Chapter 22 — Subdivision and Land Development

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Article I — Title, Purpose, and Applicability

§ 22-101 Short Title.

This Chapter shall be known, and may be cited, as the "Alburtis Subdivision and Land Development Ordinance of 1977."

§ 22-102 Purpose.

The purpose of this Chapter is to regulate subdivision and land development within the Borough of Alburtis, Lehigh County, Pennsylvania.

§ 22-103 Applicability.

This Chapter shall apply in the following circumstances:

(a) To all subdivision and land development plans submitted after April 13, 1977.

(b) To all subdivision and land development plans previously approved in accordance with any law or regulation then applicable, the development of which has not been completed in accordance with the terms of such approval by April 13, 1980.

§ 22-104 Requirements of Other Ordinances.

All applicable requirements of Chapter 21 (relating to Zoning), Chapter 24 (relating to Floodplain Management), Chapter 25 (relating to Storm Water Management), Chapter 30 (relating to Uniform Construction Code), and all other Borough ordinances shall apply to subdivisions and land developments regulated under this Chapter, in addition to the provisions of this Chapter. Each subdivision and land development shall satisfy the minimum requirements of this Chapter and each other applicable ordinance provision.

Article II — Definitions

§ 22-201 Word Usage.

Unless otherwise expressly stated, the following rules and definitions shall be applied in the construction of this Chapter:

(a) Words in the singular include the plural, and those in the plural include the singular.

(b) Words in the present tense include the future tense.

(c) The words “person,” “developer,” “subdivider,” and “owner” include a corporation, unincorporated association, a partnership, or other legal entity, as well as an individual.

(d) The word “building” includes structure and shall be construed as if followed by the phrase “or part thereof.”

(e) The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.

(f) The word "Borough" means the Borough of Alburtis, Lehigh County, Pennsylvania.

(g) The term "Council" means the Borough Council of the Borough of Alburtis.

(h) The term "Planning Commission" means the Planning Commission of the Borough of Alburtis.

(i) The term "Board" means the Zoning Hearing Board of the Borough of Alburtis.

§ 22-202 Definitions—In General.

For purposes of this Chapter, the terms defined in the remaining Sections of this Article II shall have the meanings indicated, whether with or without initial capital letters, unless the context in which they are used clearly indicates a different meaning.

§ 22-203 Accessory Building.

The term "Accessory Building" shall mean a detached structure the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

§ 22-204 Alley.

The term "Alley" shall mean a minor private street primarily for service access to the back or sides of properties.

§ 22-205 Building Setback Line.

The term "Building Setback Line" shall mean the line within a property defining the minimum required front yard distance between any building to be erected and an adjacent right-of-way.

§ 22-206 Cartway.

The term "Cartway" shall mean the portion of a street right-of-way, paved or unpaved, intended for vehicular use.

§ 22-207 Comprehensive Plan.

The term "Comprehensive Plan" shall mean the maps, charts, and textual material adopted by Council in accordance with the Pennsylvania Municipalities Planning Code, 53 PA. STAT. ANN. § 10101 *et seq*., and designated, as a whole or in its several parts, as a Comprehensive Plan for the continuing development of the Borough.

§ 22-208 Cul-de-sac.

The term "Cul-de-sac" shall mean a local street intersecting another street at one end and terminating in a vehicular turnaround at the other.

§ 22-209 Developer.

The term "Developer" shall mean any person who makes or causes to be made a subdivision of land or a land development.

§ 22-210 Double or Reverse Frontage Lot.

The terms "Double Lot" or "Reverse Frontage Lot" shall mean a lot extending between and having frontage on two (2) generally parallel streets, with vehicular access from only one (1) street.

§ 22-211 Dwelling Unit.

The term "Dwelling Unit" shall mean any structure or part thereof designated to be occupied as living quarters for a single housekeeping unit.

§ 22-212 Easement.

The term "Easement" shall mean a right-of-way for limited use on which no structure may be built.

§ 22-213 Floodplain.

The term "Floodplain" shall mean the area along a natural watercourse which is periodically overflowed by water therefrom. "Floodplain" areas are designated as "alluvial soils" on the Official Zoning Map.

§ 22-214 Improvements.

The term "Improvements" shall mean those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

§ 22-215 Lot.

The term "Lot" shall mean a parcel of land intended for transfer of ownership, use, development, or improvement and/or dedication.

§ 22-216 Monument.

The term "Monument" shall mean a stone, metal, or concrete marker with a flat top at least four (4) inches in diameter or square, containing a steel dowel and at least thirty (30) inches in length.

§ 22-217 Official Map.

The term "Official Map" shall mean the Borough map adopted by ordinance showing exact locations of existing and proposed lines for public streets, watercourses, and public grounds, including widenings, narrowings, extensions, diminutions, opening, or closing of same for the entire Borough.

§ 22-218 Plan.

(a) Sketch Plan. The term "Sketch Plan" shall mean an informal drawing indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision, to be used as a basis for consideration by the Borough.

(b) Preliminary Plan. The term "Preliminary Plan" shall mean a tentative plan, in lesser detail than a final plan, showing proposed streets and lot layout and such other information as required by this Chapter.

(c) Final Plan. The term "Final Plan" shall mean a complete and exact plan, with professional engineer's or registered surveyor's seal affixed, and prepared for official recording as required by this Chapter to define property rights, streets, and other proposed improvements.

(d) Record Plan. The term "Record Plan" shall mean a copy of the final plan which contains the original endorsements of Council, the Planning Commission, and the Lehigh Valley Planning Commission, and which is intended to be recorded with the County Recorder of Deeds.

§ 22-219 Right-of-way.

The term "Right-of-way" shall mean land reserved or dedicated as a street, sidewalk, or for other public or semipublic purposes.

§ 22-220 Septic Tank.

The term "Septic Tank" shall mean a watertight receptacle which receives sewage or industrial waste and is designed and constructed to provide for sludge storage, sludge decomposition, and to separate solids from the liquid, through a period of detention, before allowing the liquid to be discharged.

§ 22-221 Soil Stabilization.

The term "Soil Stabilization" shall mean chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise improve its engineering properties.

§ 22-222 Street.

The term "Street" shall mean a strip of land, including the entire right-of-way (*i.e.*, not limited to the cartway), intended for use as a means of vehicular and pedestrian travel.

§ 22-223 Street Line.

The term "Street Line" shall mean the dividing line between the street and the lot. The "street line" shall be the same as the legal right-of-way line, *provided* that the street right-of-way line shall be not less than sixteen and one-half (16 1/2) feet from the center line of any existing road or street, and that where a future right-of-way width for a road or street has been officially established, then the street right-of-way line shall be the side line of the future right-of-way so established.

§ 22-224 Structure.

The term "Structure" shall mean any man-made object having an ascertainable stationary location.

§ 22-225 Subdivision.

(a) In General. The term "Subdivision" shall mean the division or redivision of a lot, tract, or parcel of land by any means into two (2) 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, transfer of ownership or buildings, or lot development; *provided* that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

(b) Minor Subdivision. The term "Minor Subdivision" shall mean the division of a single lot, tract, or parcel of land into not more than five (5) lots, tracts, or parcels of land, including the remaining portion of the tract, for the purpose, whether immediate or future, of transfer of ownership or of building development, *provided* the proposed lots, tracts, or parcels of land thereby created have frontage on an improved public street or streets; that there is not created by the subdivision any new street or streets, the need for required improvements, and/or an easement of access or the need therefor; and also that the subdivision does not adversely affect the development of the remainder of the parcel or adjoining property, and is not in conflict with any provision of an adopted Comprehensive Plan, Official Map, or Zoning Ordinance.

Article III — Sketch Plan

§ 22-301 Optional Submission.

Sketch plan maps and materials may be submitted for all proposed subdivisions and land developments to the Zoning Officer. Before submission of the preliminary plan by the developer, maps and materials may be submitted by the developer to the Planning Commission, thus enabling the Planning Commission to offer its comments to the developer concerning the potential of the proposed subdivision or land development tract for development and the general feasibility of the developer's plans for the tract.

§ 22-302 Contents.

The sketch plan submission will include the following maps and materials, which may be shown on one (1) plan:

(a) A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals one thousand (1,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, streams, municipal boundaries, and recorded subdivision plans existing within two thousand (2,000) feet of any part of the property.

(b) A topographic map of the site with ten (10) foot contour intervals and at a minimum scale of one (1) inch equals one hundred (100) feet. The map shall delineate slope areas over five percent (5%) and shall show woodland cover.

(c) A letter of intent and a sketch of the proposed subdivision or land development tract, explaining and illustrating the developer's general development concepts for the tract. The sketch plan shall be at a minimum scale of one (1) inch equals one hundred (100) feet.

(d) The name and address of the developer and party preparing the plan.

§ 22-303 Submission.

(a) Ten (10) copies of a completed sketch subdivision or land development application and the appropriate submission fee shall be submitted to the Zoning Officer.

(b) Ten (10) copies of all sketch plan maps and materials, as set forth in § 22-302, shall be submitted to the Zoning Officer.

§ 22-304 Reference to the Planning Commission.

The Zoning Officer shall retain one (1) copy of the sketch plan maps and materials and refer the remaining copies to the Planning Commission for its review and recommendations.

§ 22-305 Review and Recommendations.

(a) The sketch plan maps and materials will be reviewed by the Planning Commission at its next regular meeting, *provided* that submission has occurred no less than twenty-one (21) calendar days prior to such meeting.

(b) The Planning Commission shall review sketch plan data to determine the development potential of the site.

(c) [RESERVED]

(d) Within ninety (90) days after submission of sketch plan maps and materials to the Planning Commission, the Planning Commission shall make any recommendations to the developer which it deems necessary or advisable in the public interest in order to provide an acceptable subdivision or land development plan for the site.

(e) Within fourteen (14) calendar days after the meeting at which the sketch plan was acted upon, the Secretary of the Planning Commission shall send written notice of the Planning Commission's recommendations to the following:

(1) Council.

(2) The developer or his agent.

Article IV — Preliminary Plan

§ 22-401 Requirement.

Preliminary plans and all required supplementary data for all proposed subdivisions and land developments shall be submitted to the Zoning Officer.

§ 22-402 Contents of Plan.

(a) Scale. The preliminary plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet unless otherwise directed by the Planning Commission at the time of sketch plan review.

(b) Dimensions. The original drawing and all submitted prints shall be made on sheets of one (1) of the following sets of dimensions:

(1) Eighteen by twenty-four (18 x 24) inches.

(2) Twenty-four by thirty-six (24 x 36) inches.

(3) Thirty-six by forty-two (36 x 42) inches.

(c) Multiple Sheets. If the preliminary plan requires more than one (1) sheet, a key diagram illustrating the relative locations of the several sections shall be drawn on each sheet.

(d) Basic Information. The preliminary plan shall bear the name, address, license number, and seal of the registered engineer, surveyor, or landscape architect responsible for the subdivision plan, and show the North point, graphic scale, written scale, and date, including the month, day, and year that the original drawing was completed, and the month, day, and year that the original drawing was revised, for each revision.

(e) Existing Conditions. The preliminary plan shall illustrate the following data:

(1) Name and address of record owner; name of developer if different from owner; names of all adjoining subdivisions, if any; and the names of owners of all adjacent unplotted land, with the Tax Map, block, and lot numbers where recorded.

(2) Name of the proposed subdivision; name of the municipality or municipalities within which subdivision is proposed; total tract boundaries of the property being subdivided, showing bearings and distances at a closure of one (1) foot equals ten thousand (10,000) feet; and a statement of the total acreage of the property.

(3) A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals one thousand (1,000) feet, and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, streams, roads, municipal boundaries, and recorded subdivision plans existing within two thousand (2,000) feet of any part of the property.

(4) Tax map, block, and lot numbers within the proposed subdivision tract, where recorded; the zoning district or districts within which the proposed subdivision is located.

(5) All existing buildings or other structures within the proposed subdivision tract; all existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, cartway (pavement) widths, and approximate grades.

(6) All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, or other man-made features within the proposed subdivision tract and within two hundred (200) feet of the boundaries of the proposed subdivision tract; location, width, and purpose of existing easements and utility rights-of-way within two hundred (200) feet of the proposed subdivision tract.

(7) Contour lines at vertical intervals of not more than two (2) feet for land with an average natural slope of five percent (5%) or less, and at intervals of not more than five (5) feet for land with an average natural slope exceeding five percent (5%). Location and elevation of the data to which contour elevations refer shall be the closest United States Coast and Geodetic Survey established bench mark, where available.

(f) Proposed Development. The preliminary plan shall depict the full plan of proposed development, including the following:

(1) Location and width of all streets and rights-of-way, with a statement of any conditions governing their use; suggested street names and utility easement locations.

(2) Building setback lines along each street.

(3) Lot lines, with approximate dimensions.

(4) A statement of the intended use of all nonresidential lots and parcels.

(5) Lot numbers and a statement of the total number of lots, parcels, dwelling units, and density.

(6) Water, sanitary sewer, storm sewer lines (and other drainage facilities), with the size and material of each indicated and any proposed connections with existing facilities.

(7) Parks, playgrounds, and other areas dedicated or reserved for public or common use, with any conditions governing such use.

(8) Certificate of ownership, and an indication of the Planning Commission's approval of the sketch plan.

(9) Copies of the proposed deed restrictions, protective and restrictive covenants, referenced to the preliminary plan map.

§ 22-403 Supplementary Data.

The preliminary plan shall be accompanied by the following supplementary data:

(a) Physical Analysis.

(1) Site analysis maps.

(A) A map illustrating an analysis of natural drainage patterns and water resources within the proposed subdivision tract, including delineation of streams, natural drainage swales, ponds and lakes, wetlands, floodplains, and permanent and seasonal high water table areas.

(B) A map illustrating an analysis of types of soils present within the proposed subdivision tract, based on the Lehigh County Soil Survey (United States Soil Conservation Service 1963). The map should include delineation of prime agricultural soil areas, aquifer recharge areas, unstable soils, soils most susceptible to erosion, soils most suitable for urban development and soils suitable for on-lot sewage disposal.

(C) A map delineating additional significant physical features within the proposed subdivision tract, such as woodland areas, large trees, rock out-croppings, and scenic views.

(2) Where feasible and legible, the analysis involved in paragraph (1) may be illustrated on one (1) or a combination of composite maps. The combined impact of the natural characteristics of the tract upon the development potential of the tract shall be clearly illustrated on the map or maps.

(b) Streets, Utilities, and Stormwater Drainage. Typical cross sections for proposed streets, preliminary sanitary sewer plan and profile, and water system plan; a preliminary storm drainage plan and calculations and profile for the proposed subdivision tract, which conform to design requirements for storm drainage as set forth in § 22-903 (relating to Storm Drainage System). Preliminary street profiles shall be required. The above information may be combined on one (1) plan.

(c) Development in Stages. In the case of subdivision or land development plans to be developed in stages or sections over a period of time, a map delineating each stage or section of the proposed subdivision or land development, consecutively numbered so as to illustrate phasing of development, and a schedule indicating the approximate time for which applications for final approval of each stage or section are intended to be filed.

(d) Bridges and Culverts. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

(e) Sewage Disposal Report. Three (3) copies of the most current subdivision sewage disposal report, including plan revision module for land development and any other required documentation.

(f) Certification of Water Supply Systems. When water service to the proposed subdivision is to be provided by an existing public system, the developer shall submit two (2) copies of a letter from the agency, authority, or utility which states that it can adequately serve the subdivision.

(g) Certification of Sewage Disposal Systems. When sewage disposal service to the proposed subdivision is to be provided by an existing public system, the developer shall submit two (2) copies of a letter from the agency, authority, or utility stating that it can adequately serve the subdivision.

§ 22-404 Submission.

(a) To the Planning Commission. Official submission of a preliminary plan to the Planning Commission shall be made by submitting the following to the Zoning Officer no less than twenty-one (21) calendar days prior to a regularly scheduled meeting:

(1) Three (3) copies of a completed preliminary subdivision or land development application.

(2) Seventeen (17) paper prints of the preliminary plan, which shall fully comply with provisions of this Chapter.

(3) Six (6) copies of all required supplemental information as set forth in § 22-403 (relating to Supplementary Data).

(4) The appropriate submission fee.

(b) To the Lehigh Valley Planning Commission. Official submission of a preliminary plan to the Lehigh Valley Planning Commission shall be the responsibility of the developer, shall be accomplished within one (1) business day after the plan is submitted to the Zoning Officer, and shall include all fees, forms, plans, calculations, studies, and other information required under the applicable procedures established from time to time by the Lehigh Valley Planning Commission.

(c) To the Sewage Enforcement Officer. One (1) print of the preliminary plan and one (1) copy of all required supplemental information as set forth in § 22-403 (relating to Supplementary Data) shall be submitted by the developer to the Borough Sewage Enforcement Officer.

(d) To Other Agencies. Additional prints of the preliminary plan shall be submitted by the developer to the respective agencies in each of the following circumstances:

(1) Whenever the property being subdivided or developed abuts a state road, one (1) print of the preliminary plan shall be submitted to the Pennsylvania Department of Transportation.

(2) Whenever a proposed subdivision or land development is located in more than one (1) municipality or located adjacent to another municipality, one (1) print of the preliminary plan shall be submitted for each additional or adjacent municipality to the respective municipalities.

§ 22-405 Receipt.

If the preliminary plan submission complies with § 22-402 (relating to Contents of Plan), the Zoning Officer shall acknowledge such compliance by immediate issuance to the developer

of a preliminary subdivision plan receipt. A copy of this receipt shall also be sent to the Lehigh Valley Planning Commission.

§ 22-406 Reference to Borough Engineer and Planning Commission.

The Zoning Officer shall refer one (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Borough Engineer, and one (1) application, two (2) plan prints, and one (1) copy of the supplemental information to the Planning Commission, for recommendations as to changes, alterations, and modifications.

§ 22-407 Review and Recommendation by the Planning Commission.

Review of the preliminary plan by the Planning Commission shall proceed as follows:

(a) When a preliminary plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, *provided* that such official submission has occurred no less than twenty-one (21) calendar days prior to such regular meeting.

(b) The Planning Commission shall review the preliminary plan to determine its conformance with the standards contained in this Chapter and other applicable ordinances.

(c) No recommendations shall be made by the Planning Commission with respect to a preliminary plan until the Planning Commission has received and considered the written report of the Lehigh Valley Planning Commission; *provided*, however, that if the Lehigh Valley Planning Commission shall fail to report thereon within forty-five (45) days after receipt of a preliminary plan, then the Planning Commission may make its recommendations without having received and considered such report.

(d) During review of the preliminary plan, the Planning Commission shall also consider opinions of the Borough Engineer and the Borough Solicitor.

(e) The Planning Commission shall recommend to Council that the preliminary plan be approved (with or without conditions) or disapproved. Whenever possible, the recommendations of the Planning Commission should be made at least fourteen (14) calendar days before the last regular meeting of Council which occurs on or before the date by which Council is required to render its decision on the preliminary plan. Within fourteen (14) calendar days after the meeting at which the preliminary plan was acted upon by the Planning Commission, the Secretary of the Planning Commission shall send written notice of the Planning Commission's recommendations to the following:

(1) Council.

(2) The Borough Engineer.

(3) The developer or his agent.

§ 22-407.1 Review and Decision by Council.

(a) In General. Council shall approve or disapprove the preliminary plan, and shall communicate its decision to the developer or his agent in writing, within the time limitations (including extensions) and in the manner required by law (*see* Municipalities Planning Code § 508, 53 PA. STAT. ANN. § 10508). Council shall not act until after receipt of recommendations from the Planning Commission, *provided* that Council may act without such recommendations if the next regular meeting of Council will not occur until after the date by which Council is required to render on oral decision on the preliminary plan.

(b) Conditions. Approval may be granted subject to conditions. However, if the developer or his agent does not affirmatively accept all of the conditions in writing by the Required Acceptance Date, the approval shall be rescinded automatically and the plan shall be deemed denied/disapproved as of the Required Acceptance Date. For purposes of the preceding sentence, the "Required Acceptance Date" shall be the *earlier* of—.

(1) the date by which Council is required to render an oral decision on the preliminary plan (including extensions); *or*

(2) ten (10) calendar days after the date of mailing of the decision to grant approval subject to conditions.

§ 22-408 Endorsement and Distribution of Plans.

The action of Council shall be noted, together with the date of the action and signature of the President and Secretary, on three (3) sets of plans. These plans shall then be distributed as follows:

(a) Two (2) sets to the developer or his agent.

(b) One (1) set to the Borough Office for filing.

Article V — Final Plan

§ 22-501 Requirement; Time Limitations.

(a) In General. Within twelve (12) months after approval of the preliminary plan, a final subdivision or land development plan and all required supplemental data shall be submitted to the Zoning Officer. An extension of time may be granted by Council upon written request. Otherwise, the plan submitted may be considered as a new preliminary plan. Council, in its discretion, may permit a developer to submit a single preliminary/final plan which meets the requirements of both Article IV (relating to Preliminary Plan) and this Article V (relating to Final Plan) and process the plan for both preliminary plan approval and final plan approval concurrently.

(b) Plans Submitted in Sections or Stages.

(1) The final plan may be submitted in sections or stages, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed preliminary plan, in accordance with regulations as set forth in paragraph (3).

(2) In the case of a final subdivision or land development plan which is to be submitted in sections or stages over a period of years, the time between submissions of applications for final approval of each stage or section shall be no greater than twelve (12) months.

(3) In the case of a subdivision or land development proposed to be developed in stages or sections over a period of years, the final plan requirements of §§ 22-502 (relating to Contents of Plan) and 22-503 (relating to Supplementary Data) shall apply only to the stage or section for which final approval is being sought. However, the final plan presented for the stage or section must be considered as it relates to information presented for the entire subdivision or land development in the application for preliminary approval.

§ 22-502 Contents of Plan.

(a) In General.

(1) The final plan shall conform in all significant respects to the preliminary plan as previously approved by Council, but shall incorporate all modifications required by Council in its approval of the preliminary plan.

(2) The final plan shall conform to standards and data requirements as set forth for preliminary plans in §§ 22-402 (relating to Preliminary Plans—Contents of Plan) and 22-403 (relating to Preliminary Plans—Supplementary Data).

(3) It shall not be necessary to resubmit supporting maps and data submitted with the preliminary plan, *provided* there has been no change.

(b) Additional Data. The following additional data shall be illustrated on the final plan:

(1) The latest source of title to the land, as shown by the deed, page number, and book of the Lehigh County Recorder of Deeds.

(2) The total tract boundary lines of the area being subdivided, with accurate distances to hundredths of a foot and bearing to thirty (30) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. However, the boundary or boundaries adjoining additional unplatted land of the subdivider (for example, between separately submitted final plan sections) are not required to be based upon field survey and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

(3) The following data for all proposed and existing streets:

(A) The name, proposed name, or number of the street.

(B) The cartway width and cartway edge (curblines) of the street.

(C) The right-of-way width and right-of-way lines of the street.

(4) Block and lot numbers, and a statement of the total number of lots; all lot lines shall be completely dimensioned in feet if straight, and if curved, by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds). All internal angles and tangents within the lots shall be designated to within the nearest second.

(5) All easements or rights-of-way where provided for or owned by public utility companies, and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or be specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities; the exact location of all utility line installations also shall be shown.

(6) Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.

(7) A statement of the intended use of all nonresidential lots or parcels, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots or parcels contained in the subdivision, and if covenants are recorded, including the book and page number of the Lehigh County Recorder of Deeds.

(8) If the subdivision proposes a new street intersection with a state road, the occupancy permit application shall be completed and a copy submitted to the Borough.

(9) The location of all existing and proposed street monuments, as required by § 22-705 (relating to Monuments and Markers), a certification of ownership, acknowledgment of plan, and offer of dedication shall be lettered on the plan, duly acknowledged and signed by the owner of the property and notarized; a certificate for review of the plan by the Planning Commission and approval of the plan by Council shall be presented; space shall be left, preferably adjacent to the borough certification, in which the review stamp of the Lehigh Valley Planning Commission may be applied; space shall be left along the lower edge of the sheet in order that the Lehigh County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented; if the final plan requires more than one (1) sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet. Information required in § 22-402(d) (relating to Basic Information for Preliminary Plan) shall also be required.

§ 22-503 Supplementary Data.

The final plan shall be accompanied by the following supplementary data:

(a) A plan showing the location, size, and invert elevation of all sanitary sewer, water distribution, and storm drainage systems, and the location of all manholes, inlets, and culverts.

(b) Final profiles, typical sections, and specifications for proposed streets, sanitary sewers, water distribution systems, and storm drainage systems, each shown on one (1) or more separate sheets.

(c) A contour grading plan and a plan for minimizing erosion and sedimentation, in accordance with all legal requirements for erosion and sediment control.

(d) A landscape plan, according to the requirements of this Chapter.

(e) A street lighting plan shall be submitted, as prepared by the electric company after final plans are approved.

§ 22-504 Submission.

(a) To the Planning Commission. Official submission of a final plan to the Planning Commission shall be made by submitting the following information to the Zoning Officer no less than twenty-one (21) calendar days prior to a regularly scheduled meeting:

(1) Three (3) copies of a completed final subdivision or land development plan application.

(2) Seventeen (17) paper prints of the final plan, which shall fully comply with § 22-502 (relating to Contents of Plan).

(3) Six (6) copies of all required supplemental information as set forth in § 22-503 (relating to Supplementary Data).

(4) Two (2) copies of all offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Borough Solicitor as to their legal sufficiency.

(5) The appropriate submission fee.

(b) To the Lehigh Valley Planning Commission. Copies of the final subdivision or land development plan shall be submitted to the Lehigh Valley Planning Commission or other appropriate county and state agencies by the developer, shall be accomplished within one (1) business day after the plan is submitted to the Zoning Officer, and shall include all fees, forms, plans, calculations, studies, and other information required under the applicable procedures established from time to time by the Lehigh Valley Planning Commission.

(c) To Other Agencies. Official submission of a final plan to the Lehigh Valley Planning Commission, the Pennsylvania Department of Environmental Protection, and other appropriate agencies shall be the responsibility of the developer.

§ 22-505 Receipt.

If the final plan submission complies with §§ 22-502 (relating to Contents of Plan) and 22-503 (relating to Supplementary Data), the Zoning Officer shall acknowledge such compliance by immediate issuance to the developer of a final subdivision plan receipt. Copies of this receipt shall also be sent to Council and to the Lehigh Valley Planning Commission.

§ 22-506 Reference to Borough Engineer and Planning Commission.

The Zoning Officer shall refer one (1) copy of a complete final subdivision or land development plan application, one (1) print of the final plan, and one (1) copy of all required supplemental information to the Borough Engineer. He shall refer one (1) copy of a complete final subdivision or land development plan application, two (2) prints of the final plan, and one (1) copy of all supplemental information, offers of dedication, and covenants governing undedicated open space to the Planning Commission.

§ 22-507 Review and Recommendations by the Planning Commission.

Review of the final plan by the Planning Commission shall proceed as follows:

(a) When a final plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular meeting, *provided* that such official submission has occurred no less than twenty-one (21) calendar days prior to such regular meeting.

(b) The Planning Commission shall review the final plan to determine its conformance with the standards contained in this Chapter, with other applicable ordinances and with such changes and modifications as were required in connection with approval of the preliminary plan. During review of the final plan, the Planning Commission shall also consider the opinions of the Borough Engineer, Borough Solicitor and the Lehigh Valley Planning Commission.

(c) No recommendations shall be made by the Planning Commission to Council with respect to the final plan until the Planning Commission has received and considered the written report of the Lehigh Valley Planning Commission; *provided*, however, that if the Lehigh Valley Planning Commission shall fail to report thereon within forty-five (45) days after official submission of a final plan, then the Planning Commission may make its recommendations without having received and considered such report.

(d) The Planning Commission shall recommend to Council that the final plan be approved (with or without conditions) or disapproved. Whenever possible, the recommendations of the Planning Commission should be made at least fourteen (14) days before the last regular meeting of Council which occurs on or before the date by which Council is required to render its decision on the final plan. Within fourteen (14) days after the meeting at which the final plan was acted upon by the Planning Commission, the Secretary of the Planning Commission shall send written notice of the Planning Commission's recommendations to the following:

(1) Council.

(2) The Borough Engineer.

(3) The developer or his agent.

§ 22-508 Review and Decision by Council.

(a) In General. Council shall approve or disapprove the final plan, and shall communicate its decision to the developer or his agent in writing, within the time limitations (including extensions) and in the manner required by law (*see* Municipalities Planning Code § 508, 53 PA. STAT. ANN. § 10508). Council shall not act until after receipt of recommendations from the Planning Commission, *provided* that Council may act without such recommendations if the next regular meeting of Council will not occur until after the date by which Council is required to render on oral decision on the preliminary plan.

(b) Conditions. Approval may be granted subject to conditions. However, if the developer or his agent does not affirmatively accept all of the conditions in writing by the Required Acceptance Date, the approval shall be rescinded automatically and the plan shall be deemed denied/disapproved as of the Required Acceptance Date. For purposes of the preceding sentence, the "Required Acceptance Date" shall be the *earlier* of—

(1) the date by which Council is required to render an oral decision on the final plan (including extensions); *or*

(2) ten (10) calendar days after the date of mailing of the decision to grant approval subject to conditions.

§ 22-509 Endorsement and Distribution of Plans.

The action of Council shall be noted, together with the date of action and signatures of its President and Secretary, on the final plan. Copies of the final plan, with the appropriate endorsement of Council, shall be distributed as follows:

(a) One (1) copy to the developer for recording.

(b) Two (2) copies to the developer or his agent for his files.

(c) One (1) copy to the Borough Office for its files.

§ 22-510 Recording.

(a) The Borough Engineer shall notify Council upon the completion of procedures as set forth in § 22-1003(a) (relating to Financial Security—Prerequisite for Final Plan Approval).

(b) After completion of procedures as set forth in § 22-1003(a) (relating to Financial Security—Prerequisite for Final Plan Approval) and after the final plan is approved by Council, the record plan and as many other copies of the final plan as may be desired shall be endorsed by Council and by the Lehigh Valley Planning Commission. No subdivision or land development plan may be recorded unless it bears Council, Lehigh Valley Planning Commission, and Planning Commission endorsements, and the corporate seal of the Borough.

(c) The record plan shall be a clear and legible print of a type and material required by the Lehigh County Recorder of Deeds.

(d) After endorsement by Council, the Planning Commission, and the Lehigh Valley Planning Commission, the developer shall file the record plan with the Lehigh County Recorder of Deeds within ninety (90) days of the date of final approval by Council. If the developer fails to record the final plan within such period, the action of Council shall be null and void, unless an extension of time is granted in writing by Council upon written request of the developer.

(e) At the time the record plan is endorsed by Council, the Borough shall receive one (1) reproducible print of the final plan as approved for its permanent files. A reproducible Mylar shall be provided to the Borough.

(f) At the time the record plan is endorsed by the Lehigh Valley Planning Commission, the Lehigh Valley Planning Commission shall receive two (2) endorsed paper prints of the final plan as approved by Council.

(g) The developer shall submit reproducible plans of as-built public improvements after construction.

Article VI — Minor Subdivisions

§ 22-601 Small Residential Subdivisions.

In the case of any proposed residential subdivision which does not, and will not in the future, involve more than a total of five (5) lots, and does not involve the provision of any new street or easement for access (*i.e.,* one in which all proposed lots will have frontage on an existing public street), the following procedure may be followed:

(a) The developer shall prepare and submit sketch plan maps and materials according to procedures as set forth in Article III (relating to Sketch Plan).

(b) When no major incompatibility is found between the development potential of the site and the developer's general concept plan for the site, the Planning Commission may authorize the preparation of a plan application which meets the requirements for final plans as set forth in §§ 22-502 (relating to Contents of Plan) and 22-503 (relating to Supplementary Data), as well as requirements for supplementary data in § 22-403 (relating to Preliminary Plan—Supplementary Data) which are applicable to the specific subdivision or land development.

(c) The final plan shall be submitted and reviewed according to procedures as set forth in §§ 22-507 through –509 (relating to Final Plan—Review and Recommendations by the Planning Commission, Review and Decision by Council, and Endorsement and Distribution of Plans).

(d) The plan may be granted final approval by Council upon recommendation of the Planning Commission, and shall be recorded according to requirements as set forth in § 22-510 (relating to Recording).

§ 22-602 Boundary Line Adjustments.

In the case of boundary line adjustments between adjoining property owners where no new lots are involved, the following procedures may be followed:

(a) Upon written request to the Planning Commission, the Planning Commission may exempt the above-mentioned cases from normal submission and plan preparation requirements as set forth in Articles III (relating to Sketch Plan), IV (relating to Preliminary Plan), and V (relating to Final Plan).

(b) The written request for exemption shall be accompanied by a plan of the proposed adjustment or subdivision, which will enable the Planning Commission to determine that it will not result in a lot which does not conform to the minimum requirements of Chapter 21 (relating to Zoning) and does not prevent the logical development of the remaining tract. The plan shall meet the following requirements:

(1) The plan shall be a clear and legible reproduction of the Tax Map, illustrating the area which includes the adjustment or subdivision.

(2) The plan shall illustrate the existing and proposed lot lines, the existing streets in the area, and the existing structures on the properties involved.

§ 22-603 Tracts to be Used Exclusively for Agricultural Purposes.

In the case of tracts to be used exclusively for agricultural purposes, the procedures of § 22-602 (relating to Boundary Line Adjustments) may be followed.

Article VII — General Design Standards

§ 22-701 General Standards.

(a) Comprehensive Plans. Consideration shall be given to applicable provisions of the Borough and Regional Comprehensive Plans, emphasizing future school sites, recreation sites, water supply and sewage treatment systems, highway alignments, and other public facilities. However, consideration must be given to the need for the facilities and utilities mentioned above whether or not they are proposed as part of a Comprehensive Plan.

(b) Existing Development. The development of the proposed subdivision shall be coordinated with adjacent existing development so that the area, as a whole, may develop harmoniously.

§ 22-702 Block Standards.

(a) Block Layout. The length, width, and shape of blocks shall be determined with due regard to:

(1) Provisions of adequate sites for buildings of the type proposed.

(2) Borough zoning requirements.

(3) Topography.

(4) Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with arterial streets.

(b) Block Length.

(1) Residential blocks shall ordinarily be no less than five hundred (500) feet in length nor more than one thousand six hundred (1,600) feet in length.

(2) In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.

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

(c) Block Depth. Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:

(1) Where reverse frontage lots are required; or

(2) Where prevented by the size, topographical conditions, or other inherent conditions of the property, in which case the Planning Commission may approve a single tier of lots.

(d) Commercial, Industrial, and Planned Residential Development Blocks. Blocks in commercial, industrial, and planned residential developments may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provision shall be made for traffic circulation, off-street parking, and loading areas.

§ 22-703 Lot Standards.

(a) General standards.

(1) Within the requirements of Borough ordinances, the size, shape, and orientation of lots shall be appropriate for the type of development and use contemplated.

(2) Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines.

(3) Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

(4) Generally, the depth of residential lots shall be not less than one (1) nor more than three (3) times their width.

(5) Depth and width of parcels intended for nonresidential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.

(6) If, after subdividing, there exist remnants of land, they shall be either:

(A) Incorporated in existing or proposed lots, or

(B) Legally dedicated to public use, if acceptable to the Borough.

(b) Lot Frontage. All lots shall have direct access to an existing or proposed public street.

(c) Lot Access.

(1) Residential lots having direct access to an arterial street shall be avoided whenever possible. Where direct access to an arterial street cannot be avoided, adequate turnaround space shall be provided behind the right-of-way line.

(2) Where access is permitted to a state road or highway, authorization from the Pennsylvania Department of Transportation must be proven by the display of a valid highway occupancy permit. Driveways to single-family residences shall intersect streets at angles of no less than sixty degrees (60°). All other driveways or access roads shall intersect streets at right angles, where practicable, and in no case less than seventy-five degrees (75°).

(3) Widths of access roads or driveways shall be in accordance with the following standards:

(A) Access roads for multifamily residential and all nonresidential subdivisions shall be no less than twenty-four (24) feet in width, shall not exceed thirty (30) feet in width at the street line, and shall be clearly defined by use of curbing.

(B) Driveways for single-family residential subdivisions shall be no less than ten (10) feet in width, and shall not exceed twenty (20) feet in width at the street line.

(4) To provide safe and convenient ingress and egress, access road and driveway entrances shall be rounded at the following minimum radii:

(A) Access road entrances for multifamily residential developments, mobile home parks, and all nonresidential subdivisions shall be rounded at a minimum radius of ten (10) feet.

(B) Driveway entrances for single-family residential subdivisions shall be a depressed curb.

(5) Access road grades or driveway grades shall not exceed the following:

(A) Seven percent (7%) when access is to an arterial street.

(B) Ten percent (10%) when access is to a collector or local street.

§ 22-704 Environmental Protection.

(a) Erosion and Sedimentation. Erosion and sediment control shall be submitted in accordance with the appropriate current legislation.

(b) Natural Features Preservation.

(1) In General. The design and development of all subdivisions or land developments shall preserve, whenever possible, natural features which will aid in providing adequate open space for recreation and conditions generally favorable to the health, safety, and welfare of the residents. Some of these natural features are the natural terrain of the site, woodland areas, large trees, natural watercourses and bodies of water, wetlands, rock outcroppings, and scenic views. More detailed standards concerning the preservation of specific natural features are set forth in this section.

(2) Tree Preservation. Trees six (6) inches or more in diameter, measured at a height of four and one-half (4 1/2) feet above grade, shall not be removed unless they are located within the proposed cartway or sidewalk portion of a street right-of-way, or within fifteen (15) feet of the foundation area of a new building. Areas in which trees are retained shall remain at original grade level and undisturbed wherever possible.

(3) Stream Frontage Preservation. Stream frontage shall be preserved as open space whenever possible. This area may be credited toward the open space requirement set forth in § 22-706 (relating to Open Space and Recreation Facilities).

(c) Floodplain Regulations. The developer shall consult floodplain areas designated as "alluvial soils" on the Official Zoning Map in order to delineate floodplain areas within the proposed subdivision or land development tract and meet the requirements in Chapter 21, Article X (relating to Zoning—Floodplain and Environmental Protection Areas).

§ 22-705 Monuments and Markers.

Permanent stone, metal, or concrete monuments shall be accurately placed, as specified by § 22-502(b)(2) (relating to Final Plan—Contents of Plan—Additional Data), at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property subdivided.

§ 22-706 Open Space and Recreation Facilities, and/or Cash Contributions

(a) In proposed subdivisions and land developments which are intended to provide housing for forty (40) or more families, Council may require the developer to dedicate land for park and open space use and to expend one hundred dollars ($100.00) per dwelling unit for recreation improvements to the park and open space land.

(b) The Borough shall have the option of requesting the developer either to provide park and open space land and expend one hundred dollars ($100.00) per dwelling unit for recreation improvements on this land or to pay the Borough two hundred dollars ($200.00) per dwelling unit in lieu of the park and open space land dedication in any one (1) of the following instances:

(1) where a proposed subdivision or land development is intended to provide housing for less than forty (40) families;

(2) where a neighborhood recreation area exists or is planned within one-half (1/2) mile of all homes within the proposed subdivision or land development;

(3) where an arterial street is not located between the recreation area and the proposed subdivision or land development, and where the recreation area adequately fulfills the recreational needs of the residents of the proposed subdivision.

This cash must be used for the purchase or development of parks and open space in the Borough.

(c) The developer shall use a guideline of one thousand (1,000) square feet of park and open space land per dwelling unit to determine the amount of park and open space land to be set aside in proposed subdivisions and land developments. Council may modify this guideline, but only after receiving and reviewing a written request by the developer to deviate from the park and open space dedication guidelines and after receiving a recommendation from the Planning Commission.

(d) The expenditure of one hundred dollars ($100.00) or two hundred dollars ($200.00) per dwelling unit shall remain in effect throughout the 1976 calendar year. For each succeeding year, the expenditure shall be increased four percent (4%) per year.

§ 22-707 Cluster Mailboxes Within Certain Developments.

(a) Within developments described in subsection (b), cluster mailboxes serving multiple units within the development shall be installed. The number of cluster mailbox facilities within the development shall be equal to the number of dwelling units within the development divided by forty (40), with any fractional amount rounded up to the next highest whole number (the "target number"). However, if the United States Postal Service shall not permit that exact number of cluster mailboxes within the development, the number of cluster mailboxes within the development shall be the number closest to the target number that is permitted by the United States Postal Service.

(b) A development is subject to the requirements of subsection (a) if it—

(1) includes any single-family attached dwellings (townhouses); or

(2) includes at least forty (40) dwelling units in two-family detached dwellings (twins) *and* the total number of off-street parking spaces allocated to the two-family detached dwellings (twins) within the development is less than three and three-quarters (3.75) multiplied by the number of dwelling units in two-family detached dwellings (twins) within the development.

Article VIII — Streets, Curbs, and Sidewalks

§ 22-801 General Street Requirements.

(a) Proposed streets shall be properly related to the road and highway plans of the state, county, and Borough. Streets shall be designed to provide adequate vehicular access to all lots or parcels and with regard for topographic conditions, projected volumes of traffic, and further subdivision possibilities in the area.

(b) The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions which includes collector and local streets.

(c) The street system of a proposed subdivision or land development shall be designed so as to minimize street intersections and pedestrian-vehicular conflict points.

(d) Proposed local streets shall be designed so as to discourage through traffic and excessive speeds. However, the developer shall give adequate consideration to provision for the extension and continuation of arterial and collector streets into and from adjoining properties.

(e) Where, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended by dedication to the boundary of such property. Distances between access points to adjoining property shall be based on block length standards set forth in § 22-702(b) (relating to Block Length).

(f) Where a subdivision or land development abuts an existing street of improper width or alignment, the Planning Commission may require the dedication of land sufficient to widen the street or correct the alignment.

(g) If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.

§ 22-802 Street Right-of-way and Cartway Widths.

Street right-of-way and cartway widths in proposed subdivisions shall conform to the following standards:

(a) Except as provided in subsection (c), the minimum right-of-way width shall be sixty (60) feet.

(b) Except as provided in subsection (c), the minimum cartway width shall be forty (40) feet. Paved street sections, including parking lanes or shoulders, shall be centered within the street right-of-way. Paved parking lanes and/or shoulders may be required by Council when warranted based on traffic volumes, sight distances, geometric configurations, a capacity analysis, or other engineering and traffic considerations.

(c) A street within a development which includes two-family detached dwellings (twins) and/or of single-family attached dwellings (townhouses) may be reduced to a minimum right-of-way width of fifty-two (52) feet and a minimum cartway width of thirty-two (32) feet if:

(1) there are at least two (2) off-street parking spaces provided on each building lot within the development;

(2) for each block of the street (or portion of the block which is within the Borough):

(A) the total number of off-street and on-street parking spaces provided on that block of the street and on building lots which front on that block of the street is greater than or equal to the product of three and one-half (3.5) multiplied by the total number of building lots which front on that block of the street;

(B) both sides of the street abut property within the development for the entire length of the block (or portion of the block within the Borough);

(C) at least fifty percent (50%) of the lots which abut that block of the street (or portion of the block within the Borough) are improved or to be improved with two-family detached dwellings (twins) and/or single-family attached dwellings (townhouses); and

(D) none of the lots which abut that block of the street (or portion of the block within the Borough) are used for any commercial, industrial, or institutional purpose (except permitted accessory uses to a residential use); and

(3) there is no parking on at least one side of the street.

(d) For purposes of subsection (c):

(1) each full space in a garage which is reserved for parking purposes shall be considered one required off-street parking space;

(2) each driveway which is at least forty (40) feet long from the garage to the edge of the sidewalk closest to garage shall be considered two required off-street parking spaces, and each other driveway which is at least twenty (20) feet long from the garage to the edge of the sidewalk closest to the garage shall be considered one required off-street parking space if the width of the driveway is less than seventeen (17) feet at any point, and shall be considered two (2) required off-street parking spaces if the width of the driveway is at least seventeen (17) feet at all points. In the absence of sidewalk, the preceding sentence shall be modified by replacing the term "edge of sidewalk" with "street right-of-way line" each time the former appears therein;

(3) each on-street parking space which is adjacent to another parking space at the front end of the parking space and also adjacent to another parking space at the back end of the parking space shall have a minimum length of twenty-two (22) feet, and each other on-street parking space shall have a minimum length of twenty (20) feet;

(4) no portion of any parking space may extend into an area where parking is prohibited by law or ordinance; and

(5) no portion of any on-street parking space may extend along any portion of the curb (or edge of cartway) which is within a Protected Mail Zone. For purposes of this paragraph (5), there shall be one Protected Mail Zone for each mailbox (individual or cluster) which is accessed by the United States Postal Service from the street. Each Protected Mail Zone shall extend twenty (20) feet along the curb (or edge of cartway) of the street, and the mid-point of the

Protected Mail Zone shall be that point along the curb (or edge of cartway) which is closest to the center of the mailbox.

§ 22-803 Horizontal Curves.

(a) Whenever street center lines are deflected more than five degrees (5°) within five hundred (500) feet, connection shall be made by horizontal curves.

(b) Horizontal curves shall be designed to produce the following minimum sight distances:

(1) Local streets, two hundred (200) feet.

(2) Collector streets, three hundred (300) feet.

(c) A minimum tangent of one hundred (100) feet shall be required between reverse curves on collector and minor arterial streets, and a minimum tangent of fifty (50) feet shall be required between reverse curves on local streets. Measurements shall be made on the center line of the intersecting streets.

§ 22-804 Vertical Curves.

(a) Vertical curves shall be used in changes of grade exceeding one percent (1%).

(b) Vertical curves shall be designed to produce the following minimum sight distances:

(1) Local streets, one hundred fifty (150) feet.

(2) Collector streets, three hundred (300) feet.

§ 22-805 Street Grades.

(a) There shall be a minimum center line grade on all streets of seventy-five hundredths percent (0.75%), unless otherwise permitted by the Planning Commission.

(b) Unless approval is obtained from the Planning Commission upon recommendation from the Borough Engineer, center-line grades shall not exceed the following:

(1) Local streets, ten percent (10%).

(2) Collector streets, seven percent (7%).

(c) Intersections shall be approached on all sides by leveling areas. Such leveling areas shall have a minimum length of seventy-five (75) feet (measured from the intersection of the center lines), within which no grade shall exceed a maximum of four percent (4%).

(d) Cross-slopes for roadways and parking lanes shall be two percent (2%) and cross-slopes for shoulders shall be six percent (6%).

§ 22-806 Street Intersections.

(a) Streets shall intersect at right angles whenever practicable. Where local streets intersect collector or arterial streets, the angle of intersection at the street center lines shall in no case be less than seventy-five degrees (75°). No two (2) streets shall intersect at an angle of intersection at the center lines of less than sixty degrees (60°).

(b) Multiple intersections involving the junction of more than two (2) streets shall be prohibited.

(c) Two (2) streets intersecting a third street from opposite sides shall either intersect with a common center line or their center lines shall be offset according to the following standards:

(1) The two (2) streets shall be separated by a distance of one hundred (100) feet between center lines, measured along the center line of the street being intersected, when all three (3) streets involved are local streets.

(2) The two (2) streets shall be separated by a distance of two hundred (200) feet between center lines, measured along the center line of the street being intersected, when one (1) or more of the streets involved is a collector or minor arterial street.

(d) Street curb intersections shall be rounded by a tangential arc with a minimum radius of:

(1) Twenty (20) feet for intersections involving only local streets.

(2) Twenty-five (25) feet for all intersections involving a collector and minor arterial street.

(e) Street right-of-way lines, whenever possible, shall be parallel to (concentric with) curb arcs at intersections.

(f) Street right-of-way lines at intersections shall be rounded by a tangential arc with a minimum radius of fifteen (15) feet.

(g) Clear sight triangles shall be provided at all street intersections. Within such triangles no object greater than two and one-half (2 1/2) feet in height and no other object that would obscure the vision of the motorist shall be permitted. Such triangles shall be established as measured from road center lines a distance of:

(1) Seventy-five (75) feet from the point of intersection of the center lines of two (2) streets where both are local streets.

(2) One hundred (100) feet from the point of intersection of the center lines of two (2) streets where one is a collector or minor arterial street.

(h) Wherever a portion of the line of such triangles occurs within the proposed building setback line, such portion shall be shown on the final plan of the subdivision and shall be considered a building setback line.

§ 22-807 Cul-de-sacs.

(a) Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.

(b) Any dead-end street which is constructed for future access to an adjoining property or because of authorized stage development, and which is open to traffic and exceeds two hundred (200) feet in length, shall be provided with a temporary all-weather turnaround. The turnaround shall be completely within the boundaries of the subdivision and the use of the turnaround shall be guaranteed to the public until such time as the street is extended.

(c) Cul-de-sac streets, permanently designed as such, shall not exceed six hundred (600) feet in length and shall not furnish access to more than twenty-five (25) dwelling units.

(d) All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround. The turnaround may be offset to the left or right.

(1) If parking will be prohibited on the turnaround, the minimum radius to the pavement edge or curbline shall be forty (40) feet, and the minimum radius of the right-of-way line shall be fifty (50) feet.

(2) If parking will be permitted on the turnaround, the minimum radius to the pavement edge or curbline shall be fifty (50) feet, and the minimum radius of the right-of-way line shall be sixty (60) feet.

(e) The center-line grade on a cul-de-sac street shall not exceed ten percent (10%), and the grade of the diameter of the turnaround shall not exceed five percent (5%).

§ 22-808 Street Construction Specifications.

(a) In General. Streets shall be graded to the full width of the right-of-way, surfaced and improved to the grades and dimensions shown on the plans, profiles, and cross sections submitted by the developer and approved by the Planning Commission.

(b) Subgrade. Subgrade construction and preparation shall basically be performed in accordance with current Pennsylvania Department of Transportation Form 408, Section 210, for all classifications of streets.

(c) Subbase and Underdrain. Prior to laying of street surface, adequate subsurface drainage for streets and underground utilities shall be provided and installed by the developer. Subgrade conditions may require the installation of subbase and/or underdrain; the extent of this work shall be as specified by the Borough. Work shall basically be as stipulated in current Pennsylvania Department of Transportation Form 408 for subbase and underdrain for all classifications of streets.

(d) Base Course (Roadway).

(1) Local Streets: six-inch minimum compacted depth of crushed aggregate base course as specified in current Pennsylvania Department of Transportation Form 408.

(2) Collector Streets: eight-inch minimum compacted depth of crushed aggregate base course as specified in paragraph (1).

(3) Alternative Use of Bituminous Concrete. The Borough may approve the use of an equivalent depth bituminous concrete base course in lieu of the above-specified crushed aggregate base course. The bituminous concrete base course shall be as specified in current Pennsylvania Department of Transportation Form 408.

(e) Surface Course (Roadway). The surface course for all classifications of streets shall consist of a one and one-half inch (1.5") minimum compacted depth of an ID-2A binder course and a one inch (1.0") minimum compacted depth of an ID-2A wearing course, as basically specified in current Pennsylvania Department of Transportation Form 408.

(f) Other Standards: PennDOT Requirements. In all respects in which standards for required improvements are not set forth herein, the applicable standard requirements of the Pennsylvania Department of Transportation shall govern, and all work shall be performed in the manner prescribed in the standard specifications for road construction of the Department.

§ 22-809 Street Rights-of-way Reservation.

At the request of the Borough Engineer, the Planning Commission and/or Council, any subdivider may be required to dedicate land, in addition to that required under § 22-802 (relating to Street Right-of-way and Cartway Widths), to the Borough for future street widening, if either:

(a) Vehicular traffic generated by the subdivision will cause congestion or safety hazards on existing streets; or

(b) Such street widening is in accordance with Borough and/or regional Comprehensive Plans.

§ 22-810 Street Names.

Proposed streets which are in alignment with others already existing and named shall bear the names of the existing streets.

§ 22-811 Street Signs.

Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by Council.

§ 22-812 Streetlights.

In accordance with the conditions to be agreed upon by the developer, Council, and the appropriate public utility, streetlights are to be installed in subdivisions and land developments.

§ 22-813 Curbs and Sidewalks.

(a) Required. Curbing and sidewalks are required along both sides of all streets in proposed subdivisions.

(b) Curb Installation. Curbs shall be installed in accordance with Chapter 56 (relating to Curbs, Sidewalks, and Walkways).

(c) Sidewalk Installation. All sidewalks shall be installed in accordance with Chapter 56 (relating to Curbs, Sidewalks, and Walkways).

§ 22-814 Street Trees.

(a) Where no existing trees are retained along street rights-of-way, or where the existing trees are more than fifty (50) feet apart, trees shall be planted at intervals of fifty (50) feet.

(b) Trees shall be retained or planted behind the sidewalk.

§ 22-815 Unique or Unusual Conditions.

Where unusual or unique conditions prevail with respect to prospective traffic and/or safety of pedestrians, different standards of improvements from those set forth in the previous sections may be required. Crosswalks may be required when deemed necessary by the Planning Commission.

Article IX — Utilities

§ 22-901 Water Supply and Distribution Systems.

(a) Connection to Public System. The developer shall connect to the public municipal water supply and provide a distribution system to service the proposed subdivision or land development tract.

(b) Standards and Specifications. Water supply and distribution systems shall be installed in accordance with the design standards and specifications of the Borough of Alburtis Water Authority.

(c) Curb Stops and Boxes. Curb stops and boxes shall be installed on all laterals and in accordance with Chapter 32 (relating to Plumbing).

(d) Fire Hydrants. Fire hydrants shall be three-way of the compression type having a five and one-quarter inch (5.25”) main valve opening, six inch (6.0”) mechanical joint inlet con-

nection, two (2) two and one-half inch (2.5") hose nozzles, one (1) four and one-half inch (4.5") pumper nozzle, all opening to the left, and seven and one-half (7 1/2) threads per inch, National Standard.

§ 22-902 Sanitary Sewage Disposal.

(a) Connection to Public System. The developer of any subdivision or land development shall connect to the public municipal sewer system in accordance with the requirements of the Borough of Alburtis Sewer Authority.

(b) Specifications. Sanitary sewers shall be installed in accordance with the Borough of Alburtis Sewer Authority specifications.

§ 22-903 Storm Drainage System.

(a) In General. Storm drainage systems shall be provided in order to:

(1) Permit unimpeded flow of natural watercourses, except as may be modified by stormwater detention pond requirements in subsection (d).

(2) Ensure adequate drainage of all low points along the line of streets.

(3) Intercept stormwater runoff along streets at intervals related to the extent and grade of the area drained.

(4) Take surface water from the bottom of vertical grades, lead water from springs, and avoid excessive use of cross-gutters at street intersections and elsewhere.

(b) Drainage Plan. A site drainage plan for the proposed subdivision or land development tract shall be prepared.

(c) Calculation of Storm Runoff. Storm runoff shall be calculated by the rational method as described in Manual No. 37 of the American Society of Civil Engineers, using storm design frequency of ten (10) to fifty (50) years as determined by the Planning Commission. Complete detailed calculations shall be submitted to the Borough Engineer.

(d) Permanent Ponds and Detention Ponds. Where permanent ponds are used as part of the site development or detention ponds or recreation areas are included as part of the stormwater and drainage plans, they shall be designed using specifications of the United States Soil Conservation Service Engineering Field Manual or other specifications acceptable to the Borough Engineer.

(e) Inlets and Catch Basins. Inlets or catch basins shall be placed at points of abrupt changes in the horizontal or vertical directions of storm sewers, at points where the flow in gutters exceeds three (3) inches and at a maximum distance of six hundred (600) feet apart. In streets, inlets shall normally be located along the curbline and at or beyond the curb radius points. For the purpose of inlet locations at corners, the depth of flow shall he considered for each gutter. At intersections, the depth of flow across through streets shall not exceed one (1) inch. Pennsylvania Department of Transportation two by four foot (2' x 4') and two by six foot

(2' x 6') spacial inlets or equivalents should be used and can be considered to have capacities of four and zero-tenths (4.0) cubic feet per second and six and zero-tenths (6.0) cubic feet per second, respectively. Inlets shall be depressed two (2) inches below the grade of the gutter or ground surface. Manholes may be substituted for inlets at locations where inlets are not required to handle surface runoff.

(f) Headwalls. Headwalls shall be used where storm runoff enters the storm sewer horizontally from a natural or man-made channel. The capacity of such storm sewers shall be calculated for both steady flow and culvert design. The lower values of the two shall be used to determine the capacity of the storm sewer.

(g) Open Channels. Open channels shall be designed to handle, without overflowing, the calculated runoff from a storm of ten-year frequency, or as specified by the Planning Commission.

(h) Materials and Construction Requirements.

(1) In General. Materials and construction requirements shall be as specified by the Borough and shall conform to Pennsylvania Department of Transportation specifications where applicable.

(2) Storm Sewers. Storm sewers shall have a minimum diameter of fifteen (15) inches and shall be made of reinforced concrete or corrugated metal. Sewers shall be installed on sufficient slopes to provide a minimum velocity of three (3) feet per second when flowing full.

§ 22-904 Underground Utility Installation.

All electric utility distribution lines shall be installed underground in subdivisions or land developments of five (5) or more dwelling units. In addition, the following design standards shall be observed:

(a) Whenever practicable, telephone and cable television utilities shall also be installed underground.

(b) Whenever practicable, trenches through utility easements may be occupied jointly by electric, water, sewer, and communication utilities.

(c) A plan for providing utility service to the proposed subdivision or land development shall be prepared by the developer in cooperation with the appropriate public utility companies and governmental agencies.

(d) Unless sufficient reasons are provided by the developer, all utility lines serving commercial and industrial developments shall be installed underground.

§ 22-905 Utility Easements.

(a) In General. Utility easements shall be provided for wires, conduits, storm and sanitary sewers, gas, water, and heat mains and/or other utility lines intended to service the abutting lots. No structures shall be placed within such easements. Local utility companies shall be consulted by the developer when locating utility easements.

(b) Location. Utility easements shall be located either:

(1) Abutting the street right-of-way, in which case a minimum easement width of ten (10) feet shall be required; or

(2) Along rear or side lot lines, in which case a minimum easement width of twenty (20) feet, ten (10) feet on each side of the lot line, shall be provided. Where the lot line coincides with the subdivision or land development boundary, a minimum easement width of ten (10) feet is required.

Article X — Construction of Improvements; Financial Security

§ 22-1001 Construction of Improvements.

Physical improvements to the proposed subdivision or land development tract shall be provided, constructed, and installed as shown on the record plan, in accordance with the requirements of Council.

§ 22-1002 Subdivision Agreement.

Before Council shall cause its approval to be endorsed upon the final plans of any subdivision or land development (except in the case of a minor subdivision where Council imposes no condition or conditions for the approval of the plan), and as a requirement for the approval thereof, the owner shall enter into a written agreement with the Borough, in the manner and form set forth by the Borough Solicitor, wherein he shall agree:

(a) To construct or cause to be constructed at his own expense all improvements shown on said final plan.

(b) To maintain in good repair, at his own cost, the said improvements until the same are accepted by the Borough for public use, and for a period of one (1) year thereafter.

(c) To pay the inspection fees required by the Borough as specified in § 22-1106 (relating to Fees).

(d) To obtain all easements and releases required.

(e) To promptly reimburse to the Borough reasonable attorneys' and engineers' fees as specified in § 22-1106 (relating to Fees).

§ 22-1003 Financial Security.

(a) Prerequisite for Final Plan Approval. Before Council approves any final plans, and as a prerequisite for approval, the developer shall deliver to the Borough a performance guaranty, maintenance guaranty, and assurances of escrowed amounts for inspection in accordance with this Section.

(b) Security Required. In order to assure the Borough that the streets, drainage facilities, curbs, sidewalks, street signs, fire hydrants, streetlighting facilities, monuments, parks, and capped sewers shown on said final plans, and other improvements shown on said final plans which Council shall require the owner to install, at his own expense, will be constructed and installed in strict accordance with the plans as finally approved and with the standards, regulations, and specifications of the Borough, and will be maintained until accepted by the Borough, the owner shall furnish to the Borough:

(1) A performance guaranty for all required public improvements, as estimated by the Borough Engineer, in a form and with surety approved by the Borough Solicitor, guaranteeing the construction and installation of all such improvements within a stated period, which shall not be longer than two (2) years from the date of final subdivision approval. Where the final plan is submitted in stages or sections, the amount of the guaranty may also be provided in stages if acceptable to Council. After Council shall have accepted the streets, facilities, and other improvements as public streets, public facilities, and public improvements in the manner provided in § 22-1004 (relating to Approval of Improvements), the ten percent (10%) remaining in the fund shall serve to guarantee the maintenance, repair, or reconstruction of the said improvements by the owner for a period of one (1) year thereafter required under the provisions of § 22-1002 (relating to Subdivision Agreement) and of this section.

(2) A maintenance guaranty, in an amount not less than ten percent (l0%) of the Borough Engineer's estimate of the cost of all required improvements, guaranteeing that the developer shall maintain all such improvements in good condition for a period of one (l) year after completion of construction and acceptance of all such improvements by Council.

(3) Sufficient funds shall be escrowed to pay the cost of required inspections as estimated by the Borough Engineer.

(c) Form of Security. The performance guaranty and maintenance guaranty shall be in the form of a bond, with such surety as Council shall approve, or in lieu thereof, when deemed adequate by Council, shall deposit with the Borough securities, in either case in an amount sufficient to cover cost, as estimated by Council, of the construction and installation of the aforesaid improvements and of lighting the streets, until the same shall be accepted by the borough. In lieu of posting bond or depositing securities as above provided, the Borough may require the owner to deposit with the Borough funds in an equivalent amount to be held in escrow in accordance with the terms of a written escrow agreement prepared by the Borough Solicitor.

(d) Extension of Security; Reductions for Partial Completion. Upon written application signed by both the obligor and surety of performance guaranty in a form approved by the Borough Solicitor, Council may, in its discretion, extend the period for installation of guaranteed improvements by not more than three (3) additional years, or, when the improvements have been partially completed, may reduce proportionally the amount of the performance guaranty, by formal resolution.

(e) Default Under Performance Guaranty. In the event of the default under a performance guaranty, the proceeds of the performance guaranty received by the Borough shall be used to construct and install the improvements.

§ 22-1004 Approval of Improvements.

When the developer has installed or constructed all required improvements, the developer shall notify Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall thereupon file a report, in writing, with Council, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from Council; said report shall be detailed and shall recommend approval or rejection of said improvements, either in whole or in part, and if said improvements or any portion thereof shall not be recommended for approval by the Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection. Council shall notify the developer, in writing, by certified or registered mail, of the action of Council with relation thereto.

Article XI — Administration

§ 22-1101 Amendments.

Amendments to this Chapter shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a subdivision and land development ordinance by the Pennsylvania Municipalities Planning Code, 53 PA. STAT. ANN. § 10101 *et seq*. In addition, in case of an amendment other than that prepared by the Planning Commission, Council shall submit each such amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment.

§ 22-1102 Appeals.

The decisions of Council with respect to the approval or disapproval of subdivision or land development plans may be appealed directly to court in the same manner and within the same time limitations as is provided for zoning appeals in the Pennsylvania Municipalities Planning Code, 53 PA. STAT. ANN. § 10101 *et seq*.

§ 22-1103 Violations and Penalties.

Any person, partnership, or corporation who or which, being the owner or agent of the owner of any lot, tract, or parcel of land, shall 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, or who sells, transfer, or agrees or enters 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 otherwise, or erect any building thereon, unless and until a final plan has been prepared in full compliance with the provisions of this Chapter and of the regulations adopted hereunder and has been recorded as provided herein, or otherwise violate any of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of Five Hundred Dollars ($500.00) per lot or parcel or per dwelling within each lot or parcel, plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each that that a violation continues shall constitute a separate violation, unless the magisterial district judge 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 (5th) day following the date of the determination of a violation by the magisterial district judge, and thereafter each day that a violation continues shall constitute a separate violation. The description in metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

§ 22-1104 Severability.

Should any section or provision of this Chapter be declared by the courts to be invalid, such decision shall not affect the validity of the Chapter as a whole, nor the validity of any section or provision of the Chapter other than the one so declared.

§ 22-1105 Conflicting Requirements.

Whenever there is a conflict between minimum standards or requirements set forth in this Chapter and those contained in other Borough ordinances and regulations, or other applicable laws and regulations, the most stringent standard or requirements shall apply.

§ 22-1106 Fees.

(a) Base Fees. The base fee for review of a land development or subdivision application shall be as set forth in subsection (d).

(b) Additional Fees. In addition to the base fees, the Borough shall recover from the applicant all properly-chargeable engineering and legal costs incurred by the Borough in connection with the review of the application.

(c) Escrow. The applicant shall deposit with the Borough at the time the land development or subdivision application is filed the applicable amount set forth in subsection (d) as security for the payment of additional fees under subsection (b), and shall replenish any sums drawn against the escrow upon demand.

(d) Schedule:

	Base Fee			**Escrow**		
	Minimum +	Additional amount	But no more than	Minimum +	Amount per lot	But no more than
Minor Subdivision	$50.00	$5.00 per lot	$100.00	$200.00	$10.00	$500.00
Major Subdivision/ Sketch Plan	$100.00			$2000.00	$25.00	$3000.00
Major Subdivision/ Preliminary and/or Final Plan	$50.00	$5.00 per lot	$100.00	Escrow is submitted at time of sketch plan. If no sketch plan is submitted, the escrow is as set forth above for the sketch plan.		
Re-subdivision	$50.00	$5.00 per acre or fraction	$100.00	$0		
Incomplete subdivision	$200.00			$0		
Site plan	$250.00			$500.00		
Incomplete site plan	$200.00			$0		

(e) Field Inspection. Charges for field inspection as required by Council for public improvements shall be based on actual costs incurred for such inspections.

(f) No Action Taken Unless Fees Are Paid. No final plan shall be approved unless all fees and charges are paid in full.

Appendix

¶ 22-A Recreation Fee Per Dwelling Unit.

In accordance with § 22-706(d):

1976	$100.00	$200.00
1977	$104.00	$208.00
1978	$108.16	$216.32
1979	$112.49	$224.98
1980	$116.99	$233.98
1981	$121.67	$243.34
1982	$126.53	$253.06
1983	$131.59	$263.18
1984	$136.86	$273.72
1985	$142.33	$284.66
1986	$148.02	$296.04
1987	$153.95	$307.09
1988	$160.10	$320.20
1989	$166.51	$333.02
1990	$173.17	$346.34
1991	$180.09	$360.18
1992	$187.30	$374.60
1993	$194.79	$389.58
1994	$202.58	$405.16

1995	$210.68	$421.36
1996	$219.11	$438.22
1997	$227.88	$455.76
1998	$236.99	$473.98
1999	$246.47	$492.94
2000	$256.33	$512.66
2001	$266.58	$533.16
2002	$277.25	$554.50
2003	$288.34	$576.68
2004	$299.87	$599.74
2005	$311.86	$623.72
2006	$324.33	$648.66
2007	$337.30	$674.60
2008	$350.79	$701.58
2009	$364.82	$729.64
2010	$379.41	$758.82
2011	$394.59	$789.17
2012	$410.37	$820.74
2013	$426.78	$853.57
2014	$443.86	$887.71
2015	$461.61	$923.22
2016	$480.07	$960.15
2017	$499.28	$998.56
2018	$519.25	$1,038.50
2019	$540.02	$1,080.04
2020	$561.62	$1,123.24
2021	$584.08	$1,168.17
2022	$607.45	$1,214.90
2023	$631.75	$1,263.49

2024	$657.02	$1,314.03
2025	$683.30	$1,366.59
2026	$710.63	$1,421.26
2027	$739.05	$1,478.11
2028	$768.62	$1,537.23
2029	$799.36	$1,598.72
2030	$831.33	$1,662.67

¶ 22-B Disposition of Ordinance 185.

Ordinance 185	1981 Code	2003 Codified Ordinances
100	§ 113-1	§ 22-102
110	§ 113-2	§ 22-101
120	§ 113-3	§ 22-103
Art. II (intro)	§ 113-4(A)(intro)	§ 22-201(intro)
200-208	§ 113-4(A)(1)-(9)	§ 22-201(a)-(i)
209	§ 113-4(B)(intro)	§ 22-202
210	§ 113-4(B)(alley)	§ 22-204
211	§ 113-4(B)(building-accessory)	§ 22-203
212	§ 113-4(B)(building setback line)	§ 22-205
213	§ 113-4(B)(cartway)	§ 22-206
214	§ 113-4(B)(codes adm'r)	deleted; *see* § 22-206
215	§ 113-4(B)(cul-de-sac)	§ 22-208
216	§ 113-4(B)(comprehensive plan)	§ 22-207
217	§ 113-4(B)(developer)	§ 22-209
218	§ 113-4(B)(double or reverse…)	§ 22-210
219	§ 113-4(B)(dwelling unit)	§ 22-211
220	§ 113-4(B)(easement)	§ 22-212
221	§ 113-4(B)(floodplain)	§ 22-213
222	§ 113-4(B)(improvements)	§ 22-214
223	§ 113-4(B)(jt planning comm'n)	deleted; *see* § 22-214
224	§ 113-4(B)(lot)	§ 22-215
225	§ 113-4(B)(monument)	§ 22-216
226	§ 113-4(B)(official map)	§ 22-217
227	§ 113-4(B)(performance guarantyy)	deleted; *see* § 22-217
228	§ 113-4(B) (plan, sketch)	§ 22-218(a)
229	§ 113-4(B)(plan, prelim)	§ 22-218(b)
230	§ 113-4(B)(plan, final)	§ 22-218(c)
231	§ 113-4(B)(plan, record)	§ 22-218(d)
232	§ 113-4(B)(right-of-way)	§ 22-219
233	§ 113-4(B)(septic tank)	§ 22-220
234	§ 113-4(B)(soil stabilization)	§ 22-221
235	§ 113-4(B)(street)	§ 22-222

Ordinance 185	1981 Code	2003 Codified Ordinances
236	§ 113-4(B)(street line)	§ 22-223
237	§ 113-4(B)(structure)	§ 22-224
238	§ 113-4(B)(subdivision)	§ 22-225(a)
239	§ 113-4(B)(subdivision, minor)	§ 22-225(b)
Art. 3 (heading)	Art. III (heading)	Art. III (heading); *see* § 22-301
300	§ 113-5 (heading)	§ 22-303 (heading)
301	§ 113-5(A)	§ 22-301 (1st sentence)
302	§ 113-5(B)	§ 22-303(a)
303	§ 113-5(C)	§ 22-303(b)
304	§ 113-5(D)	§ 22-304
310-315	§ 113-6	§ 22-305
320 (heading)	§ 113-7 (heading)	§ 22-301 (heading)
320 (1st sentence)	§ 113-7(A) (1st sentence)	§ 22-301 (2nd sentence)
320 (2nd sentence)	§ 113-7(A) (2nd sentence)	§ 22-302 (intro)
321	§ 113-7(A)(1)	§ 22-302(a)
322	§ 113-7(A)(2)	§ 22-302(b)
323	§ 113-7(A)(3)	§ 22-302(c)
324	§ 113-7(B)	§ 22-302(d)
Art. 4 (heading)	Art. IV (heading)	Art. IV (heading); *see* § 22-401
400	§ 113-8 (heading)	§ 22-404 (heading)
401	§ 113-8(A)	§ 22-401
402	§ 113-8(B)	§ 22-405
403-403.3	§ 113-8(C)(1)	§ 22-404(a)
403.4	§ 113-8(C)(2)	§ 22-406
404	§ 113-8(D)	§ 22-404(b)
405-405.1	§ 113-8(E)(1)	§ 22-404(c)
405.2	§ 113-8(E)(2)	§ 22-404(d)
410-412.5	§ 113-9(A)-(B)(5)	§ 22-407
412.6	§ 113-9(B)(6)	§ 22-408
420-423	§ 113-10(A)-(C)	§ 22-402(a)-(c)
424-424.2	§ 113-10(D)(1)-(2)	§ 22-402(e)(1)-(2)
424.3	§ 113-10(D)(3)	§ 22-402(d)
424.4-424.8	§ 113-10(D)(4)-(8)	§ 22-402(e)(3)-(7)
424.9	§ 113-10(D)(9)	§ 22-402(f)
425	§ 113-10(E)	§ 22-403
500	§ 113-11 (heading)	§ 22-504 (heading)
501	§ 113-11(A)	§ 22-501(a)
502	§ 113-11(B)	§ 22-502(a)(1)
503	§ 113-11(C)	§ 22-504(b)
504	§ 113-11(D)	§ 22-501(b)(1), (2)
505	§ 113-11(E)	§ 22-505
506-506.4	§ 113-11(F)(1)	§ 22-504(a)
506.5	§ 113-11(F)(2)	§ 22-506
507	§ 113-11(G)	§ 22-504(c)
510-512	§ 113-12(A), (B)	§ 22-507
513-513.23	§ 113-12(C)	§ 22-508
513.3	§ 113-12(D)	§ 22-509
520	§ 113-13 (heading)	§ 22-510 (heading)
521	§ 113-13(A)	§ 22-1003(a)

Ordinance 185	1981 Code	2003 Codified Ordinances
522	§ 113-13(B)	§ 22-1003(d), (e)
523-529	§ 113-13(C)-(I)	§ 22-510
530-531	§ 113-14(A)	§ 22-601
532	§ 113-14(B)	§ 22-602; *cf.* § 22-603
540-542	§ 113-15(A), (B)	§ 22-502(a)(2), (3)
543	§ 113-15(C)	§ 22-502(b)
544-544.2	§ 113-15(D)(1), (2)	§ 22-503
544.3	§ 113-15(D)(3)	§ 22-1003(b)(1) (1st two sentences)
544.4	§ 113-15(D)(4)	§ 22-1003(b)(2)
544.5	§ 113-15(D)(5)	§ 22-1003(b)(3)
545	§ 113-15(E)	§ 22-501(b)(3)
600-610	§ 113-16	deleted; *see* § 22-701
610-612	§ 113-17	§ 22-701
620-624	§ 113-18	§ 22-702
630-633	§ 113-19	§ 22-703
640-641	§ 113-20(A)(1)-(7)	§ 22-801
642	§ 113-20(B)	§ 22-802
643	§ 113-20(C)	§ 22-803
644	§ 113-20(D)	§ 22-805
645	§ 113-20(E)	§ 22-804
646	§ 113-20(F)	§ 22-806
647	§ 113-20(G)	§ 22-807
648	§ 113-20(H)	§ 22-810
649	§ 113-20(I)	§ 22-813(c) (heading)
650-651	§ 113-21	§ 22-902(a)
660-661	§ 113-22	§ 22-901(a)
670-674	§ 113-23	§ 22-903(a)-(d)
680-681	§ 113-24(A)	§ 22-904
682	§ 113-24(B)	§ 22-905
690-691	§ 113-25(A)	§ 22-704(a)
692.1	§ 113-25(B) (intro)	§ 22-704(b)(1)
692.2	§ 113-25(B)(1)	§ 22-704(c)
692.3	§ 113-25(B)(2)	§ 22-704(b)(3)
692.4-692.41	§ 113-25(B)(3)(a)	§ 22-704(b)(2)
692.42	§ 113-25(B)(3)(b)	§ 22-814(a)
692.43	§ 113-25(B)(3)(c)	§ 22-814(b)
693	§ 113-25(C) (heading)	§ 22-706 (heading)
693.1	§ 113-25(C)(1)	§ 22-809
693.2-693.4	§ 113-25(C)(2)	§ 22-706(a)-(d)
700-701	§ 113-26	§ 22-1001
710	§ 113-27 (intro)	deleted; *see* § 22-1001
711-711.21	§ 113-27(A)(1)-(2)(a)	§ 22-808(a)-(b)
711.22	§ 113-27(A)(2)(b)	§ 22-808(c) (2nd & 3rd sentences)
711.23-711.24	§ 113-27(A)(2)(c), (d)	§ 22-808(d), (e)
711.3	§ 113-27(A)(3)	§ 22-813(b)
711.4	§ 113-27(A)(4)	§ 22-815
711.5	§ 113-27(A)(5)	§ 22-808(c) (1st sentence)

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711.6	§ 113-27(A)(6)	§ 22-808(f)
711.7	§ 113-27(A)(7)	§ 22-813(c)
712	§ 113-27(B)	§ 22-902(b)
713	§ 113-27(C)	§ 22-901(b)-(d)
714-714.2	§ 113-27(D)(1), (2)	§ 22-903(e)
714.3	§ 113-27(D)(3)	§ 22-903(h)(2)
714.4-714.6	§ 113-27(D)(4)-(6)	§ 22-903(f), (g), (h)(1)
715	§ 113-27(E)	§ 22-705
716	§ 113-27(F)	§ 22-811
717	§ 113-27(G)	§ 22-812
720-725	§ 113-28	§ 22-1002
730	§ 113-29 (heading)	§ 22-1003(b) (heading)
731 (1st half)	§ 113-29 (intro-1st half)	§ 22-1003(b) (intro)
731 (2nd half)	§ 113-29 (intro-2nd half)	§ 22-1003(c) (1st sentence)
731.1	§ 113-29(A)	§ 22-1003(c) (2nd sentence)
731.2	§ 113-29(B)	§ 22-1003(b)(1) (3rd sentence)
740-742	§ 113-30	§ 22-1004
800	§ 113-31	§ 22-1101
810	§ 113-32	§ 22-1102
820	§ 113-33	§ 22-1103
830-831	§ 113-34(A)	§ 22-1104
832	§ 113-34(B)	§ 22-1105
840-843	§ 113-35	§ 22-1106
Appendix A & B	forms not included in 1981 Code	

¶ 22-C Disposition of 1981 Code, Chapter 113.

1981 Code	2003 Codified Ordinances
§ 113-1	§ 21-102
§ 113-2	§ 22-101
§ 113-3	§ 22-103
§ 113-4(A)	§ 22-201
§ 113-4(B)(intro)	§ 22-202
§ 113-4(B)(alley)	§ 22-204
§ 113-4(B)(building-accessory)	§ 22-203
§ 113-4(B)(building setback line)	§ 22-205
§ 113-4(B)(cartway)	§ 22-206
§ 113-4(B)(codes adm'r)	deleted; *see* § 22-206
§ 113-4(B)(comprehensive plan)	§ 22-207
§ 113-4(B)(cul-de-sac)	§ 22-208
§ 113-4(B)(developer)	§ 22-209
§ 113-4(B)(double or reverse…)	§ 22-210
§ 113-4(B)(dwelling unit)	§ 22-211
§ 113-4(B)(easement)	§ 22-212
§ 113-4(B)(floodplain)	§ 22-213
§ 113-4(B)(improvements)	§ 22-214
§ 113-4(B)(jt planning comm'n)	deleted; *see* § 22-214
§ 113-4(B)(lot)	§ 22-215

1981 Code	2003 Codified Ordinances
§ 113-4(B)(monument)	§ 22-216
§ 113-4(B)(official map)	§ 22-217
§ 113-4(B)(performance guaranty)	deleted; *see* § 22-217
§ 113-4(B)(plan, final)	§ 22-218(c)
§ 113-4(B)(plan, prelim)	§ 22-218(b)
§ 114-4(B)(plan, record)	§ 22-218(d)
§ 133-4(B) (plan, sketch)	§ 22-218(a)
§ 113-4(B)(right-of-way)	§ 22-219
§ 113-4(B)(septic tank)	§ 22-220
§ 113-4(B)(soil stabilization)	§ 22-221
§ 113-4(B)(street)	§ 22-222
§ 113-4(B)(street line)	§ 22-223
§ 113-4(B)(structure)	§ 22-224
§ 113-4(B)(subdivision)	§ 22-225(a)
§ 113-4(B)(subdivision, minor)	§ 22-225(b)
Art. III (heading)	Art. III (heading); *see* § 22-301
§ 113-5(A)	§ 22-301 (1st sentence)
§ 113-5(B)	§ 22-303(a)
§ 113-5(C)	§ 22-303(b)
§ 113-5(D)	§ 22-304
§ 113-6	§ 22-305
§ 113-7 (heading)	§ 22-301 (heading)
§ 113-7(A) (1st sentence)	§ 22-301 (2nd sentence)
§ 113-7(A) (2nd sentence)	§ 22-302 (intro)
§ 113-7(A)(1)	§ 22-302(a)
§ 113-7(A)(2)	§ 22-302(b)
§ 113-7(A)(3)	§ 22-302(c)
§ 113-7(B)	§ 22-302(d)
§ 113-8 (heading)	§ 22-404 (heading)
§ 113-8(A)	§ 22-401
§ 113-8(B)	§ 22-405
§ 113-8(C)(1)	§ 22-404(a)
§ 113-8(C)(2)	§ 22-406
§ 113-8(D)	§ 22-404(b)
§ 113-8(E)(1)	§ 22-404(c)
§ 113-8(E)(2)	§ 22-404(d)
§ 113-9(A)-(B)(5)	§ 22-407
§ 113-9(B)(6)	§ 22-408
§ 113-10(A)-(C)	§ 22-402(a)-(c)
§ 113-10(D)(1)-(2)	§ 22-402(e)(1)-(2)
§ 113-10(D)(3)	§ 22-402(d)
§ 113-10(D)(4)-(8)	§ 22-402(e)(3)-(7)
§ 113-10(D)(9)	§ 22-402(f)
§ 113-10(E)	§ 22-403
§ 113-11 (heading)	§ 22-504 (heading)
§ 113-11(A)	§ 22-501(a)
§ 113-11(B)	§ 22-502(a)(1)

1981 Code	2003 Codified Ordinances
§ 113-11(C)	§ 22-504(b)
§ 113-11(D)	§ 22-501(b)(1), (2)
§ 113-11(E)	§ 22-505
§ 113-11(F)(1)	§ 22-504(a)
§ 113-11(F)(2)	§ 22-506
§ 113-11(G)	§ 22-504(c)
§ 113-12(A), (B)	§ 22-507
§ 113-12(C)	§ 22-508
§ 113-12(D)	§ 22-509
§ 113-13 (heading)	§ 22-510 (heading)
§ 113-13(A)	§ 22-1003(a)
§ 113-13(B)	§ 22-1003(d), (e)
§ 113-13(C)-(I)	§ 22-510
§ 113-14(A)	§ 22-601
§ 113-14(B)	§ 22-602; *cf.* § 22-603
§ 113-15(A), (B)	§ 22-502(a)(2), (3)
§ 113-15(C)	§ 22-502(b)
§ 113-15(D)(1), (2)	§ 22-503
§ 113-15(D)(3)	§ 22-1003(b)(1) (1st two sentences)
§ 113-15(D)(4)	§ 22-1003(b)(2)
§ 113-15(D)(5)	§ 22-1003(b)(3)
§ 113-15(E)	§ 22-501(b)(3)
§ 113-16	deleted; *see* § 22-701
§ 113-17	§ 22-701
§ 113-18	§ 22-702
§ 113-19	§ 22-703
§ 113-20(A)(1)-(7)	§ 22-801
§ 113-20(A)(8)	§ 22-813(a)
§ 113-20(B)	§ 22-802
§ 113-20(C)	§ 22-803
§ 113-20(D)	§ 22-805
§ 113-20(E)	§ 22-804
§ 113-20(F)	§ 22-806
§ 113-20(G)	§ 22-807
§ 113-20(H)	§ 22-810
§ 113-20(I)	§ 22-813(c) (heading)
§ 113-21	§ 22-902(a)
§ 113-22	§ 22-901(a)
§ 113-23	§ 22-903(a)-(d)
§ 113-24(A)	§ 22-904
§ 113-24(B)	§ 22-905
§ 113-25(A)	§ 22-704(a)
§ 113-25(B) (intro)	§ 22-704(b)(1)
§ 113-25(B)(1)	§ 22-704(c)
§ 113-25(B)(2)	§ 22-704(b)(3)
§ 113-25(B)(3)(a)	§ 22-704(b)(2)
§ 113-25(B)(3)(b)	§ 22-814(a)
§ 113-25(B)(3)(c)	§ 22-814(b)

1981 Code	2003 Codified Ordinances
§ 113-25(C) (heading)	§ 22-706 (heading)
§ 113-25(C)(1)	§ 22-809
§ 113-25(C)(2)	§ 22-706(a)-(d)
§ 113-26	§ 22-1001
§ 113-27 (intro)	deleted; *see* § 22-1001
§ 113-27(A)(1)-(2)(a)	§ 22-808(a)-(b)
§ 113-27(A)(2)(b)	§ 22-808(c) (2nd & 3rd sentences)
§ 113-27(A)(2)(c), (d)	§ 22-808(d), (e)
§ 113-27(A)(3)	§ 22-813(b)
§ 113-27(A)(4)	§ 22-815
§ 113-27(A)(5)	§ 22-808(c) (1st sentence)
§ 113-27(A)(6)	§ 22-808(f)
§ 113-27(A)(7)	§ 22-813(c)
§ 113-27(B)	§ 22-902(b)
§ 113-27(C)	§ 22-901(b)-(d)
§ 113-27(D)(1), (2)	§ 22-903(e)
§ 113-27(D)(3)	§ 22-903(h)(2)
§ 113-27(D)(4)-(6)	§ 22-903(f), (g), (h)(1)
§ 113-27(E)	§ 22-705
§ 113-27(F)	§ 22-811
§ 113-27(G)	§ 22-812
§ 113-27(H)	§ 22-707
§ 113-28	§ 22-1002
§ 113-29 (heading)	§ 22-1003(b) (heading)
§ 113-29 (intro-1st half)	§ 22-1003(b) (intro)
§ 113-29 (intro-2nd half)	§ 22-1003(c) (1st sentence)
§ 113-29(A)	§ 22-1003(c) (2nd sentence)
§ 113-29(B)	§ 22-1003(b)(1) (3rd sentence)
§ 113-30	§ 22-1004
§ 113-31	§ 22-1101
§ 113-32	§ 22-1102
§ 113-33	§ 22-1103
§ 113-34(A)	§ 22-1104
§ 113-34(B)	§ 22-1105
§ 113-35	§ 22-1106

¶ 22-D Disposition of Ordinance 342, § 7.

Ordinance 342	1981 Code	2003 Codified Ordinances
§ 7	never codified to 1981 Code	§ 22-1106(a)-(d)

¶ 22-E Source Ordinances.

Ordinance 185	04-13-1977
Ordinance 215	11-11-1981
Ordinance 313	12-28-1994
Ordinance 342	12-30-1996
Ordinance 396	04-24-2002
Ordinance 403	04-09-2003
Ordinance 415	10-29-2003
Ordinance 434	03-30-2005
Ordinance 437	09-14-2005
Ordinance 445	06-28-2006
Ordinance 518	03-12-2014

¶ 22-F Prior Ordinances Concerning Related Subject Matter.

Ordinance 84	02-01-1960
Ordinance 132	07-03-1967