consideration the feasibility of creating marginal or feeder roads to minimize intersections with major roads. In all cases, however, adequate provisions shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.
- D. Depth. Residential blocks including those for garden apartment, condominium or townhouse developments, shall be of sufficient depth to accommodate two tiers of lots, except:

SUBDIVISION AND LAND DEVELOPMENT

- (1) Where reverse frontage lots are required along a major traffic street.
 - (2) Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Sewickley Borough Planning Commission may approve a single tier of lots.
- E. Lot or Parcel Numbers. Lot numbers or lettered parcels shall be assigned and approved prior to filing the final subdivision and/or land development plat.
- F. Building Setback Lines on Lots and Parcels. Building lines of lots or parcels from street right-of-ways (public or private) shall not be less than those required by the appropriate zoning classification under Borough of Sewickley Zoning Ordinance [Chapter 27], as amended, for the zoning district in which they are located.

(Ord. 1216, 6/16/2003, Art. V)

§505. Streets.

A street, whether dedicated to the Borough or privately maintained, shall be defined as any right-of-way intended for general public use as access to single family homes, townhouse or garden apartments, condominiums, commercial centers, industrial centers, or any other land development. All provisions in the Part shall be equally applicable and binding for both dedicated and privately maintained streets, where said streets serve more than one dwelling.

- A. General Standards:
- (1) All streets intended for public use shall be paved to full cartway width. In all cases, paving materials and workmanship shall conform to any and all applicable Borough standards, including all Pennsylvania Department of Transportation Standards adopted by the Borough. The proposed street system shall extend existing or recorded streets at the same width, but in no case at less than the required minimum width, and be so located as to allow proper development of surrounding properties.
 - (2) Where a subdivision or land development abuts an existing street of improper width or alignment, the Borough Council may require the dedication of land sufficient to widen the street, or correct the alignment.
 - (3) Minor streets shall be laid out so as to discourage through traffic. Connector and collector streets should be provided to adequately provide for the expected flow to traffic from minor streets.

- (4) Streets in and bordering a subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, and facilitate fire protection.
- (5) Proposed streets shall be planned suitable to the contour of the land, to provide buildable lots, to have a suitable alignment and grade, and to be able to drain properly in accordance with the standards established by this or other ordinances.
- (6) Partially completed streets shall not be approved in a development plan, but all streets shall be constructed as soon as feasible under the construction schedule in accordance with the designations under approved final plat.
- (7) Streets intended for the interior circulation of traffic in land development shall be designed so that no street providing parking spaces shall be used as a through-street. The developer shall be responsible for installing centerline markings and traffic direction and control signs on such streets.
- (8) Street name signs shall be installed by the developer at each street intersection in accordance to type of materials, design and standards established by the Borough.
- (9) Street lighting system shall be installed in all developments involving multi-family dwellings and at all intersections with existing Borough streets/roads. Street lights may also be required where a hazard exists as determined by the Borough Council.

B. Street Widths.

- (1) Street Classification. Three functional classifications are hereby established for the streets and roads in the Borough:
 - (a) Arterial. This classification includes highways which provide inter-county or inter-municipal traffic of substantial volumes where the average trip lengths are usually five miles or greater. Generally, these highways should accommodate operating speeds of 35 miles per hour.
 - (b) Collector. This classification is intended to include those highways which connect local access highways to arterial highways. They may serve as traffic corridors connecting residential areas with industrial, shopping and other service. They may penetrate residential areas. Generally, these highways will accommodate operating speeds of 35 miles per hour.

SUBDIVISION AND LAND DEVELOPMENT

- (c) Local Road. This classification is intended to include streets and roads that provide direct access to abutting land and low and travel distances generally short. These streets and roads should be designed for operating speeds of 25 miles per hour or under.

Street Type	Minimum Required Width	Feet
Collector	Right-of-way	50
	Cartway	24
Minor or Local	Right-of-way	50
	Cartway	20
Permanent Cul-de-sac	Right-of-way (radius)	50
	Cartway (radius)	40
Split Street (having a median with a separate lane of traffic for each direction)	Right-of-way	70
	Cartways (each)	16

- (2) Additional right-of-way and cartway widths may be required to the Borough Council for various reasons including, but not limited to:

- (a) The type of land development.
- (b) Public safety and convenience.
- (c) Allowance for anticipated traffic volume.
- (d) The size of vehicles frequenting the development.
- (e) Parking lanes.
- (f) The loading of school buses or other public transportation.

- C. Street Grades. There shall be a minimum centerline grade of 2%. Centerline grades shall not exceed the following:

Arterial Street	Five (5) percent
Marginal Access Streets	Twelve (12) percent
Collector Street	Eight (8) percent
All street intersections	Four (4) percent

Grades shall be designed for maximum visibility.

D. Horizontal Curves: Proper sight distance must be provided with respect to horizontal alignment. Measured along the centerline five feet above grade, horizontal curves shall be provided to permit the following minimum sight distances:

Minor Streets	One hundred (100) feet
Collector Streets	Two hundred (200) feet

E. Vertical Curves. Proper sight distance must be provided with respect to vertical alignment. Measured along the centerline five feet above minimum sight distances.

F. Intersection.

- (1) Streets shall intersect as nearly as possible at right angles. No more than two streets shall intersect at the same point. Intersections with collector streets shall be located not closer than 1,000 feet apart, measured from the centerline of the major street.
- (2) Intersections with connector streets shall be at intervals not less than 800 feet.
- (3) Intersections with minor streets shall be at intervals not less than 500 feet.
- (4) Staggered intersections shall be provided on collector streets at a minimum distance of 500 feet; on connector or minor streets at not less than 200 feet as measured from centerline to centerline along the street common to both intersections.
- (5) Intersections shall be rounded by a tangential arc with a minimum radius of:
 - (a) Twenty-five feet for intersections involving only minor streets.
 - (b) Thirty feet for all intersections involving a connector or collector street.

G. Sight Distance at Intersections and Obstructions. Embankments, fences, hedges, shrubbery, walls, planting (except for trees and grass) or other obstructions including signs, shall not be located within the right-of-way and shall not obscure any intersection. A clear sight triangle shall be maintained at intersections, so that measured along the centerline, there shall be a clear sight triangle of 75 feet minimum, from the point of intersection. No obstruction to view will be permitted in this area above the height of 2 1/2 feet and below 10 feet.

SUBDIVISION AND LAND DEVELOPMENT

H. Cul-de-sacs and Temporary Dead-end Streets.

- (1) Cul-de-sac streets, permanently designed as such, shall not exceed 500 feet in length. The centerline grade on a cul-de-sac street shall not exceed 8%.
- (2) Dead-end streets shall be prohibited except for future access to an adjoining property or because of authorized stage development. Such streets shall be provided with a temporary, all-weather turnaround, within the subdivision or development, and the use of such turnaround shall be guaranteed to the public until such time as the street is extended. The outer paving radius shall be 40 feet. Temporary dead-end streets shall not exceed 1,000 feet in length.

I. Street Names.

- (1) Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of the existing streets.
- (2) In no case shall the name of a proposed street duplicate or be phonetically similar to an existing street name in either the Borough or the postal district in which located. The subdivider or developer shall submit the proposed street names to the Borough at the time the preliminary discussions are held and prior to filing a preliminary plat.

(Ord. 1216, 6/16/2003, Art. V)

§506. Road Construction – Design Standards.

1. Stakeout. In order to assure the Borough and/or its Engineer that the road is being paved in the center of the right-of-way and in accordance with all grades that may have heretofore been approved, the contractor, developer and/or road builder must present an affidavit signed by a minimum licensed Pennsylvania Title Surveyor, that he has established the recorded and/or legal right-of-way on the ground by a survey on the ground and has set construction stakes to the desired construction offset distance at points along the road not exceeding fifty-foot intervals and has established reference elevation on said stakes to effect the construction of the road in accordance with all plans that have been previously approved.
2. Grading.
 - A. All streets shall be graded to the full width of the right-of-way and the adjacent side slopes graded to blend with the natural lay of the land, or in accordance with the cross section presented, to the satisfaction of the Borough Engineer. The slope of the ground of the entire right-of-way line must be graded toward the paving, to the satisfaction of the Borough Engineer or other designated Borough officials. An alternate grading plan may be sub-

mitted to the Planning Commission and approved by the Borough Engineer. When filling operations are required, all topsoil must be removed and the surface roughed up or scarified in order to assure a good bond between the filled ground and virgin ground. (If the lateral slope upon which the fill is to be made is deemed too steep for scarifying to make bond, then the virgin ground must first be benched and the fill placed upon the benches). Drainage for any springs, wet areas, existing streams or wet weather gullies encountered while preparing for filling operations must be approved by Sewickley Borough before filling can be commenced. Fills must be built up with six-inch layers of suitable rock-free, nonfrozen material, each layer being well compacted with an approved sheep's foot ten-ton roller or equivalent approved by Sewickley Borough, and well crowned and drained to prevent soaking and spongy areas. Where fill materials are necessary to establish uniform grades, compacting shall be required to 95% density and shall be so certified by a qualified soils technician. No paving shall be placed in any fill area until at least two months have elapsed since the filling operation was completed. A slope of two horizontal to one-vertical foot beyond the right-of-way line in cut or fill shall be required as the maximum slope, except for extraordinary situations approved by Sewickley Borough.

- B. Street cross sections for all streets shall be in accordance with the standards established by Sewickley Borough or elsewhere herein. All details of the cross section, crowns, curb, pavement, subgrade and roadside ditches shall conform to the designated cross section. (State approval shall also be obtained where necessary).
 - C. The subgrade shall be well rolled with an approved three wheel, 10 ton minimum roller, crowned in conformance with the finished surface crown and must be perfectly smooth, free of spongy areas as well as drained with approved subgrade drains and/or bleeders, the bleeders draining into approved dry wells (constructed at a minimum distance of three feet from the edge of paving), lateral drains, storm sewers or drop inlets. In all cases the flow lines of the aforementioned dry wells, lateral drains, storm sewers and drop inlets must be at least 18 inches to three feet below the lowest part of the subgrade. All drainage must be constructed and in operation before any fine grading, berm construction or filling commenced. The width of the subgrade shall include the area to be paved, plus the area of any curbs, berms or sidewalks.
3. Berms. Where required, built-up rolled berms shall be constructed along each edge paving using suitable and approved material (which shall not include red dog or ashes) with a minimum width of three feet and sloping toward the paving at a minimum slope of two inches per foot, using the top of the curb for the start of the upward slope. The berm shall be constructed before the curb or base is constructed and simultaneously with the fine grading of the subgrade.
 4. Sub-base.

SUBDIVISION AND LAND DEVELOPMENT

- A. Where required, the developer shall place a six-inch compacted sub-base consisting of stone material which shall meet the PennDOT Publication 408 specifications, placed and spread evenly and extensively rolled in place with a three wheel, 10 ton roller while maintaining the crown.
 - B. Where conditions warrant, subsurface drainage systems shall be installed. Generally, this will mean that subsurface drainage must be installed in the high side of any cut unless approved otherwise.
 - C. Where conditions warrant, a geotextile shall be installed for the separation of subgrade and sub-base aggregate. Geotextiles shall meet the PennDOT Publication 408 specifications for "Furnishing and Installing Geotextiles."
5. Base Course. The developer shall construct a base course in accordance with either of the following alternatives, the Borough reserving the right to specify either alternative and/or to modify either alternative:
- A. A stone base, properly drained, at least eight inches thick, placed in two layers each approximately four inches thick, the material to be in accordance with the Specifications of the Pennsylvania Department of Transportation, Form 408. (This base must be used under any concrete paving.)
 - B. An ID-2 Asphaltic Concrete Base Course (Black Base), properly placed and compacted to a minimum thickness of 5 1/2 inches, the material and installation to be in accordance with the Specifications of the Pennsylvania Department of Transportation, Form 408.

The developer shall install said base before any excavation or construction of dwelling units or building units is undertaken.

6. Binder Course. Where the use of the stone base has been selected and approved the developer shall place ID-2 Asphaltic Concrete Binder Course material and properly compact to a minimum thickness of two inches.
7. Curbing.
- A. All concrete curbs installed within the Borough shall be 24 inches deep and 4,000 psi concrete in nature.
 - B. The base course portion under the wedge-type curb must be installed at the time of the base course installation and must extend a minimum of six inches beyond the back of the curb.
 - C. The curb shall be constructed before the wearing surface is placed using either ID-2 Asphaltic Concrete Base material or ID-2 Asphaltic Concrete Binder material, depending on the overall design of the road, and shall be machine spread and machine rolled, all materials to be prepared in a plant

approved by the Pennsylvania Department of Transportation Specification, Form 408.

- D. The curb must be properly barricaded and protected from any traffic or vehicles of any kind until it has been thoroughly set up and all voids on the grass plot side have been completely backfilled, the backfill being placed with proper and approved tamping equipment in maximum four-inch layers. No traffic or vehicles of any kind will be permitted to pass over this curb except through driveway approaches.
8. Design Standards.
- A. Wearing Course.
 - (1) After placing the ID-2 Asphaltic Concrete Base Course (5 1/2 inches) or the ID-2 Asphaltic Concrete Binder Course (two inches), the developer shall place ID-2 Wearing Surface Course material over the entire base or binder course (including curbs) and properly compact to a minimum thickness of 1 1/2 inches.
 - (2) After home and other construction is 90% complete, the developer shall place ID-2 Wearing Surface Course material over the entire wearing surface (including curbs) and properly compact to a minimum thickness of one inch.
 - (3) All materials shall be placed and compacted using approved spreaders and rollers in compliance with Pennsylvania Department of Transportation, Form 408.
9. Concrete Streets and Concrete Curb Construction.
- A. If concrete street and/or concrete curb construction is desired or required because of heaving or industrial use of street or road, all plans, materials, specifications, construction and inspection of this type of street or road must be approved by the Borough Council and the Borough Engineer.
 - B. The specifications and construction must comply to Portland Cement Association Recommended Standards, latest edition, titled "Design of Concrete Pavement for City Streets." The width of the streets shall be as set forth elsewhere in this Subdivision Chapter. A special street width for divided highways in an enlarged overall street right-of-way width shall be permitted, but each of said parallel cartways shall have a minimum width of 15 or 16 feet, including twenty-four-inch concrete curbs. (The special street width must be approved as a special use only when unusual topography, natural conditions or traffic exist and warrant such exceptions. This use may be approved or required through special action by the Borough Council.)

(Ord. 1216, 6/16/2003, Art. V)

SUBDIVISION AND LAND DEVELOPMENT

§507. Calendar Construction Limitations.

1. Road construction such as filling, berming, subgrade, fine-grade construction, base construction or surface construction cannot be commenced before April 1 and must be completed before October 31 of the same year, unless special permission is granted by the Borough Council otherwise. (It is assumed that the weather conditions between these dates will be ideal for road construction; however, if adverse weather conditions occur between these dates the contractor or builder must abide by the judgment of the Borough Council, their agents, or assigns, in regard to permissible construction weather conditions.)
2. Testing And Repair.
 - A. Prior to acceptance by the Borough, all roads shall be core bored at locations to be determined by the Borough Engineer, by a reputable firm certified to do such work. All cores shall be tested for compliance with all applicable paving regulations and shall include, as a minimum, standard test for thickness, material gradation and compaction, and the Borough shall be furnished with three copies of a written report setting forth the test results. All costs associated therewith are to be paid by the developer or subdivider.
 - B. All paving must be in complete compliance with Pennsylvania Department of Transportation, Form 408, and the Borough may subject the finished road to any additional testing set forth therein.
 - C. All roads shall have a smooth, uniform, finished surface. The developer shall replace or resurface any areas which do not meet the testing requirements or do not have a smooth, uniform appearance due to patches, spalling, poorly butted joints, etc., regardless of the results of any tests. Any replacement or resurfacing shall be made in a neat, workmanlike manner extending the entire width of the road, at right angles to the centerline, the extent of the replacement or resurfacing to be determined by the Borough Engineer.
3. Acceptance of Streets.
 - A. Prior to acceptance of any streets and after all road construction has been completed, the developer and/or contractor, under the direct guidance of a licensed Pennsylvania Surveyor, must install concrete monuments with a minimum size of four inches in diameter, four inches square and three feet long, the center being marked with a 1/2 inch minimum brass wire or bar plug, at all intersections and points of curvature in order to amply mark the right-of-way before the construction of the road can be considered as complete and fully prepared for the Borough to accept the maintenance responsibilities.

- B. The developer shall be required to furnish the Borough with a maintenance bond prior to the acceptance of any streets by the Borough. Such bonding, with a corporate surety company approved by the Borough Council, shall be in the amount of 15% of the construction value and shall be for a period of 18 months commencing with the date of acceptance of said streets by the Borough and shall specifically protect the Borough from defects of inferior materials and workmanship or damage caused by the developer, subdivider and those employed by or under contract to him.
 - C. Developer or contractor must conform to weight limits restriction ordinance.
4. Monuments.
- A. All streets shall be monumented and monument locations shall be shown on the recorded plat. All angle points in the boundary of any subdivision shall be monumented. All lot corners and angle points shall be located by iron pins. All monuments and iron pins shall be placed by a minimum licensed Pennsylvania Title 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 lines being monumented.
 - B. Monuments and iron pins shall be set so their top is level with the finished grade of the surrounding area.

(Ord. 1216, 6/16/2003, Art. V)

§508. Sidewalks And Crosswalks.

- 1. Sidewalks.
 - A. Paved sidewalks shall be provided in the vicinity of schools, along heavily traveled streets and other locations where the Planning Commission recommends them for public safety.
 - B. All land developments shall provide sidewalks in areas of anticipated pedestrian use, as determined by the Borough.
 - C. Minimum standard as set forth by the Chapter.
- 2. Crosswalks.
 - A. Crosswalks required between streets whenever necessary to facilitate pedestrian circulation and to give access to community facilities, such as parks, playgrounds or schools.
 - B. Such crosswalks have a right-of-way width of not less than 10 feet and have a paved walk five feet in width.

SUBDIVISION AND LAND DEVELOPMENT

3. Sidewalks and crosswalks shall have a minimum gradient of 1% and maximum gradient of 10%. Handicapped access, ramp gradients, railing requirements and treatment of pavement surfacing shall comply with applicable requirements of the Pennsylvania Department of Labor and Industry.

(Ord. 1216, 6/16/2003, Art. V)

§509. Vegetation.

1. Conservation. Development shall be planned so as to minimize the removal of existing trees, shrubs and ground cover and to minimize the amount of land covered by impervious surfaces. All plans shall be submitted to the Allegheny County Conservation District.
2. Noise Control. Street trees along local and collector streets in residential areas may be required as a buffer.
3. Screening. Wherever natural screening is being planted to meet a screening requirement of the Zoning Ordinance [Chapter 27], such screen shall consist of 50% evergreen or evergreen-type hedges and 50% shrubs and deciduous trees interplanted with a variety and size, at the time of planting, that will attain a height of at least six feet within three years.

Furthermore, subdivision and land development plans shall provide for such screening as follows:

- A. Where nonresidential uses abut residential uses.
 - B. Where residential uses abut any railroad right-of-way or arterial highway.
 - C. Along the perimeter of any outdoor storage area, common utility yard or outdoor equipment area in multiple residential developments.
 - D. Elsewhere, as deemed necessary by the Planning Commission and the Borough Council.
4. Windbreaks. The use of planting rows to serve as windbreaks to control the drifting of snow across public and private roadways may be required.

(Ord. 1216, 6/16/2003, Art. V)

§510. Street Trees.

Street trees installed within the Borough shall comply with the Borough of Sewickley Tree Commission and Tree Ordinance.

(Ord. 1216, 6/16/2003, Art. V)

§511. Development on Private Streets Discouraged.

1. It is the policy of this Borough that all subdivided lands shall have immediate access to a public street. Because of unique property configuration and location, this Borough recognizes the need for limited exceptions to the foregoing general policy.
2. No subdivision will be approved on a private street or road if more than two lots already front on such street or road or if after subdivision more than two lots will front on such private street or road.

(Ord. 1216, 6/16/2003, Art. V)

§512. Open Space, Lot Siting, Planting And Beautification For Subdivision And Land Developments.

1. In order to promote the highest environmental quality possible, the degree to which the applicant of a subdivision or land development plan has preserved existing salient natural features and land forms intrinsic to the site, shall be assessed. Terms of approval of a plat may be subject to the manner in which the layout or design of the plan has preserved existing natural features such as, but not limited to, trees, wooded areas and watercourse.
2. Open Space. Where the applicant is offering for dedication, or is required by ordinance to establish a reservation of open space or preserve an area of scenic or historic importance, a "limit of work," which will confine excavation, earth moving procedures and other changes to the landscape, may be required to ensure preservation and prevent despoliation of the character of the area in open space.
3. Tree Preservation. Whenever possible, trees shall not be removed unless they are located within the proposed street right-of-way, within the proposed building area, or within utility locations and equipment access areas. In areas where trees are retained, the original grade level shall be maintained, if possible, so as not to disturb the trees.
4. Topsoil Preservation. All of the topsoil from areas where cuts and fills have been made should be stockpiled and redistributed uniformly after grading. All areas of the site shall be stabilized by seeding or planting on slopes of less than 10% and shall be stabilized by sodding on slopes 10% or more and planted in ground cover on slopes 20% or greater.
5. Landscaping. For all multifamily, apartment, office, commercial, and industrial subdivisions or land developments, a landscaping plan shall be provided and shall

SUBDIVISION AND LAND DEVELOPMENT

include sufficient plantings for the required open space, planting strips, screenings, formal gardens, shade trees and natural barriers.

6. Buffer Planting Requirements. Buffer yard requirements should be as specified in the Borough Zoning Ordinance [Chapter 27].
7. Preserved Landscaping. When there is a conscientious effort to preserve the existing natural integrity and character of a site and where such preservation effectuates areas of woodland and trees comparable to required planting improvements, i.e., landscaping and buffer screening, the plan may be received in lieu of additional landscaping requirements.
8. Trees. The planting of trees within the street right-of-way line shall not be permitted without the consent of the Borough. The planting of any trees within the private property of each residential lot shall be at the discretion of the property owner or developer.
9. Watercourse Protection. Where a subdivision or land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

(Ord. 1216, 6/16/2003, Art. V)

§513. Erosion and Sediment Control.

1. General Purpose.
 - A. The Borough Council finds that the minimization of erosion and control of sedimentation in connection with land development and subdivision are in the public interest, affecting public health, safety and welfare, and therefore those regulations governing erosion control and sedimentation control are necessary for the Borough.
 - B. No changes shall be made in the contour of the land, no grading, excavating, removal or destruction to the topsoil, trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed with and reviewed by the Borough Engineer and/or the Allegheny County Soil/Water Conservation District, or there has been a determination by the above entities that such plans are not necessary.
 - C. No subdivision or land development plan shall be approved unless; (i) there has been an Erosion and Sedimentation Control Plan approved by the Borough Council that provides for minimizing erosion and sedimentation, and an improvement bond or other acceptable securities are deposited with the Borough in the form of an escrow guarantee which will ensure installation

and completion of the required improvements; or (ii) there has been a determination by the Borough Council that a plan for minimizing erosion and sedimentations is not necessary.

- D. Where not specified, measures used to control erosion and reduce sedimentation shall as a minimum meet the standards and specification of the Allegheny County Soil and Water Conservation District, the State Clean Streams Act, and shall comply with applicable regulations of the Department of Environmental Protection. The Borough Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, copies of which are available from the Soil and Water Conservation District.
2. Performance Principles. The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:
- A. Stripping of vegetation, regrading or other development shall be done in such a way that will prevent all but minor erosion.
 - B. Development plans shall preserve salient natural features, keep cut-fill operation to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
 - C. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
 - D. The disturbed area and the duration of exposure shall be kept to a practical minimum.
 - E. Disturbed soils shall be stabilized as quickly as practicable.
 - F. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 - G. The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.
 - H. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.
3. Grading for Erosion and Other Environmental Controls. In order to provide suitable site for building and other uses, improve surface drainage, and control erosion, the following requirements shall be met:
- A. Streets shall be improved to a mud-free or otherwise permanently passable condition as one of the first items of work done on a subdivision or development. The wearing surface shall be installed as approved in the final plan.

SUBDIVISION AND LAND DEVELOPMENT

- B. Provisions shall be made to prevent surface water from damaging the cut face of excavation or the sloping surfaces of fills, by installation of temporary or permanent drainage across or above these areas.
 - C. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
 - D. Fills placed adjacent to watercourses shall have suitable protection against erosion during periods of flooding.
 - E. During grading operations, necessary measures for dust control will be exercised.
 - F. Grading equipment will not be allowed to enter into flowing streams, unless permitted by the Department of Environmental Protection.
4. Responsibility.
- A. Whenever sedimentation damage is caused by stripping vegetation, grading or other development, it shall be the collective responsibility of the land developer and subdivider, and of the contractor, person, corporation and other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at this expense as quickly as possible.
 - B. Maintenance of all erosion and sedimentation control facilities during the construction and development period is the responsibility of the land developer or subdivider.
 - C. It is the responsibility of any developer or subdivider, and any person, corporation, or other entity doing any act on or across a communal stream, watercourse or swale, or upon the floodplain or right-of-way, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain or right-of-way during the pendency of the activity to return it to its original or equal condition after such activity is completed.
 - D. The subdivider or land developer shall provide and install, at his expense, in accordance with Borough requirements, all drainage and erosion control improvements (temporary and permanent) shown on the Erosion and Sediment Control Plan.
5. Compliance with Regulations and Procedures.
- A. The Borough Council, in its consideration of all preliminary plans of subdivision and land development, shall condition its approval upon the execution of erosion and sediment control measures.

- B. The installation and design of the required erosion and sediment control measures shall be in accordance with standards and specifications of the Allegheny County Soil Conservation District and EPA Clean Water Act.
6. Stream Channel Construction. Stream channel construction on watersheds with drainage areas in excess of 1/2 square mile, or in those cases where downstream hazards exist, will conform to criteria established by the Pennsylvania Department of Environmental Protection.

(Ord. 1216, 6/16/2003, Art. V)

§514. Floodplain Area Regulations.

1. Purpose. The specific purposes of these special provisions are:
 - A. To regulate the subdivision or development of land within any Designated Floodplain Area in order to promote the general health, welfare and safety of the community.
 - B. To require that each subdivision lot in flood prone areas be provided with a safe building site with adequate access; and that public facilities which serve such uses be designed and installed to preclude flood damage at the time of initial construction.
 - C. To prevent individuals from buying lands which are unsuitable for use because of flooding by prohibiting the improper subdivision or development of unprotected lands within the designated floodplain districts.
2. Abrogation and Greater Restrictions. To the extent that this Section imposes greater requirements or more complete disclosure than any other provisions of this Part, in any respect, or to the extent that the provisions of this Section are more restrictive than such other provisions, it shall control such other provisions of this Part.
3. Disclaimer of Municipal Liability. The grant of a permit or approval of a plan for any proposed subdivision or land development to be located within any designated floodplain area shall not constitute a representation, guarantee or warranty of any kind by the Borough or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Borough, its officials, employees or agents.
4. Application Procedures and Requirements.
 - A. Pre-Application Procedures.
 - (1) Prior to the preparation of any plans, it is suggested that prospective developers consult with the Pennsylvania Department of Environ-

SUBDIVISION AND LAND DEVELOPMENT

mental Protection concerning soil suitability when onsite sewage disposal facilities are proposed.

- (2) Prospective developers shall consult with DEP Soil and Waterways Management District representative concerning erosion land sediment control and the effect of geologic conditions on the proposed development. At the same time, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development.
- B. Preliminary Plan Requirements. The following information shall be required as part of the preliminary plan and shall be prepared by a registered engineer or surveyor:
- (1) Name of engineer, surveyor, or other qualified person responsible for providing the information required in this subsection.
 - (2) A map showing the location of the proposed subdivision or land development with respect to any Designated Floodplain Area, including information on, but not limited to, the one-hundred-year flood elevations, boundaries of the floodplain area or areas, proposed lots and sites, fills, flood or erosion protective facilities, and areas subject to special deed restrictions.
 - (3) Where the subdivision or land development lies partially or completely within any designated floodplain area, or where the subdivision or land development borders on a floodplain area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building sites. All such maps shall also show contours at intervals of five feet, and shall identify accurately the boundaries of the floodplain areas.
- C. Final Plan Requirements. The following information shall be required as part of the final plan and shall be prepared by a registered engineer or surveyor:
- (1) All information required for the submission of the preliminary plan incorporating any changes requested by the Borough Council.
 - (2) A map showing the exact location and elevation of all proposed buildings, structures, roads and public utilities to be constructed within any Designated Floodplain Area. All such maps shall show contours at intervals of five feet within the floodplain area and shall identify accurately the boundaries of the flood-prone areas.
 - (3) Submission of the final plan shall also be accompanied by all required permits and related documentation from the Department of Environmental Protection, and any other Commonwealth agency, or local mu-

municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified in advance of the proposed alteration or relocation. The Department of Community Affairs, and the Federal Insurance Administration shall also be notified in advance of any such proposed activity, and proof of such notification shall be submitted in advance of the Planning Commission meeting at which such plan is to be considered.

5. Design Standards and Improvements in Designated Floodplain Areas.

A. General.

- (1) Where not prohibited by this or any other laws or ordinances, land located in any designated floodplain area may be platted for development with the provisions that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and ordinances regulating such development.
- (2) No subdivision or land development, or part thereof, shall be approved if the proposed development or improvements will individually or collectively, increase the one-hundred-year flood elevation more than one foot at any point.
- (3) Building sites for residences or any other type of dwelling or accommodation shall not be permitted in any floodway area. Sites for those uses may be permitted outside the floodway area in a floodplain area if the lowest floor (including basement) is elevated to the regulatory flood elevation. If fill is used to raise the elevation of a site, the fill area shall extend laterally for a distance of at least 15 feet beyond the limits of the proposed structures.
- (4) Building sites for structures or buildings other than for residential uses shall not be permitted in any floodway area. Sites for such structures or buildings outside the floodway in a floodplain area shall be protected. However, the Borough Council may allow the subdivision or development of areas or sites for commercial and industrial uses at an elevation below the regulatory flood elevation if the developer otherwise protects the regulatory flood elevation and if the developer otherwise protects the area to that height or assures that the buildings or structures will be flood proofed to the regulatory flood elevation.
- (5) If the Borough Council determines that only a part of a proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with this determination.

SUBDIVISION AND LAND DEVELOPMENT

- (6) When a developer does not intend to develop the plat himself and the Borough Council determines that additional controls are required to insure safe development, they may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.

B. Drainage Facilities.

- (1) Storm drainage facilities shall be designed to convey the flow of surface water without damage to person or property. The system shall insure drainage at all points along streets, and provide positive drainage away from buildings and onsite waste disposal sites.
- (2) Plans shall be subject to the approval of the Borough Council. The Borough Council may require a primary underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local, county and regional drainage plans. The facilities shall be designed to prevent the discharge or excess runoff onto adjacent properties.

C. Streets and Driveways. The finished elevation of proposed streets and driveways shall not be more than the one foot below regulatory flood elevation. Profiles and elevations of streets and driveways to determine compliance with this requirement and as required by other provisions of this Part shall be submitted with the final plan.

D. Sewer Facilities. All sanitary sewer systems located in any designated floodplain area, whether public or private, shall be flood proofed up to the regulatory flood elevation.

E. Water Facilities and Other Utilities and Facilities. All other public or private utilities and facilities, including gas and electric, shall be elevated or flood proofed up to the regulatory flood elevation.

(Ord. 1216, 6/16/2003, Art. V)

PART 6

ADMINISTRATION

§601. Fees.

1. The Borough Council shall establish by resolution, a collection procedure and Schedule of Fees to be paid hereunder by the developer at the time of filing a preliminary plan. Said resolution shall also establish a fee for public hearings.
2. Review fees shall be assessed for each subdivision and land development preliminary and final application, based on a specific fee schedule adopted by resolution reflecting the actual costs incurred by the Borough in reviewing the plan.
3. In the event a developer initiates revisions to a plan, the revised application and plan shall be accompanied by a fee in an amount determined by the Borough, to cover the costs incurred to process and review the plan. Developer is not responsible to pay for the revisions required by the Planning Commission or Borough Council.
4. In order to defray a portion of the cost incurred by the Borough in inspecting the installation of the improvements required by this Chapter, and to ensure compliance with these regulations, the developer shall present a check or money order, made payable to the Borough, in an amount equal to 2% of the estimated cost of the improvement(s) used in the determination of the construction guarantee, as determined by the Borough Engineer. This fee is separate from and in addition to any application fees required by the Borough. The fee shall be paid at the time of submission of the development agreement, and kept in a separate account used solely for the purposes this Section. Upon completion of all inspections and other requirements, the remainder of the funds held in this account retained by the Borough shall be returned to the developer along with an itemized statement evidencing the expenditures of the funds from the account. This fee shall be paid at the time of submission of the development agreement.
5. Said Schedule of Fees shall be posted in the municipal offices and shall be available for inspection upon request.
6. No final plan shall be approved unless and until all fees and charges are paid in full.

(Ord. 1216, 6/16/2003, Art. VI)

SUBDIVISION AND LAND DEVELOPMENT

§602. Public Hearings.

Before acting on an application for approval, the Borough Council and/or the Planning Commission, shall hold a public hearing thereon, pursuant to public notice, as defined by this Chapter.

(Ord. 1216, 6/16/2003, Art. VI)

§603. Certificates and Approvals.

The format and wording of certificates and approvals to appear on the final tracing proposed for recording shall conform to the requirements of the Allegheny County Subdivision and Land Development Ordinance as now, or hereinafter, amended.

(Ord. 1216, 6/16/2003, Art. VI)

§604. Permits.

No lot in a subdivision shall be sold, no permit to erect, alter or repair any building upon land in a subdivision or development shall be issued, and no building shall be erected in a subdivision or development, until a final plan has been approved by the Borough and properly recorded, and further, until the required improvements have been constructed or their construction guaranteed.

(Ord. 1216, 6/16/2003, Art. VI)

§605. Liability For Borough Roads.

Where any road, public in the Borough, including the pave area, gutters, utilities and the right-of-way, is hereafter damaged in any manner whatsoever, the person or persons directly responsible for said damage, the subcontractor and/or general contractor for whom said persons or his superiors work, or with whom they have contracted, shall be jointly liable for any and all damage to said Borough roads, and shall repair said damage within 90 days of any written notification by the Borough. All repairs shall meet Borough standards and shall be subject to Borough inspection.

(Ord. 1216, 6/16/2003, Art. VI)

PART 7

AMENDMENT AND REVIEW BY COUNTY

§701. Amendments.

Amendments to this Chapter shall become effective only after a public hearing held by the Borough Council pursuant to public notice. The Planning Commission shall make recommendations to the Borough Council on any amendment, within 30 days prior to the date of the public hearing.

(Ord. 1216, 6/16/2003, Art. VII)

§702. County Review.

At least 60 days prior to the date of the public hearing on an amendment to this Chapter, a copy of the proposed amendment shall be forwarded to the Allegheny County Planning Department for review and recommendation.

(Ord. 1216, 6/16/2003, Art. VII)

§703. Copy Forwarded.

Within 30 days after adoption, the Borough Council shall forward a certified copy of any amendment to this Chapter to the Allegheny County Planning Department for their files.

(Ord. 1216, 6/16/2003, Art. VII)

§704. Public Examination.

The text of any amendment to this Chapter may be examined at a place designated by the Borough Council prior to its consideration. Notice of said amendment to the Chapter and a summary thereof shall be published not more than 60 days nor less than seven days prior to passage.

(Ord. 1216, 6/16/2003, Art. VII)

§705. Right to Proceed.

No change in this Chapter or the Zoning Ordinance [Chapter 27] shall adversely effect the applicants' right to complete any finally approved aspect of the proposed development within five years from such approval, when an approval of a subdivision plat has

SUBDIVISION AND LAND DEVELOPMENT

been approved or when an application for land development has been approved and the applicant accepts the conditions of approval.

(Ord. 1216, 6/16/2003, Art. VII)

PART 8

ENFORCEMENT REMEDIES

§801. Violations.

Unless and until a plat has been prepared in full compliance with the provisions of this Chapter and the Pennsylvania Municipalities Planning Code (Act 247) and all amendments thereto, and the regulations adopted hereunder, any person, partnership, or corporation that is the owner or agent of the owner of any lot, tract or parcel of land shall not (i) lay out, construct, open or dedicate any street sanitary service, storm sewer, water main or other improvement for public use, travel or other purpose or for the common use or uses of occupants of buildings abutting hereon, or (ii) sell, transfer or agree to sell or enter an agreement to sell land in a subdivision or land development. Any such person, partnership or corporation, including the members of such partnership or the officers of the corporation, or the agent of any of them, responsible in law or in fact for such violation, upon being found liable hereof in a civil enforcement proceeding commenced by the Sewickley Borough, must pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. Each day that a violation continue shall be a separate violation.

- A. No judgment shall commence or be imposed or payable until the District Justice having jurisdiction determines the date of violation.
- B. If the defendant neither pays nor timely appeals the judgment, the Borough shall enforce the judgment pursuant to the rules of civil procedure.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement.
- D. Any fines or judgments collected shall be deposited in the Borough's General Fund.

(Ord. 1216, 6/16/2003, Art. VIII)

§802. Preventative Remedies.

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

SUBDIVISION AND LAND DEVELOPMENT

- A. The Borough may refuse to issue any permit, or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance amendment adopted pursuant to this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
- (1) The owner of record at the time of such violation.
 - (2) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - (3) The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - (4) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

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

(Ord. 1216, 6/16/2003, Art. VIII)

PART 9

VALIDITY AND REPEALER

§901. Validity.

1. Should any section, clause, provision or provision of this Chapter be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect or impair the validity of any other section, clause, provision or portion of this Chapter.
2. It is hereby declared to be the intent of the Borough Council that this Chapter would have been adopted by the Borough had such invalid or unconstitutional provisions not been included herein, and the remaining portions of this Chapter shall remain in effect as though the portion declared invalid or unconstitutional had never been a part hereof.
3. Continuation. The modification or repeal of any prior ordinance, resolution or regulation by this ordinance amendment shall not annul or other relieve any party from any permit issued, condition imposed, approval granted, approval denied, order issued, or violation, penalty or other liability incurred pursuant to such affected ordinance, resolution or regulation.

(Ord. 1216, 6/16/2003, Art. IX)

§902. Repealer.

All resolutions, ordinances or amendments to ordinances, or parts of resolutions or ordinances inconsistent herewith, are hereby repealed as stated or deleted in their entirety in the prefatory paragraph of this ordinance amendment. Specifically, the prior subdivision ordinance shall be repealed in its entirety.

(Ord. 1216, 6/16/2003, Art. IX)

§903. The Sewickley Borough Zoning Ordinance.

Nothing herein contained shall be interpreted to permit any waiver or modification of the restrictions or requirements of the Borough's Zoning Ordinance [Chapter 27], as amended.

(Ord. 1216, 6/16/2003, Art. IX)

PART 10
EFFECTIVE DATE

§101. Effective Date.

This Chapter is ordained and enacted this 16th day of June, 2003, and shall become effective on the 16th day of June, 2003.

(Ord. 1216, 6/16/2003, Art. X)