

CLAY TOWNSHIP
BUTLER COUNTY, PENNSYLVANIA

**SUBDIVISION
AND
LAND DEVELOPMENT
ORDINANCE**

Revised, 1996

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

CHAPTER 22

PART ONE

CLAY TOWNSHIP

BUTLER COUNTY, PENNSYLVANIA

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Part One

Subdivision and Land Development

A PREAMBLE

AN ORDINANCE ESTABLISHING COMPREHENSIVE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS FOR CLAY TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE (ACT 247 OF 1968, AS AMENDED BY ACT 93 OF 1972) AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

To promote mental and physical health, well being, and safety for the citizens of Clay Township, and to protect our scenic sylvan landscape and mores, the Supervisors have appointed seven local citizens and ordered them to form the Clay Township Planning Commission (to be called the "CTPC"). The CTPC has been legally formed in compliance with edicts of the Pennsylvania Municipalities Planning Code.

GRANT OF AUTHORITY: ENABLING LEGISLATION

A. Section 501 of Article V, "Subdivision and Land Development" of Act 247, "The Pennsylvania Municipalities Planning Code," as amended by Act 170 of 1988 (P.S. 10101, et seq.) allows municipalities to regulate subdivision and land development within their boundaries.

B. The Board of Supervisors shall have the power to administer, enforce and amend this Ordinance, subject to the review and recommendation of the Planning Commission in accordance with the procedures prescribed by Act 247, the Pennsylvania Municipalities Planning Code, as amended by Act 170 of 1988 (53 P.S. 10101, et seq.).

§ 101. TITLE, PURPOSE, JURISDICTION & APPLICATION.

1. TITLE "Clay Township Subdivision and Land Development Ordinance."

2. PURPOSE:

This Ordinance is adopted to achieve the following purposes:

A. To comply with the requirements of Act 247, the Pennsylvania Municipalities Planning Code, as amended;

B. To promote the public health, safety, and general welfare of the residents;

C. To assure that the arrangement of each subdivision or mobile home park conforms to the Township's Comprehensive Plan and furthers the harmonious and orderly development of the Township;

D. To guarantee that streets in and bordering each subdivision or mobile home park are coordinated with the Township circulation system and are of such widths, grades and locations as to accommodate prospective traffic and facilitate fire protection;

E. To make certain that sewage disposal and water supply utilities are provided in sufficient capacity to serve future needs in and near each subdivision or land development;

F. To provide easements of adequate size and in the proper locations for storm drainage and public utilities;

G. To safeguard land which is subject to flooding, periodic high water table of subsidence from uses that would aggravate these circumstances;

H. To prevent erosion damage, unnecessary destruction of natural plant material or unnecessary movement of earth;

- I. To establish a pattern for development of mobile home parks that will insure maximum living conditions for park residents, as well as protect surrounding properties;
- J. To assure the residents of the Township that all subdivisions, land developments and mobile home park plans will be approved based on an established public policy, objectively and uniformly enforced; and
- K. To provide a precise, simple procedure for review of subdivision, land development and mobile home park plan proposals by the Township and ease the process of conveyance of tracts of land.

3. JURISDICTION

The Clay Township Board of Supervisors shall have final approval of all subdivisions.

4. APPLICATION OF REGULATIONS

On and after the effective date of this ordinance, no lot in a subdivision may be sold, no lot in a subdivision or land development may be leased, no permit to erect, alter, repair or remove any building upon land in a subdivision or land development may be issued and no building may be erected in a mobile home park unless and until a subdivision plan or a land development plan has been approved by the Board of Supervisors, after recommendation of Planning Commission, and recorded and until the improvements required by this ordinance have either been constructed or guaranteed, as required by this ordinance.

5. VALIDITY

Any section or provision of this Ordinance declared by courts to be invalid or unconstitutional in no way affects the validity of the rest of this Ordinance.

§ 102. DEFINITIONS.

APPLICANT - a landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

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

APPOINTING AUTHORITY - the mayor in cities; the board of commissioners in counties; the council in incorporated towns and boroughs; the board of commissioners in townships of the first class; and the board of supervisors in townships of the second class; or as may be designated in the law providing for the form of government.

AUTHORITY - a body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945."

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

BCC - Butler County Commissioners.

BCCD - Butler County Conservation District.

BUILDING LINE - a line that designates the minimum distance of a structure, (usually a building) from a street(s); usually lines parallel to the right-of-way(s).

CAN, CAN BE (or MAY) - is permissive.

CARTWAY - that part of a street surfaced for vehicles. Width is from one curb face to the other or from one edge of driving surface to the other edge.

CITY OR CITIES - Cities of the second class A and third class.

CLAY TOWNSHIP - means the one in Butler County, Pennsylvania.

CLUSTER - several houses grouped on a tract of land. Each cluster is separated from others by space, often known as "common."

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

COUNTY - any Butler County of the second class through eighth class.

COMPREHENSIVE PLAN - coordinated plans prepared and recommended by CTPC to the Clay Township Board of Supervisors for guidance of advantageous development of the Township and includes objectives of the Township for the future, a plan for land use, a plan for movement of people and goods, a plan for community facilities and utilities, and a statement of the relationship between Clay Township and its adjacent municipalities and areas.

CTBS - Clay Township Board of Supervisors.

CTCP - Clay Township Comprehensive Plan.

CTPC - Clay Township Planning Commission.

CUL-DE-SAC - short street from a street to a dead-end with a vehicular turn-around.

CUT - when material is removed in excavation, or the material itself, or the difference between the original ground surface and the new lower elevation.

D - diameter.

DEDICATION - the deliberate appropriation of land by its owner for public use, reserving no rights unto himself that would limit public use or enjoyment of same.

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

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

DVT - abbreviation for development.

DWELLING UNIT - a structure to live in; a single housekeeping unit.

EASEMENT - grant by property owner to persons or to public of the right to use that land for a specific purpose like drainage or utilities.

ENGINEER - A registered professional engineer licensed to practice in Pennsylvania.

ENGINEER-TOWNSHIP - engineer or engineering firm appointed by the Township and licensed to practice in Pennsylvania.

EROSION - a natural process of wearing away the surface of land by water, wind, or chemicals.

EROSION AND SEDIMENTATION CONTROL PLAN - sets forth methods to prevent accelerated erosion caused by earthmoving activities of man.

EXCAVATION - any digging, moving, or relocating of earth materials and shall include the conditions resulting therefrom.

FILL - any earth materials moved on top of the natural ground surface or any stripped surface and shall include the conditions resulting therefrom.

FLOOD PLAIN - an area along a natural watercourse which is overflowed, from time to time, by its water and as identified on the municipality's flood plain map and/or the Federal Emergency Management flood plain maps.

GOVERNING BODY - the Board of Supervisors of Clay Township.

IMPROVEMENTS - those physical changes to land needed to complete the development, whether for residential, commercial or industrial use.

LAND DEVELOPMENT - any 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; or

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.

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 written lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

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

LOT TYPES

1. **CORNER LOT** - a property that abuts two (2) adjacent streets that intersect at one (1) corner of the lot.
2. **INTERIOR LOT** - (not a corner lot) with one frontage on a street other than an alley.
3. **THROUGH (or DOUBLE FRONTAGE) LOT** - a lot that abuts two (2) streets that do not intersect adjacent to the lot.
4. **REVERSED FRONTAGE LOT** - a lot whose frontage is at right angles or nearly so to the other lots in the vicinity, typified by corner lots or lots fronting on the end rather than the side of a rectangular or curvilinear of lot.
5. **NONCONFORMING LOT** - a lot the area or dimension of which was lawful prior to the adoption or amendment of any ordinance by the municipality, but which fails to conform to the requirements of any ordinance adopted by the municipality or amendment thereto.

MAY (or CAN or CAN BE) - is permissive.

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.

MOBILE HOME - a transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and containing its own toilet, bathing, cooking and food storage facilities.

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile homes.

MHPD - Mobile Home Park Development.

MODULAR UNIT - transportable factory made building units to be used alone or to be assembled at the site into homes or work places.

MUNICIPAL AUTHORITY - a body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945."

OFFICIAL MAP - a map adopted by ordinance pursuant to Article IV of the Pennsylvania Municipalities Planning Code (PMPC).

PA - refers to the State, or Commonwealth of Pennsylvania.

PA DEP - Pennsylvania Department of Environmental Protection.

PENNDOT - Pennsylvania Department of Transportation.

PERSON - includes firm, association, organization, partnership, trust, company, or corporation. It also includes both genders, plurals and all tenses.

PLANNING AGENCY - a planning commission, planning department, or a planning committee of the governing body.

PLAT - the map or plan of a subdivision or land development, whether preliminary or final.

PMPC - Pennsylvania Municipalities Planning Code

PRD - Planned Residential Development.

PROJECT - a subdivision or land development.

PUBLIC GROUNDS - include:

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

PUBLIC HEARING - a formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.

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

PUBLIC NOTICE - notice published once a week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

RECREATIONAL VEHICLE - with or without motor power which may be driven or towed on highways and used for transient human occupancy like camping or traveling.

RENEWABLE ENERGY SOURCE - any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

RIGHT-OF-WAY - land reserved for roads, streets, alleys, interior walks, utilities, or other public purposes.

RUN-OFF - the water or the rate of discharge of a watershed over the land surface after rain, snowfall or snow melt.

SD - Subdivision

SECTIONAL HOME - is made of two or more factory made modules put on a foundation and assembled at the site as a single dwelling or house. Unlike a double-wide mobile home, these do not have a supporting underframe.

SHALL (or WILL) - is mandatory.

SLOPE - face of an embankment or cut section which always makes an angle with the horizon. Expressed as a percent based on the vertical distance in feet over 100' horizontal distance.

SOIL PERCOLATION TEST - standardized method to find ability of soil to absorb moisture. Points up any problems with on-lot sewage disposal systems.

SOIL STABILIZATION - the chemical vegetation or structural treatment of a mass of soil to help it resist erosion, sliding or other movement.

STABILIZE(d,-ing)- anything which prevents erosion.

STORM DRAINAGE SYSTEM - includes storm sewers, culverts, inlets, easements, diversion terraces, sedimentation basins, etc.

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, including the formation of:

1. MAJOR TRAFFIC STREETS - large volumes, high speed, and long-distance traffic.

2. COLLECTOR STREETS - give access to properties, minor streets, routes to community facilities and major traffic streets.

3. LOCAL STREETS - access to abutting property.

4. MARGINAL ACCESS STREETS - minor streets, run parallel and access major traffic streets.

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

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

SUBSTANTIALLY COMPLETED - where, in the judgment of municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to section 509) 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.

SWALE - a low-lying strip of land which gathers or carries runoff water.

TOPSOIL - is the surface or subsurface soil which is usually fertile due to its organic matter content.

TRANSFERABLE DEVELOPMENT RIGHTS - the attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but

permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands where more intensive development is deemed to be appropriate.

UTILITIES - means sanitary and storm sewers, water mains or lines, gas mains or lines, hydrants, power and telephone lines, sewage lift stations, sewage disposal plants, water wells and storage facilities, TV and telephone cables.

WATERCOURSE - a permanent or intermittent stream, small or big, or any water channel, natural or man-made.

WATER SURVEY - an inventory of the source, quantity, yield and use of groundwater and surface-water resources within a municipality.

WILL (or shall) - is mandatory.

§ 103. PLAN FORMAT.

For any project requiring review in this Township, plans, which include supplemental drawings, shall be submitted to the CTPC in accordance with the regulations in this §103.

1. ULTIMATE LAYOUT

Shall be shown on the submitted plan which, if approved, will be recorded as shown.

2. RESTRICTIONS - pertaining to the submitted proposal shall be detailed on the plan.

3. REQUIRED INFORMATION ON PRELIMINARY PLANS to be submitted including and/or in compliance with the following:

- A. Eight (8) copies.
- B. Date, graphic scale, and north point (arrow).
- C. Location of plan (municipality, county, and state), in lower right corner.
- D. Name and address of owner or agent of the land and of the subdivider or developer, in lower right corner.
- E. Name and address of engineer and surveyor with his registration number and seal attached, in lower right corner.
- F. Contours - 8% or less average natural slope - every 2 feet. Steeper than that - 5 foot intervals.
- G. Information regarding reference data used for elevations.
- H. Proposed grading should show new contour at 2 foot intervals.
- I. Total acreage of the plan.
- J. Plot and property lines, including their courses, lengths, and interior angles where they intersect with adjacent property.
- K. The property lines of adjacent property with names of those owners.
- L. Names and dimensions of proposed streets, including extensions of established streets.
- M. Layout and dimensions for all streets within 200 feet of the proposed plan boundaries.
- N. Existing or proposed utilities on, or within 200 feet of the development. Show elevations, size, and connections to existing utilities.
- O. Location and dimensions of property reserved for public or property owner use.

P. Location, dimensions, and purpose of all proposed easements.

Q. Plan for storm drainage system and stating the amount of runoff from the project area and upstream watershed area.

R. Location of topography showing streams, drainage channels, floodplain, wooded areas, wetlands and other features that might influence the design.

S. Total acreage of each lot within the subdivision/land development.

T. For multi-family development, show height of buildings, number of dwelling units in each, minimum distance between buildings or between each and a street, and proposed parking areas and number of spaces.

U. A separate street profile may be required of streets within the subdivision/land development and for any street situated within 200' of the proposed land development. All elevations shall be established along the centerline of the existing and/or proposed streets.

V. If the development has on-lot sewage disposal, developer shall submit proper certified perc tests.

W. A general map shall be submitted with the preliminary plan clearly showing location within the municipality and relation to existing facilities like main streets, bus stops, schools, recreation areas, and industry.

X. A stormwater management plan, if required by ordinance 93-1 or any amendments thereto.

4. REQUIRED LAYOUT AND INFORMATION ON FINAL PLANS

A. LAYOUT REQUIREMENTS -

1. Plans to be drawn according to requirements of Recorder of Deeds as follows: plans drawn on Mylar or other permanent material on sheets no

larger than 24 inches by 36 inches and prepared with waterproof ink or other comparable permanent material.

2. Scale to be no smaller than 100' to 1", and large enough to clearly show details. Recommended scale: 50' to 1". Dimensions to be shown to the nearest 1/100 of a foot.

3. Title block in lower right corner showing name of project and of owner and/or developer, and name and address of surveyor.

B. CERTIFICATES AND ACKNOWLEDGMENTS on the right side of one sheet, being the subdivision plot plan sheet.

See § 209, at end of this Ordinance.

C. NORTH POINT (ARROW).

D. Block and consecutive lot numbers, dimensions by bearings, distances and interior angles of all property and lot lines, area of each lot and of whole development and total number of lots.

E. All survey figures closing with error of no more than one foot in ten thousand feet.

F. Street right-of-way lines, street names, and pedestrian ways.

G. Dimensions by bearing and distances of all street right-of-way lines, as well as curve data, deflection angles, lengths of arcs, points of tangent and angles of all corners.

H. Street centerline (in feet and 1/100 of a foot, with bearings of such street centerline).

I. Location of existing and proposed monument and lot markers.

J. Dimensions of all public and community-use land and all areas reserved for the owner.

K. Utility easements with any limitations noted.

L. Widths of all rights-of-way, streets, and easements.

M. Building setback lines - the front, side and rear building lines as established by the land development/subdivision ordinance or by other public authority.

N. Names of owners of unplatted adjacent property and of adjacent lot or development plans.

O. The following shall be required:

1. Sewage disposal system/soil percolation test.
2. Water supply system.
3. Location of gas, electric, and telephone lines and of street lights.
4. Design and development of recreational facilities, if proposed.
5. Location and design of group parking areas.
6. Location of streets, plantings, ground cover, and ground surface treatment by developer, if proposed.
7. Grading and storm drainage plan.
8. Storm Water Management.

P. If individual sewage systems (septic tanks) are to be used in the development, project plans and specifications shall be accompanied by an acceptable soil percolation test report, and certified by the municipal sewage enforcement officer for each lot. Perc tests must be conducted in accordance with the provisions of the Pennsylvania Sewage Facilities Act, Standards for Sewage Disposal Facilities (current regulations), and indicated on the plot plans.

Q. Five (5) copies of the plan shall be submitted, including the original Mylar.

5. REQUIRED DOCUMENTS FOR FINAL PLAN APPROVAL

Before final approval can be granted these shall be presented to the Clay Township Planning Commission:

A. Letters from public/private suppliers of utilities, including but not limited to gas, electric, telephone, cable television, water and sewage disposal, establishing the availability of the utilities in order to serve the development or, if such are to be provided by the developer, a letter from any state, federal or local authority establishing that the minimum requirements for installation of the utilities have been satisfied.

B. Certificate either from PA DEP or from Butler County Conservation District, that the erosion and sedimentation control plan has been approved and a land disturbance permit for the same has been issued by either of above.

C. A copy of any covenants and/or rights of easement in the form in which they will be filed as legal documents.

D. Improvement bonds shall be provided in accordance with PMPC, §509.

E. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the CTPC that the development is to be supplied by a Licensed Public Utility, bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility.

6. SUBDIVISION OR DEVELOPMENT OF 10 LOTS OR LESS

Plans and data of this size, if they have no street construction or changes, may be excused from submitting a preliminary plan. They may go right to submitting a final plan.

7. CHANGES IN PROCEDURE

The CTPC may waive steps in the prescribed procedure if they determine that such are unnecessary.

§ 104. GENERAL AND SPECIFIC REQUIREMENTS FOR SUBDIVISION AND LAND DEVELOPMENT.

1. APPLICATION OF STANDARDS

The following minimum requirements shall apply to all determinations in evaluating submitted plans to the Clay Township Planning Commission who shall refer them to Butler County Planning Commission for recommendations. Developer shall show that they have provided for adequate rights-of-way and paving on existing streets and have reserved areas and easements for facilities normally required in residential sections, including parks, playgrounds and fields, schools, libraries, churches, any other public buildings, shopping and local business centers, and rights-of-way and easements for new storm and sanitary sewer facilities that can't be immediately joined to existing systems in the municipality.

2. LAND REQUIREMENTS

Land shall be used for the stated purpose for which it was developed and in the interest and purpose of the Township comprehensive plans. Land subject to hazards of life or mental or physical health or safety, or adversely affecting the established use of contiguous property shall not be subdivided until all such hazards are reviewed and corrected.

Land susceptible to flooding or very high water table, unstable subsurface, steep or unstable slopes, presence of high voltage or high pressure utilities overhead or underground, shall not be approved for subdivision or development unless such hazards are eliminated or have adequate safeguards planned.

Cut or fill shall be limited to that necessary in order to meet the requirements of the ordinance. Excessive cut or fill shall not be approved.

Wherever possible, trees, water-courses, scenic points, historic spots, and other community assets and landmarks shall be preserved.

All portions of the tract being developed or subdivided shall be included in lots, streets, public lands, or other stated uses so no residual or landlocked areas remain.

3. EASEMENTS FOR PUBLIC SERVICE UTILITIES AND DRAINAGE WAYS.

Easements shall be provided for such utilities. No structure or construction shall be placed so as to interfere in any way with an easement.

No plan shall be approved nor shall any construction commence until the utility(s) involved have had ample time to review and approve the plan.

A. ELECTRIC

1. Developer shall comply with PA Public Utility Commission (PUC) order of July 8, 1970 which requires electric service to be **underground** in residential developments.
2. Easement shall be in accordance with right-of-way specifications of the electric utility provider.

B. NATURAL GAS, PETROLEUM PRODUCTS

1. The minimum distance of a natural gas line to dwelling unit is that set out by the provider. In general this will be 50' minimum from dwelling and center line of any gas or oil product transmission line. Subject to modification by the Clay Township Board of Supervisors if conditions lessen the hazards involved.
2. The easement shall comply to rules of the company supplying the product.

C. DRAINAGE WAY

Where a project is traversed by a water course, natural or not, dry or wet, an easement shall be provided to allow unimpeded maximum flow and/or to allow alterations to the topography to improve such drainage.

4. STREET LIGHTING

The developer may have street lights installed in which case he is responsible for the cost. Such installation shall conform to safety standards and equipment available from the company involved.

5. RESTRICTIONS - shall all be detailed on the plan unless the same have been covered by municipal zoning ordinance.

6. STREET DESIGN REQUIREMENTS

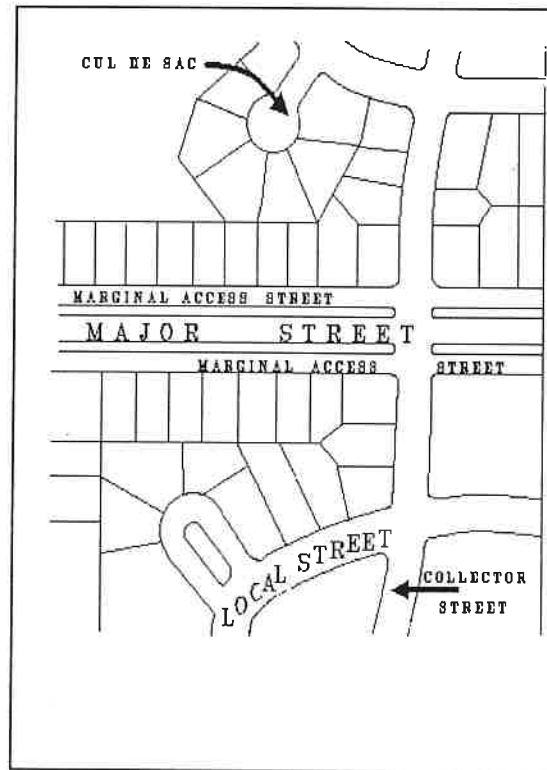
A. GENERAL

All streets and intersections shall be designed in accordance with the requirements of the latest edition of "A Policy on Geometric Design of Highways and Streets" issued by the American Association of State Highway and Transportation Officials (AASHTO). In the event of a discrepancy between the provisions set forth herein and in the provisions of the AASHTO standards, the AASHTO standards shall prevail.

1. Local or minor streets shall be designed to discourage through traffic.
2. Streets shall be extended to the boundaries of the development or existing or recorded streets or go to a logical area if the land is as yet undeveloped.
3. Streets shall be related logically to the topography so lots will be useful, grades reasonable, and amenities of the site will be preserved.
4. Where a subdivision or development abuts or contains an existing or proposed major street, Clay Township Planning Commission may require marginal access streets, reverse frontage lots, or whatever is needed to protect abutting property, reduce number of intersections with major routes, and separate local from through traffic.
5. If some lots or parcels are large enough for resubdivision, then suitable access and streets shall be provided.
6. Local and minor streets shall not adjoin into the same side of a major street at intervals of less than 800 feet.

7. Half or partial streets are prohibited except where a development butts onto one, in which case the development will complete that partial street.

REPRESENTATIVE STREET TYPES



B. GENERAL DESIGN CRITERIA

1. Major Arterial - consult with Planning Commission, Clay Township Supervisors, Clay Township Engineer and/or PA Department of Transportation.

2. Collector Street - minimum right-of-way 60'.

3. All other streets - minimum right-of-way 50'.

4. Grade - (Minimum - maximum)

Collector - .5% and 8%

All others - .5% and 12%. Rarely the CTPC may authorize > 12% if it won't create a traffic hazard.

5. Minimum Cartway Width - twenty feet (20').
6. Minimum Sight Distance - 200' for collector street, 100' on all others.
This is measured along the center of the street at a level of 5'.
7. The Right-of-Way of existing roads shall be shown by dotted lines.
Area between existing and proposed lines should be marked "road widening."

C. CUL-DE-SACS

1. Cul-de-sac streets shall not exceed six hundred (600) feet in length and shall be provided at the closed end with a circular turnaround having a paved area at least eighty (80) feet in diameter within a right-of-way whose diameter is at least one hundred feet.
2. If a subdivision or plan is developed over several stages and roads are to be extended as development proceeds, cul-de-sac streets produced in one stage to be extended in a later stage shall be provided within the limits of the first phase of the plan or on the adjacent remnant parcel on which the next phase is proposed, provided that the right-of-way for the cul-de-sac is recorded with the approved phase of the plan and the construction of the cul-de-sac is guaranteed by the Improvement Bond posted for the approved phase. In the event that the street is extended in the future, the abandonment of the right of way for the cul-de-sac shall be subject to the concurrence of all owners in the recorded plan on which the right-of-way is recorded.

D. INTERSECTIONS

1. Streets - where two (2) streets intersect a third street from opposite sides, they shall be less than 200' on center from each other. No more than two (2) streets shall intersect at any one point.

2. Angle of street intersections - Ninety degrees (90°) is proper. Sixty degrees (60°) to ninety degrees (90°) allowed only with approval of Clay Township Planning Commission. Sixty degrees (60°) or less is never allowed.

3. Intersection Curb RadiiINTERSECTIONSMINIMAL SIMPLE CURB RADII

arterial with arterial	50' or more determined after consultation with PENNDOT.
arterial with collector	35'
collector with collector	35'
collector with local	25'
local with local	20'

4. Clear Sight Triangle

At intersection of two (2) or more streets, the driver of a vehicle shall have a clear view left and right of at least 150' on arterial streets and 75' on collector and local roads, measured along the intersecting center lines.

E. VERTICAL CURVES

All changes in street grade for local streets shall be connected by a vertical curve of not less than 100' long; 200' in the case of collector streets; 400' in the case of all major streets.

F. CONSTRUCTION STANDARDS FOR ROADS AND STREETS

After consulting with Township Engineer and Supervisors, roads and streets shall be constructed as follows:

1. Minimum base of seven inches (7") of size four (#4) limestone, choked and compacted with three inches (3") of size 2A modified limestone.

OR:

Three inches (3") of size 2A modified limestone, followed by seven inches (7") of size four (#4) limestone, choked and compacted with size one (#1) limestone.

2. Base shall be topped with three inches (3") ID-2 binder course.

3. An FJ-1 scratch coat shall be applied after the asphalt binder coat. Surface shall be broom-swept before scratch coat application.

4. One and one-half inches (1 1/2") ID-2 wearing course shall be applied after 90% of the homes are completed or two years after completion of the project, whichever is earlier.

5. Streets shall have a contour with a difference in elevation from the center line to the side of the paving, decreasing at the rate of at least two and one-half inches (2 1/2") per ten feet (10').

6. Drainage facilities shall be designed and constructed in accordance with sound engineering practices. Four inch (4") perforated PVC underdrain with #57 crushed aggregate, free of fines, is the minimum requirement.

7. Plans for roads and drainage facilities shall be prepared and submitted under the seal of a Registered Professional Engineer and shall show the profiles of such roads, the course, structure and capacity of drainage

facilities and the method of drainage of the adjacent or contiguous territory. In addition to the foregoing and other standard engineering data, the plans shall identify the road in relation to other Township roads, state highways and landmarks.

8. No road drainage facilities in connection therewith shall be opened, constructed, or dedicated for public use or travel except in strict accordance with plans and specifications approved by the supervisors.

9. A maintenance bond for fifteen percent (15%) of total construction costs shall be provided prior to Township dedication. Term of the maintenance bond shall be eighteen (18) months.

G. STREET NAMES

Streets that are extensions or lined up with existing named streets shall bear the name of the existing street. All street names shall be subject to the approval of Clay Township Board of Supervisors and the CTPC.

H. PRIVATE ROADS

1. Private roads shall have a minimum right-of-way of fifty feet (50'), shall not exceed 425 feet in length and shall have a maximum of four (4) lots. A complete private right-of-way agreement must be presented to the commission prior to final plan approval. The right-of-way agreement shall be properly executed between the landowner(s) granting the access and all affected parties abutting said easement and shall create a private right-of-way which shall run with the land. Such private right-of-way shall be available for the use of all owners, present and future, of the lands to be made accessible by said right-of-way. A separate Maintenance Agreement

shall be required to establish responsibility for such items as street maintenance and repair, snow and ice removal, and upkeep of the roadbed and drainage facilities. Said agreement shall be subject to the approval of the commission and shall be recorded with the final subdivision or land development plan as a covenant running with the land.

2. All private dead-end roads shall include a cul-de-sac with a forty foot (40') turning radius.

3. Private roads must be constructed prior to final plan approval.

7. LOT AND BLOCK REQUIREMENTS

A. LOT REQUIREMENTS

1. Lot Boundary Lines shall be perpendicular to, parallel to, or radial to street lines.

2. Lot areas shall conform to the following:

a. Each lot shall have a minimum width of 100' and an area of not less than one (1) acre for each dwelling unit.

b. Lot requirements may be increased by the Clay Township Board of Supervisors when perc tests and/or on lot soil conditions would require a larger lot size.

3. Building line (Setback)

The following setback of structures shall be considered minimum:

a. 50' setback from the right-of-way of all existing or proposed streets.

b. 25' on sides and rear of interior lots.

4. Corner Lots shall follow §104.3, provide a 25' setback on the side and 25' at the rear and shall also be 20% larger than average size lots in the development.

5. Double Frontage and Reverse Frontage Lots should be avoided when possible. To separate from traffic, a planting screen easement 10' wide with no right of access shall be provided.

6. Lots on a Curve or Cul-de-sac

The arc length on the street right-of-way shall not be less than 35' and the minimum lot width may be measured along the building line.

B. BLOCK REQUIREMENTS

1. In general, **blocks** in a subdivision will be from 250' to 1600' in length and two lot depths wide, except lots along a major arterial which front on an interior street.

2. **Commercial** - the block shall be the best possible layout to serve the buying public, the traffic involved, parking, delivery and pickup, with minimum exits and entrances.

3. Block layout in **industrial** areas shall keep in mind present and future expansion with due regard for worker and customer access parking and site conditions.

4. In large blocks with **interior parks and playgrounds**, or in **long blocks** where access is needed to shopping centers and schools, etc., and where a road is unfeasible, a 10' wide pedestrian way, 4' of which should be paved, should cut across every block that is over 1000' long.

8. EROSION AND SEDIMENTATION CONTROL

There shall be no grading, excavating, removal or addition of any earth in any subdivision or land development until an Erosion and Sedimentation Control Plan, as required by Chapter 102 of Rules and Regulations of the PA DEP, "Erosion Control", has been approved. Such plan to be approved in accordance with existing Ordinances and/or the Butler County Conservation District, in conjunction with the CTPC. If the earth moving activity involves five (5) or more acres of land, a land disturbance permit shall be obtained from PA DEP after review by the Butler County Conservation District, (BCCD).

To ensure that earthmoving will not accelerate erosion and result in sedimentation, often containing pollutants, of the waters of PA, the following standards shall apply:

A. EROSION AND SEDIMENTATION CONTROL PLAN

Each erosion and sedimentation control plan shall be submitted to the proper review agency and shall include all pertinent factors, including but not limited to the following:

1. Topographic features of project area.
2. Types, depth, slope, and area of soils.
3. The proposed alteration to the area.
4. Amount of runoff from the project area and the upstream watershed area.
5. The timetable of earthmoving activities.
6. Temporary control measures for use during earthmoving.

7. Permanent control measures and facilities for long term protection.
8. A maintenance program for the control facilities including disposal of materials removed therefrom and,
9. Stream relocation or channelization.

B. EROSION AND SEDIMENTATION CONTROL MEASURES & FACILITIES

The Erosion and Sedimentation Control Plan shall be prepared by a person trained and experienced in erosion and sedimentation control and techniques. It shall at least meet the requirements of BCCD, (see "Handbook for Earthmoving Activities and Erosion and Sedimentation Control in Butler County"), and the standards and specifications of PA DEP as promulgated in the "Rules and Regulations for Erosion Control."

C. RESTORATION

Upon completion of earthmoving, all disturbed areas including outside borrow sites shall be stabilized to prevent accelerated erosion. Control shall be maintained until stabilization is achieved. Only then may the soil be finally graded and stabilized.

D. RESPONSIBILITY OF DEVELOPER

Developer shall apply for a land disturbance permit and shall submit the appropriate erosion and sedimentation control plans and other documents shall also:

1. When the development of a site causes erosion and/or sedimentation, the Developer shall pay for removing same from adjoining land, natural

drainage courses, drainage systems or watercourses and repair all damage immediately upon notification by the municipality.

2. Developer shall maintain all drainage facilities and watercourses in the development until accepted by Clay Township or other official agency.

3. Developer shall be responsible for results of any act on or across a stream, watercourse, swale, or flood plain, or right-of-way thereof.

Developer shall maintain the present state of such areas and return any areas disturbed to original or equal condition.

4. Developer shall not impede or alter the flow of any stream or watercourse without prior approval of PA DEP and/or PA Fish Commission or other governmental regulatory agency.

5. Where a watercourse crosses a subdivision or land development, Developer shall provide a drainage easement or right-of-way along that course of sufficient size to handle the natural drainage.

6. Any surface changes made by the developer shall:

a. Collect on-site surface runoff and dispose of it at a stabilized spot and into the common watercourse of the drainage area.

b. Handle existing and potential off-site runoff through the development by designing a system for handling stormwater runoff from a fully developed upstream area.

c. Provide, at his expense, in accordance with an approved Erosion and Sedimentation Control Plan, all erosion and sedimentation control measures and facilities.

9. DEPARTURE FROM THE REGULATIONS

The CTPC may recommend and the Clay Township Board of Supervisors may approve, modifications from provisions and requirements in this section when such departure is necessary and desirable, based upon the factors set forth in the Municipalities Planning Code, § 518; 53 P.S. § 10512.1.

§ 105. REQUIRED IMPROVEMENTS.

1. GENERAL - the developer shall install at his cost all the improvements that he and the Planning Commission agree upon in accordance with the standards outlined in § 104, and with the requirements of this section.

2. SURVEY AND PROPERTY LINES

All surveys shall be made under the full control of a registered Professional Land Surveyor of Pennsylvania. Property lines for a project shall be determined by actual survey which is balanced and closed. Any other source of determination of lines is not acceptable by the CTPC.

3. MONUMENTS AND MARKERS

A. SHALL BE SET PERMANENTLY AT THE INTERSECTION OF

1. all lines forming angles in the boundary of the project.

2. all street lines.

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

C. Monuments shall be made of pre-cast concrete at least 6" in diameter and at least 30" long.

OR

shall be steel bars or pipes 24 or more inches long and $\frac{3}{4}$ " or more in diameter.

D. Markers or monuments removed shall be replaced by a registered surveyor at the expense of the person who removed them.

4. STREETS

A. Shall be graded the full width of the right-of-way. Surface and improvements shall match the developer's plans as submitted to the CTPC.

B. Shall be constructed according to the Regulations and Minimum Standards for Roads in §104.6.F of this ordinance.

C. All sub-surface utilities and drainage facilities shall be installed prior to placing of the final street surface.

D. An eighteen month maintenance bond is required of the developer at the time any private streets are taken over by the Township, said bond to be an amount equal to 15% of the actual cost of installation.

5. CURBS AND GUTTERS

A. Every street shall be crowned producing side gutters.

B. Curbs shall be required in subdivisions which have lot widths of 100' or less, measured at the building setback line, and in all land developments. Curbs may be made of concrete, (vertical or rolled curb-gutter type), or wedge-type asphaltic. Rolled curb and gutter shall not be used on collector or arterial streets. Changing curb type shall only occur at a street intersection.

C. If no curbs, then gutters shall be stabilized.

6. SANITARY SEWAGE SYSTEM

Every project structure which is connected to water supply shall also be connected to a sanitary sewage system.

A. Where a public sewage system, is situated within 500' of the land development/project/subdivision, the developer shall connect to same, constructing all necessary interceptors, collectors, and laterals.

B. In all other township sewage projects one of the following sewage disposal methods shall be provided:

1. A complete sanitary sewer system and plant in

accordance with the PA DEP, with provisions for maintenance of same.

2. On-lot individual sewage system installed in compliance with PA DEP, "Standards for Sewage disposal Facilities," or

3. in areas where proposed systems and plants are to be built within two (2) years CTPC may require that capped sewer mains and laterals be installed, **in addition to §105.7.B2, (above).**

C. The plans for installation of a sanitary sewer system for the project shall be approved by the engineer of the system to which it will be connected and PA DEP.

D. Minimum diameter of mains 8" and laterals 4".

E. No storm sewers, footer drains, or downspouts shall be connected to the sewage system.

F. Before any part of the sewage collection system is covered all shall be inspected by a municipal engineer or municipal sewage enforcement officer for compliance with approved plans and with PA DEP regulations.

7. WATER SUPPLY AND HYDRANTS

A. Where **public water** is available within 500' of the of the land development/project/subdivision, the developer shall connect to it, and a letter of intent from the utility shall be filed with Clay Township Planning Commission stating:

1. that the water supply provided shall be adequate;
2. that sufficient static and flow pressure for fire protection are available at peak demand; and
3. that the proposed plans for the project water supply system have been designed to meet the water utility requirements.

B. Where the project is in an area where the municipality or the local water utility company will be ready to connect within two years, the CTPC may require the developer to put in water mains and provide an interim water supply.

C. Water supply systems shall meet all PA DEP requirements.

D. Water distribution lines shall be 6" or more in diameter.

E. Fire hydrants shall be provided no further apart than 500' in all cases where connection is, or shall be, to a public water system.

8. STORM DRAINAGE

Storm sewer, culvert, and related items, shall be provided to permit the unimpeded flow of natural water courses, to ensure drainage of all low points along streets, and to intercept storm water run-off at reasonable intervals depending on extent and area of the area drained.

A. Developer shall provide adequate facilities to serve the entire drainage basin, and shall design the same based upon information obtained from all available sources, including, but not limited to, the U.S. Soil Conservation Service.

B. Except when contained in a natural drainage course, all drainage leaving the project site and draining across adjacent properties, written approval in the form of a license or easement from the owner of the adjacent properties must be submitted and recorded.

C. Minimum diameter of storm drain pipe shall be 15".

D. Stabilized outlets shall be provided for footer and floor drains, downspouts, and private driveways.

9. STREET NAME SIGNS

Shall be placed, at developer's expense, at all street intersections within the development and where existing streets connect with streets entering the development. Type of sign shall be in accordance with those currently in use by Clay Township.

10. FILING PLANS AND PROFILES

Upon completion of the required improvements, plans and profiles of the improvements as constructed in the project shall be filed with CTBS.

11. DEPARTURE FROM THE REGULATIONS

Clay Township Board of Supervisors may grant modifications from the strict construction and enforcement of the regulations set forth herein.

§ 106. ALTERNATIVE LAND DEVELOPMENT TYPES - MOBILE HOME

PARK DEVELOPMENT.

1. GRANT OF POWER

The Clay Township Supervisors are to administer the provisions of this section.

2. PERMITS

No mobile home shall be situated or located within any area subject to flooding or within any area designated as flood plain. It shall be unlawful for any person to construct, remodel, alter, operate or extend any mobile home park within the limits of Clay Township unless he/she holds a valid permit issued by PA DEP, and also a permit issued by Clay Township. Any person expanding his mobile home park by one or more spaces shall make re-application for a permit to operate such facility in the manner prescribed by PA DEP and this Ordinance.

A. The mobile home park permit shall be nontransferable, shall be renewed each year after initial permit, and shall be subject to suspension or revocation upon finding the mobile home park in non-compliance with this Ordinance. Each original and renewal application shall be accompanied by a check made payable to Clay Township. Fees shall conform to those prescribed in the fee schedule established by resolution of the Clay Township Board of Supervisors.

B. The application for renewal of a mobile home park permit shall be made 30 days prior to the permit expiration date.

C. A copy of the mobile home park permit shall be furnished by Clay Township to the municipal tax collector.

D. Upon receipt of mobile home park approval by both the PA DEP and the Clay Township Board of Supervisors, a building permit for construction of the park must be obtained from the Clay Township Building Permit Officer. Fees for this building

permit shall conform to those prescribed in the fee schedule established by resolution of the Clay Township Board of Supervisors.

E. A building permit shall be obtained from the Clay Township Building Permit Officer by the owner of a mobile home prior to the placement of his mobile home in any mobile home park. Fees for these building permits shall conform to those prescribed in the fee schedule established by resolution of the Clay Township Board of Supervisors.

3. SUBMISSION OF PLANS

Before work is begun in the construction, remodeling or alteration of a mobile home park, or in the conversion of an existing establishment of facility to a mobile home park, plans and specifications shall be submitted to the CTPC and to PA DEP. This is the duty of the owner of the mobile home park or his authorized representative. All preliminary and final plans submitted to CTPC shall be in conformity with the regulations set forth in §103 of this Ordinance.

A. Upon receipt of a preliminary plan and permit application for a mobile home park, the CTPC shall determine compliance with the provisions of this Ordinance and shall render a decision of approval or denial of this preliminary plan within 90 days of receipt of such application. However, if approval of a permit from PA DEP has not been furnished to CTPC within this time period, the CTPC shall not render a decision until PA DEP has issued their permit.

B. Upon being furnished with a copy of the PA DEP permit by applicant, and upon approval by Clay Township of the final plans for the mobile home park as submitted by the applicant in compliance with §103 of this Ordinance, Clay Township shall issue a mobile home park permit to the owner of the park which shall be valid for one year.

C. Upon approval of the final plan for the mobile home park, the owner or his authorized representative shall, within 90 days of such final approval, record said plan in the Office of the Recorder of Deeds of Butler County.

4. EXISTING MOBILE HOME PARKS

As of the time of the effective date of this ordinance, shall be required to meet only the standards of PA DEP as a prerequisite to issuance of a Clay Township permit. The CTPC shall prepare a listing of all mobile home parks in existence upon the effective date of this Ordinance, and Clay Township shall, upon receiving the applicant's PA DEP permit copy, issue a Clay Township permit.

5. INSPECTION OF MOBILE HOME PARK

An authorized representative of Clay Township may inspect any mobile home park at reasonable intervals, and at reasonable times, to determine compliance with the terms of the Ordinance.

6. STANDARDS AND REQUIREMENTS FOR MOBILE HOME PARK DEVELOPMENTS

A mobile home park should have at least five (5) acres of contiguous land. The location should be free of swamps, marshes, or any potential breeding places for insect vectors or rodents. It should not be subject to flooding. It should not be subject to hazard or nuisance such as excess noise, vibration, smoke, toxic matter, or radiation.

A. EROSION AND SEDIMENT CONTROL

The provisions of §104.8 of this Ordinance shall pertain.

B. SOIL AND GROUND COVER REQUIREMENTS

Exposed ground surface in all parts of every park shall be paved or covered with stone screenings or other solid material, or protected with a vegetative growth that will prevent erosion and production of dust in dry spells.

C. PARK AREAS FOR NON-RESIDENTIAL USE

No part of any mobile home park shall be used for non-residential purposes, except when so designated on the plan as uses required for the direct servicing and well-being of park residents, for management and maintenance of the park, and/or commercial activities related to the park development.

Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

D. ERECTION AND PLACEMENT OF MOBILE HOMES

1. All mobile homes shall be located at least 50' from any park boundary line abutting on a public street or highway and at least 50' from other park property boundary lines.
2. Mobile homes shall be separated from each other and from other structures as follows:
 - a. Between parallel ends of adjacent mobile homes: 20'.
 - b. Between parallel sides of adjacent mobile homes: 50'.
 - c. Between the end of one mobile home and the parallel side of another adjacent mobile home: 35'. (Note: walls are considered parallel if lines extended from the two sides under consideration intersect not less than 45° and not more than 135°.

3. Within thirty (30) days of placement, a skirt of compatible design and material shall be erected around the entire base of the mobile home and it shall provide for ventilation and access.
4. No mobile home shall be situated in any area that is subject to flooding.

E. REQUIRED SETBACKS, BUFFER STRIPS AND SCREENING

1. There shall be at least 15' between any one mobile home, including any accessory structures attached thereto, and adjoining pavement of a park street, or common parking area or common areas and structures.
2. All mobile home parks shall be provided with a planted buffer yard of not less than twenty-five feet (25') in depth. A combination of fifty percent (50%) deciduous and fifty percent (50%) evergreen trees, a minimum of one inch (1") in diameter, planted at not less than twenty feet (20') on center shall be maintained. As an alternative, a row of vertical yews, planted at not less than five feet (5') on center, shall be maintained.
3. Screen planting shall be provided along the perimeter of all property line boundaries of the park including those property line boundaries which abut rights-of-ways to a minimum of twenty-five feet (25') in depth.

F. PARK STREET SYSTEM

1. A safe, convenient vehicular access shall be provided from abutting public streets to each mobile home lot.
2. The entrance road shall have a pavement width of at least 28'.
3. Surfaced roadways shall be wide enough to accommodate anticipated traffic and at least meet requirements of §104.6 of this Ordinance.

4. Street Construction Standards shall be according to the Clay Township Minimum Standards for Roads in §104.6 of this Ordinance.

5. Curbs and gutters shall be installed in compliance with §105.5 of this Ordinance.

6. Street Maintenance shall be the sole responsibility of the mobile park owner unless by ordinance the municipality adopts the streets as public thoroughfares.

G. OFF STREET PARKING AREAS

Areas with dust-free stabilized surfaces shall be provided in all mobile home parks for the use of park occupants and guests.

1. There shall be at least two (2) off street parking spots on each lot.
2. There shall be established in a centrally located area, one quarter (1/4) parking space for each mobile home lot in the park for visitor parking.

H. CONSTRUCTION OF MOBILE HOME LOTS

1. Maximum four (4) per acre.
2. Each lot shall provide adequate foundation for placement and tie-down and at least 15' between this improved area and the pavement of the park street.
3. The mobile home shall not heave, shift, or settle unevenly due to frost action, poor drainage, vibration or other outside forces acting on the home. Anchors able to withstand minimum load of 4,800 lbs. shall be set in place at least at the four corners of the home.
4. No more than one (1) detached accessory structure shall be permitted for each mobile home lot.

I. RECREATION AREAS

Not less than 10% of gross site area shall be devoted to passive and active recreation. This may include space for community use facilities and service buildings. The Board of Supervisors of Clay Township may grant a modification in accordance with § 104(9) of the ordinance from the requirements for recreation areas in the event the individual lots exceed the minimum lot size requirements and there is sufficient area to assure adequate on-lot areas for recreation.

Special Note - SWIMMING POOL, when provided, shall be subject to the regulations of PA DEP.

7. WATER SUPPLY

A. An adequate potable supply of water shall be provided for mobile homes, service buildings and other accessory facilities. If public supply system is suitable it shall be used exclusively, if not, private water system shall be provided and shall be approved by PA DEP.

1. The water supply shall be capable of supplying at least 150 gallons per day to each mobile home.
2. The well or suction line shall be located and built so that no underground or surface contamination will reach the water supply from any source.
3. No well-casings, pumps, pumping machinery, or suction pipes shall be placed in any space extending below ground level, nor in any enclosed above ground space unless such space has free drainage by gravity to the surface of the ground.

4. Water supply treatment, if necessary, shall be in accordance with requirements of PA DEP.

B. All water storage reservoirs shall be covered, watertight and made of impervious material. Their overflows and vents must be effectively screened. Manholes shall have overlapping covers so as to prevent entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

C. Pipes, etc.

1. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with PA and local regulations.

2. The water piping system shall not be connected with nonpotable water and shall be protected against backflow or back siphonage.

3. System shall be designed and maintained to provide not less than 20 psi. under normal operating conditions at any spot in the Park requiring potable water supply.

4. Each water riser pipe shall approximate a vertical position to insure shortest connection and thus avert water pipe freezing.

5. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes, and to protect risers from heaving and thawing actions of ground. Surface drains shall be diverted from the area of the riser pipe.

6. A shut-off valve below frost line shall be provided near the water riser pipe on each mobile home lot and shall be capped when not in use.

8. SEWAGE DISPOSAL

A. An adequate and safe sewage system shall be provided for all mobile home lots and all service buildings and accessory facilities. Where feasible this shall connect to a public system. System shall be designed, constructed, and maintained in accordance with PA DEP regulations.

B. Individual sewer connections.

1. Each mobile home lot shall have at least a 4" sewer riser pipe capable of approximating a vertical run to the mobile home drain outlet.

2. The sewer connection shall have nominal inside diameter of not less than 3", and the slope of any portion thereof at least 1/4" per foot. All points shall be watertight.

3. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.

4. Provision shall be made for plugging the sewer riser pipe when no mobile home is connected to it.

5. Rim of riser pipe shall be at least 1 1/2" above the ground and all surface drainage shall be diverted away from the riser pipe.

C. All sewer lines shall be in trenches deep enough to resist breakage from traffic and other surface movements. They shall also be separated from park water supply system.

D. Where sewer lines are not connected to public sewer, all proposed sewage disposal facilities shall be approved by PA DEP prior to construction. Effluents from sewage treatment facilities shall be discharged only as permitted by PA DEP.

9. ELECTRICAL/UTILITY DISTRIBUTION SYSTEM

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

10. SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

- A.** No central toilet or washroom facilities may be constructed in any mobile home park, and each installed mobile home shall be equipped with toilet and washroom facilities which shall be connected to the lot's central sewage and water system. Such facilities shall be enclosed by a fence or vegetative screen which prevents viewing of the facilities from adjacent areas.

B. Central laundry facilities may be permitted but shall be maintained clean and free from accumulation of waste water, trash, and refuse. Such facilities must be shielded by a fence or vegetation from the eyes of neighbors of the facility.

11. SOLID WASTE DISPOSAL

A. Storage, collection, and disposal of solid waste in the park shall be conducted so as to avoid health hazards, rodents, insect breeding areas, accidents, fires, and air pollution in compliance with PA DEP regulations governing such parks and the general community.

B. All refuse containing garbage shall be collected at least once a week. Where suitable municipal or private services are not available, the management shall provide this service.

12. INSECT AND RODENT CONTROL

Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination and other control measures shall conform with the requirements of PA DEP.

13. FUEL SUPPLY AND STORAGE

A. Natural gas piping systems installed in mobile home parks shall be installed and maintained in conformity with accepted engineering practice and the gas company specifications. All gas piping below ground shall have a minimum ground cover of 18". Gas piping shall not be installed UNDER ANY mobile home.

B. Each mobile home provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

C. Liquified petroleum gas systems for on-site structures shall be maintained in conformity with rules and regulations of PA DEP, or any other applicable authority, and systems shall include the following:

1. Safety devices to relieve excess pressure, arranged so discharge ends in a safe location.
2. At least one means for shut-off located outside the mobile home, and maintained in working condition.
3. All LPG piping outside the mobile home shall be supported and protected from damage. Undiluted LPG shall not be conveyed through pipes and systems in homes.
4. Vessels from six to twenty U.S. gallons gross capacity may be installed on a mobile home lot but shall be securely, (but not permanently), fastened to prevent overturning.
5. No LPG vessel shall be located inside or beneath any storage cabinet, carport, mobile home, or other structure.

D. All fuel oil supply systems for structures in the park shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction and PA DEP.

E. All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, (though not permanently), fastened in place, shall have shut-off valves convenient to the tank, shall be not less than 5' from any mobile home, and shall be protected against collision if located adjacent to vehicular traffic.

14. FIRE PROTECTION

A. The Park shall be subject to rules and regulations of the municipality in this matter, and shall allow fire prevention personnel and vehicles to enter onto the mobile home premises in case of fire and the residents of the Park shall obey lawful orders of firemen and police in the performance of their duties.

B. Mobile home park areas shall be kept free of collections of burnable substances.

C. Portable, properly approved fire extinguisher shall be kept in public service and maintenance buildings under Park control.

D. Fire hydrants shall be installed so that:

1. the water source shall permit using at least two 1 ½" hoses; and

2. hydrants shall be located within 600' of any structure in the Park.

15. MOBILE HOME CONSTRUCTION STANDARDS

Shall meet or exceed those standards as specified by Act 69 of 1972, or any newer replacement, "Uniform Standards Code for Mobile Homes."

16. RESPONSIBILITY OF THE MANAGEMENT OF THE MOBILE HOME PARK SHALL BE:

A. The mobile home park permit holder shall operate the Park in compliance with this Ordinance and the regulations of PA DEP, and shall provide adequate supervision to maintain the Park, its facilities and equipment in good repair and in a clean and sanitary condition.

B. The mobile home park management shall be responsible for maintaining all improvements required in the park, including, but not limited to snow removal, stormwater facilities, water and sanitary sewer distribution and/or collection systems.

C. Management shall supervise placement of each home, and the securing and connecting of the same.

D. Management shall give health officer, fire inspector, building inspector, and any person designated by Clay Township or the County of Butler, free access to all mobile home lots, service buildings, and other community service facilities for the purpose of inspection.

E. Management shall maintain a register of Park occupants. It shall be available to authorities as mentioned in §106.C, above. An updated listing shall be submitted with permit renewal, annually.

F. Management shall notify PA DEP immediately of any evidence of communicable or contagious diseases within the park.

17. REMOVAL OF MOBILE HOMES

No mobile home, installed or not, in a mobile home park, shall be moved out of the municipality before obtaining a permit from the municipal tax collector for real estate taxes. All back taxes must be paid as well as the fee for the permit.

18. VIOLATIONS

Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which violate any provisions of this Ordinance, any amendment thereto, or any regulations adopted pursuant thereto, Clay Township shall give notice in writing.

Notice may be served by certified mail, or by personal service on the owner or authorized representative in charge of the premises. In the event that service cannot be had by either specified manner, then by posting such notice in a conspicuous place upon the premises. Such notice shall advise the person to whom the permit is issued to operate such mobile home park, the nature of the violation, the section of the Ordinance which is being violated, the penalty for such violation and a reasonable time to correct the condition, to be not more than thirty (30) days.

A. HEARINGS

1. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Ordinance, may request and shall be granted a hearing on the matter before the Clay Township Board of Supervisors. Such person shall file with the Clay Township Board of Supervisors, within ten (10) days after the notice was served, a written request for a hearing setting forth a brief statement of the grounds for the requested relief. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension.

2. Upon receipt of such request, the Clay Township Board of Supervisors shall set a time and place for such hearing and shall give the requestor written notice thereof. At such a hearing the requestor shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than thirty (30) days after the day on which the request was filed. Upon application, the Clay Township Board of Supervisors may postpone the date of the hearing

for a reasonable time beyond such thirty (30) day period when, in the sole discretion of the majority of the Board of Supervisors, the requestor has submitted good and sufficient reasons for such a postponement.

Public notice of the hearing shall be advertised one (1) time, not less than seven (7) nor more than thirty (30) days prior to the hearing.

3. After such hearing the Clay Township Board of Supervisors shall make findings as to compliance with the provisions of this Ordinance and shall issue an order in writing sustaining, modifying or withdrawing the notice.

4. In the event that any mobile home park fails to comply with lawful notice as herein provided and fails to correct any violative condition after notice, the right to operate a mobile home park within the Township may be suspended or revoked, and the Township may require posting of bond by the owners of such Park in the amount to be determined by the Township to ensure compliance with this Ordinance, and may require sufficient surety to secure any bond.

B. EMERGENCY ACTION

Whenever Clay Township finds that an emergency exists which requires immediate action to protect the public health, the Township may, without notice or hearing, issue an order reciting the existence of such emergency and requiring that such action be taken as may be necessary to meet the emergency, including the suspension of the permit. Notwithstanding any other provisions of this Ordinance, such order shall be effective immediately, but upon petition to the Clay Township Board of Supervisors shall be afforded a hearing as soon as possible.

§ 107. ADMINISTRATION.

The following shall pertain to any subdivision or land development presented for consideration.

1. REVIEW FEES

A. At the time of submission of subdivision or land development plans for review and approval, the applicant shall pay to the Township such fees as are established by resolution of the Board of Supervisors.

B. Subdivision or land development plans shall require a review by the Township professional consultants, engineers or solicitor for compliance with all Township, County, State and other applicable agencies regulation. The cost of review shall be based upon a fee schedule established by resolution, but shall not exceed those fees incurred by the Township.

2. FEES PAYABLE

All fees shall be made payable to Clay Township. All fees submitted are nonrefundable, and the approval or rejection for any reason of any subdivision or land development plan will not be reason or cause for the return of any fees submitted.

3. INSPECTION FEES

If in the judgment of the Township Board of Supervisors, inspection fees relative to the construction or repair of improvements proposed to be constructed, subsequent to the approval of a subdivision or land development plan are required, the developer shall deposit with the Township financial security or a cash deposit in an amount sufficient to cover the costs for inspection of said improvements by the Township Engineer.

4. REQUIRED DOCUMENTS

The Planning Commission shall not receive a final plan for review or approval unless and until accompanied by the required documents as set forth in §103 of this Ordinance.

5. COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF PREREQUISITE TO FINAL PLAN APPROVAL.

No subdivision or land development plan shall be finally approved unless the streets shown on such plan have been improved as required by this Ordinance, and any sidewalks, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, erosion and sedimentation control facilities and measures, and other improvements as may be required have been installed in accordance with this Ordinance.

In lieu of the completion of any improvements required as a condition for the final approval of the plan, the developer shall deposit with the municipality in which the development is located a corporate bond, improvement bond or other security acceptable to the municipality in an amount equal to 110% of the costs of the required improvements estimated as of ninety (90) days following the date scheduled for completion by the Developer.

The bond or other securities shall specify the time for the completion of the required improvements, such time shall be satisfactory to the municipality. When the improvements have been completed and approved by the municipality, the guarantee shall be released and returned. When a portion of the required improvements has been completed and approved by the municipality, a portion of the bond or other securities commensurate with the cost of the improvement may be released and returned. A minimum of 10% shall be retained until final Township inspection and approval. In the

event that cash or its equivalent is deposited as an improvement guarantee, it shall be held in an escrow fund.

6. RECORDING THE PLAN

A. When the final plan of the subdivision or land development has been approved by Clay Township Planning Commission, reviewed by the Butler County Planning Commission, and approved by the Clay Township Board of Supervisors, the owner or developer shall, within ninety (90) days of such final approval, record the plan in the Office of the Recorder of Deeds for Butler County. Should the owner or developer fail to record the plan as approved within ninety days, such approval or acceptance of the final plan shall be null and void.

B. Upon recording of the final plan in the Office of the Butler County Recorder of Deeds, the applicant shall deliver to the township one (1) reproducible Mylar and one (1) paper print of the plat, as recorded.

C. Streets, parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the Township by formal notation thereof on the plan, or the owner may note on such plan that any improvements have not been offered for dedication to the Township.

D. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or improvement until such time as the same shall have been offered for dedication to the township and accepted by Ordinance or resolution, or until it shall have been condemned for use as a public street, park or other improvement.

7. SALE OR DEVELOPMENT OF LAND

No person, partnership, or corporation, being the owner or agent of the owner of any lot, tract or parcel of land shall:

- A. Lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon unless and until a final plan has been approved in full compliance with this Ordinance and has been recorded as provided herein, or
- B. Sell, transfer or agree or enter into an agreement to sell any land in a subdivision or land development, whether by reference to or by other use of a plan of such subdivision or land development, or erect any building thereon, unless and until a final plan has been approved in full compliance with this Ordinance and has been recorded as provided herein.

8. PENALTIES

Any person, partnership, or corporation who violates the provisions of this Ordinance enacted under this act or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by Clay Township, pay a judgment of not more than one thousand dollars (\$1000) per lot or parcel or per dwelling within each lot or parcel, plus all court costs, including reasonable attorney fees incurred by Clay Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, Clay Township 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 the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth 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.

§ 108. AMENDMENT AND REVIEW BY COUNTY

1. AMENDMENTS

Amendments to this ordinance shall become effective only after a public hearing held pursuant to public notice. The Planning Commission shall make recommendations to the Board of Supervisors on any amendment, within thirty (30) days prior to the date of the public hearing.

2. COUNTY REVIEW

At least thirty (30) days prior to the date of the Public Hearing on an amendment to this ordinance, a copy of the proposed amendment shall be forwarded to the Butler County Planning Commission for review and recommendation.

3. COPY FORWARDED

Within thirty (30) days after adoption, the Board of Supervisors shall forward a certified copy of any amendment to this ordinance to the Butler County Planning Commission for their files.

4. PUBLIC EXAMINATION

The text of any amendment to this ordinance may be examined at a place designated by the Board of Supervisors prior to its consideration. Notice of said amendment of the ordinance and a summary thereof shall be published not more than sixty (60) days nor less than seven (7) days prior to passage.

5. RIGHT TO PROCEED

No change in this ordinance shall adversely effect the applicants' right to complete any finally approved aspect of the proposed development within five (5) years from such approval, when an application for approval of a subdivision plat has been approved or when an application for land development has been approved and the applicant accepts the conditions of approval.

§ 109. CERTIFICATES AND APPROVALS.

The applicable certificates stated below shall be inscribed with black waterproof India ink or veritype on the linen tracing, exactly as stated, and shall be properly signed with black waterproof India ink. All certificates, approvals and acknowledgements shall be included on the plot plans, on the right side.

1. OWNER'S ADOPTION (Required-use, either §109.1 or 109.2)

KNOW ALL MEN BY THESE PRESENTS, That (I or We) _____

of _____, of the County of _____, Commonwealth of Pennsylvania, for (myself, ourselves), (my, our) heirs, executors, administrators and assigns, do hereby adopt this plan as (my, our) Plan of Lots of (my, our) property, situate in (City, Borough, Township), Butler County, Pennsylvania, and for divers advantages accruing to (me, us), do hereby dedicate forever, for public use for highway purposes all slope areas and all drives, roads, streets, lanes, ways and other public highways shown upon the plan, with the same force and effect as if the same had been opened through legal proceedings, and in consideration of the approval of said plan, and any future acceptance of said public highways by the said Commonwealth of Pennsylvania, County of Butler, and Township of Clay, (I, we) hereby covenant and agree to and by these presents do release and forever discharge said Commonwealth of Pennsylvania, County of Butler and Township of Clay, their successors or assigns from any liability for damages arising and to arise from any appropriation of said ground for public highways and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon (Name of Owner) (my, our) heirs, executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I, we) hereunto set (my, our) hand and seal this ____ day of _____ 19__.

ATTEST;

Notary Public

Owner

Seal:

2. CORPORATION ADOPTION

KNOW ALL MEN BY THESE PRESENTS: that the (Name of Corporation), a corporation incorporated under the laws of the Commonwealth of Pennsylvania or authorized to conduct business in the Commonwealth of Pennsylvania, by virtue of a resolution of the Board of Directors, thereof, does hereby adopt this plan as its Plan of Lots of its property situate in Clay Township, Butler County, Pennsylvania, and for divers advantages accruing to it, does hereby dedicate forever, for public use for highway purposes, all slope areas and all drives, roads, streets, lands and ways and other public highways show upon the plan, with the same force and effect as if the same had been opened through legal proceedings, and in consideration of the approval of said plan, and any future acceptance of said public highways by the said Commonwealth of Pennsylvania, County of Butler, and Township of Clay, (Name of Corporation) hereby covenants and agrees to and by these presents does release and forever discharge said Commonwealth of Pennsylvania, County of Butler, and Township of Clay, their successors or assigns from any liability for damages arising and to arise from the appropriation of said ground for public highways and the physical grading thereof to any grades that may be established hereafter at any time. This dedication and release shall be binding upon (Name of Corporation), its successors and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, the said corporation has caused its corporate seal to be affixed by the hand of its president and same to be attested by its secretary this ____ day of _____ 19__.

ATTEST:

(NAME OF CORPORATION)

(SEAL)

President

Secretary

3. INDIVIDUAL ACKNOWLEDGEMENT (Required - use either §109.3 or 109.4)

COMMONWEALTH OF PENNSYLVANIA }SS:
CLAY TOWNSHIP |

Before me, the subscriber, a Notary Public in and for said Commonwealth and Township, personally appeared the above named (Name of Owner), and acknowledged the foregoing release and dedication and plan to be (his, her, their) act and deed and desired the same to be recorded as such.

Sworn to and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL this ____ day of _____,
19 ____.

My commission Expires the ____ day of _____ 19 ____.

SEAL

Notary Public

4. CORPORATION ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA }SS:
COUNTY OF BUTLER |

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

Title of Officer

Sworn and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____ 19 ____ My
Commission Expires the ____ day of _____ 19 ____.

(SEAL)

Notary Public

5. TITLE CLAUSE (NO MORTGAGE)

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

Witness

Owner

6. TITLE CLAUSE - MORTGAGE CLAUSE

If the copy embraced in this plan is encumbered by a mortgage, judgement of record, or otherwise, the following certificates shall appear.

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

Witness

Owner

I, (or We) (Name of Mortgagee) mortgagee of the property embraced in this plan of subdivision, (Name of Plan), do hereby consent to the recording of said plan in the Recorder's Office and covenants appearing hereon.

Witness

Mortgagee

7. SURVEYOR'S CERTIFICATION (Required)

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

Date

SEAL

Signature of Land Surveyor
and Registration Number

8. LOCAL AUTHORITY (Required)

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

Secretary

SEAL

Chairman

(22, § 109, cont.)

(22, § 109, cont.)

9. SECOND CLASS TOWNSHIP APPROVAL (Required)

Approval by the Board of Supervisors of the Township of Clay this _____ day of _____ 19____.

SEAL

Secretary

Chairman of Board

10. CLAY TOWNSHIP PLANNING COMMISSION REVIEW (Required)

Reviewed by the Clay Township Planning Commission this _____ day of _____ 19____.

Secretary _____ Chairman _____

11. COUNTY PLANNING COMMISSION REVIEW (Required)

Reviewed by the Butler County Planning Commission this _____ day of _____ 19____.

Secretary

SEAL

Chairman

12. PROOF OF RECORDING (Required)

COMMONWEALTH OF PENNSYLVANIA JSS:
COUNTY OF BUTLER |

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

Given under my hand and seal this _____ day of _____ 19____.

SEAL

Recorder

§110. EFFECTIVE DATE.

This Ordinance is necessary to promote, protect and facilitate public, physical and mental health, morals, safety, general welfare, coordinated and practical community development, the provisions for adequate light and air, transportation, water, sewage, public grounds, and other public requirements, to protect natural resources, as well as to prevent overcrowding on our land, and shall be effective immediately upon its passage and publication.

All ordinances or parts of ordinances or regulations in conflict with this Ordinance or inconsistent with the provisions hereof, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Duly presented and adopted at a regular meeting of the Clay Township Board of Supervisors located in Butler County, Pennsylvania on the **3rd day of October, 1996.**


Chairman


Vice-chairman


Supervisor

ATTEST:


Secretary

ORDINANCE NO. 22-2-A

AN ORDINANCE OF CLAY TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA, AMENDING PART 22 OF THE CODIFIED ORDINANCES OF CLAY TOWNSHIP (SUBDIVISION AND LAND DEVELOPMENT) AND ALL PREVIOUS AMENDMENTS THERETO, AMENDING §104.7 BY ESTABLISHING ADDITIONAL CLARIFICATION TO LOT SIZE AND DEFINITION OF FLAG LOTS.

It is hereby ordained and enacted that Part 22 of the Codified Ordinances of Clay Township be and is hereby amended as follows:

A. Section 104.7 is hereby amended by adding the following:

2a. Each lot shall have a minimum width of 150 feet and an area of not less than one and one-half (1.5) acres for each dwelling unit.

2c. A "flag" lot requiring such for access shall have a minimum road frontage width of fifty (50) feet for the entire portion on the "post" providing access to the "flag" portion of the lot.

B. If any section, subsection, clause or phrase of these regulations is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions; and each section, subsection, clause or phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, or sentences, clauses or phrases be declared invalid or unconstitutional.

C. All ordinances or parts of ordinances or regulations in conflict with these regulations or inconsistent with the provisions hereof, are hereby repealed to the

extent necessary to give these regulations full force and effect.

D. All other portions of Part 22, not in conflict with this ordinance are hereby ratified and affirmed.

E. These regulations are necessary for the immediate preservation of the public health, safety, morals and general welfare and shall be effective immediately upon passage and publication.

Duly presented and adopted at a regular meeting of the Board of Supervisors of Clay Township, Butler County, Pennsylvania held on the 4TH day of August, 2005.


Chairman


Vice Chairman


Supervisor

ATTEST:


Secretary

ORDINANCE NO. 22-2-B

AN ORDINANCE OF CLAY TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA, AMENDING PART 22 OF THE CODIFIED ORDINANCES OF CLAY TOWNSHIP (SUBDIVISION AND LAND DEVELOPMENT) AND ALL PREVIOUS AMENDMENTS THERETO, AMENDING §103.3.A BY CHANGING THE NUMBER OF COPIES IN ADDITION TO A MYLAR REQUIRED FOR A SUBDIVISION PLAN , §103.5 BY ADDING A REQUIRED DOCUMENT FOR FINAL PLAN APPROVAL AND §104.6 BY CHANGING THE LENGTH OF CUL-DE-SAC STREETS.

It is hereby ordained and enacted that Part 22 of the Codified Ordinances of Clay Township be and is hereby amended as follows:

- A. Section 103.3.A is hereby amended to the following:
 - "A. Mylar and three (3) copies"
- B. Section 103.5 is hereby amended adding the following:
 - "F. Final approval of Sewage Facilities Planning Module."
- C. Section 104.6.C is hereby amended to the following:
 - "1. Cul-de-sac streets shall not exceed one thousand (1000) feet in length and shall be provided at the closed end with a circular turnaround having a paved area at least eighty (80) feet in diameter within a right-of-way whose diameter is at least one hundred feet."
- D. If any section, subsection, clause or phrase of these regulations is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions; and each section, subsection, clause or phrase hereof would have been prepared, proposed, adopted, approved and ratified

irrespective of the fact that any one or more sections, subsections, or sentences, clauses or phrases be declared invalid or unconstitutional.

- E. All ordinances or parts of ordinances or regulations in conflict with these regulations or inconsistent with the provisions hereof, are hereby repealed to the extent necessary to give these regulations full force and effect.
- F. All other portions of Part 22, not in conflict with this ordinance are hereby ratified and affirmed.
- G. These regulations are necessary for the immediate preservation of the public health, safety, morals and general welfare and shall be effective immediately upon passage and publication.

Duly presented and adopted at a regular meeting of the Board of Supervisors of Clay Township, Butler County, Pennsylvania held on the 1ST day of December, 2005.


Chairman, David Beachem


Vice Chairman, Dale Anderson


Supervisor, Jack Reeder

ATTEST:


Secretary