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**PART 1**

**PURPOSES, INTERPRETATION AND SHORT TITLE**

**§22-101. Purposes.**

This Chapter is enacted for the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of Upper Paxton Township; for the coordination of existing streets with proposed streets; for adequate open spaces for traffic, recreation, light and air, and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of a citizens of Upper Paxton Township.<sup>1</sup>

(Res. 2/10/1965, Art. I, §100)

**§22-102. Interpretation.**

The provisions of this Chapter shall be held to be minimum requirements to meet the above stated purposes. Where provisions of this chapter impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Chapter shall prevail. Where provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Chapter, the provisions of such statute, ordinance, or regulation shall prevail.

(Res. 2/10/1965, Art. I, §101)

**§22-103. Severability.**

The provisions of this Chapter shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Chapter. It is hereby declared as a legislative intent that this Chapter would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

(Res. 2/10/1965, Art. I, §102)

**§22-104. Short Title.**

This chapter may be cited as “The Upper Paxton Township Subdivision Control Resolution of 1965.”

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<sup>1</sup> Article IX of the resolution of February 10, 1965 provided that the resolution take effect upon enactment, as provided by law.

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(Res. 2/10/1965, Art. I, §103)

## PART 2

### DEFINITIONS

#### §22-201. Definitions.

As used in this Chapter, words in the singular include the plural, and those in the plural include the singular. The word “person” includes corporation, unincorporated association and partnership, as well as an individual. The word “building” includes the meaning of “structure” and shall be construed as if followed by the phrase “or part thereof.” The following words used in this Chapter shall have the meanings indicated below:

**BLOCK** — an area bounded by streets.

**CARTWAY** — the portion of a street intended for vehicular use.

**CLEAR SIGHT DISTANCE** — a line of unobstructed vision from a point 4-1/2 feet above the center line of a street to the nearest point on the top of an object four inches high on the same center line.

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

**CROSSWALK** — a right-of-way for pedestrian travel across or within a block.

**CUL-DE-SAC** — a residential street with access closed at one end with a vehicular turnaround at the closed end.

**DRAINAGE** — the flow of water or liquid waste and the methods of directing such flow.

**EASEMENT** — a right granted for the use of private land for certain public or quasi-public purposes; also the land to which such a right pertains.

**LOT** — a tract or parcel of land intended for separate development, use, or transfer of ownership.

**PLANTING STRIP** — the unpaved portion of a street right-of-way between the sidewalk pavement and the property line.

**RIGHT-OF-WAY** — land set aside for public use as a street, crosswalk, or other common means of communication and travel.

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**SANITARY SEWER FACILITY** — a public, sanitary sewer system, or a comparable common or package sanitary sewer facility approved by the appropriate governmental agency.

**STREET** — a strip of land which is intended primarily as a means of vehicular and pedestrian travel and which may also be used as a space for sewers, public utilities, shade trees and sidewalks. See §75 for the classification of streets by function.

**SUBDIVIDER** — the owner or the authorized agent of the owner of a subdivision.

**SUBDIVISION** –

- (1) The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the Court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not including any new street or easement of access or any residential dwelling, shall be exempt.
- (2) A plan for the development of a single parcel of land or two or more contiguous parcels of land for: two or more multiple dwellings providing for separate living quarters for three or more families; for a shopping center; for a trailer court, or any other commercial development. [Ord. 9/11/1990]

**ENGINEER** — the Township Engineer or any consulting engineer designated by the Board of Township Supervisors to review a subdivision plan and perform the duties of engineer in behalf of the Township.

(Res. 2/10/1965, Art. II, §200; as amended by Ord. 7-13-1988, 7/13/1988, §1; and by Ord. 9/11/1990, §1)

**PART 3****CONTROL OF SUBDIVISION, RECORDING OF PLANS, DEDICATIONS OF PROPERTY AND IMPROVEMENTS****§22-301. Control of Subdivisions.**

From and after the effective date of this Chapter,<sup>2</sup> no subdivision of any lot, tract or parcel of land within Upper Paxton Township shall be made, and no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of this chapter. No lot in a subdivision may be sold, no permit to erect, alter or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision unless and until a plan for the subdivision has been approved by the Board of Township Supervisors and recorded, and until the improvements required by the Board of Township Supervisors in connection therewith have either been constructed in strict accordance with the standards and specifications of the Township or guaranteed as provided in §22-601(F) of this Chapter. Said standards and specifications, particularly as presented in Part 7 of this Chapter, are declared to be a minimum guarantee that all streets shown on any proposed plan are of sufficient width and proper grade so located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide access of fire-fighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's official plan of streets; and further, that the land whereon buildings are to be constructed is of such character that it can be used for building purposes without danger to health or peril from fire, flood or other hazard. Where, owing to special conditions, a literal enforcement of the provisions of this Section would result in unnecessary hardship, the Board of Township Supervisors may, on the basis of an approved preliminary plan, make such reasonable exception thereto as will not be contrary to the public interest and pay permit the sale of a lot, issuance of a permit, or erection of a building, subject to conditions necessary to adequate streets and other public improvements.

(Res. 2/10/1965, Art. III, §300)

**§22-302. Recording of Final Plans, and Dedication of Property and Improvements.**

The action of the Board of Township Supervisors in approving a plan and a duplicate copy of the approved plan shall be recorded by the owner within 30 days of the date of approval in the office of the Recorder of Deeds of Dauphin County; and the streets, parks and other public improvements shown thereon shall then be considered to be a part of the official plan of the Township. Offers of dedication of such public improvements to the Township may be made on the plans by formal notification thereof; or the

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<sup>2</sup> See Note 1 of this chapter.

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owner may note on the plans that such improvements have not been offered for dedication to the Township. Every street, park, or other improvement shown on a recorded subdivision plan shall be deemed to be a private street, park or improvement until such time as the same has been offered for dedication to the Township and accepted by ordinance or resolution which has been recorded in the office of the clerk of the Court of Common Pleas of Dauphin County, or until it has been condemned for use as a public street, park or other improvement.

(Res. 2/10/1965, Art. III, §301, as amended under Adopting Ordinance)



**PART 4**

**GENERAL PROCEDURE AND JURISDICTIONS**

**§22-401. Plan Approving Authority.**

All subdivision plans shall be subject to approval, modification, or rejection by the Board of Township Supervisors; in the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant. Prior to action by the Board of Township Supervisors all subdivision plans shall be referred to the Township Engineer and the Township Solicitor for their review and recommendations.

(Res. 2/10/1965, Art. IV, §400)

**§22-402. Appeals.**

In any case where the Board of Township Supervisors disapproves a subdivision plan, any person aggrieved thereby may within 30 days thereafter, appeal therefrom by petition to the Court of Common Pleas of Dauphin County, according to law.

(Res. 2/10/1965, Art. IV, §401, as amended under Adopting Ordinance)

**§22-403. Submittal of Plans.**

The subdivider shall submit preliminary and final copies of subdivision plans to the Township Secretary, and the Township Secretary shall distribute the required number of copies to the Township officials concerned, as provided in Parts 5 and 6. All plans when first submitted shall be considered preliminary plans. If the subdivider makes substantial revisions in his plans after they have been approved in preliminary form, such revised plans, shall be treated as preliminary plans when resubmitted.

(Res. 2/10/1965, Art. IV, §402)

**§22-404. Review of Plans.**

Subdivision plans shall be reviewed by the Board of Township Supervisors at its first regular meeting following the date of submittal, provided that such plans are submitted at least 10 days prior to the meeting. Subdividers shall be given reasonable notice of the time and place at which their plans are to be reviewed.

(Res. 2/10/1965, Art. IV, §403)

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### **§22-405. Approval of Plans; Hearing.**

1. Approval of preliminary plans by the Board of Township Supervisors shall be considered approval of the arrangement and dimensions of streets, lots and other features shown on the plans and may be made conditionally on specified changes to be incorporated in the plans.
2. The Board's approval of final plans shall be given only after the requirements and conditions indicated on or in connection with the preliminary plans have been met; and said approval shall constitute final Township approval for a purpose of recording the plans in the Office of the County Recorder of Deeds. Before acting on any subdivision plan, the Board of Township Supervisors may arrange for a public hearing thereon after giving such notice as it may deem desirable in each case.

(Res. 2/10/1965, Art. IV, §404)

### **§22-406. Waiver or Modification of Requirements.**

When an entire tract of land is divided into not more than five lots with frontage on a paved street of sufficient width and none of the lots is intended for further subdivision, the Township Engineer may recommend that requirements for submittal of final plans be waived upon written application of the subdivider and that final approval be granted on the basis of the preliminary plan as submitted. The application must include a statement that none of the lots to be created is intended for further subdivision as well as a plan to scale giving all of the boundary dimensions of the tract and of the proposed lots, the location of proposed buildings, and the width of abutting streets.

(Res. 2/10/1965, Art. IV, §405)

### **§22-407. Fees.**

The following fees shall be paid by the subdivider to the Township:

A. Subdivision By Lots.

\$60 base fee, plus;

\$2 per dwelling unit on the first 25 dwelling units, plus;

\$1 per dwelling unit over 25 dwelling units

B. Residential Land Development.

\$60 base fee, plus;

\$2 per dwelling unit for the first 25 dwelling units, plus;

\$1 per dwelling unit over 25 dwelling units

C. Non-Residential Land Development.

\$60 base fee, plus;

\$2 per acre, or fraction thereof, for the first 10 acres, plus;

\$1 per acre, or fraction thereof, over 10 acres

D. For necessary engineering; services in subdivision plan review and inspection of public improvements the actual cost of engineering services and inspection, if any.

E. For necessary legal services relative to subdivision plan review, together with the preparation of legal documents necessary, conferences, or other legal work of the Township Solicitor relative to the proposed subdivision.

(Res. 2/10/1965, Art. IV, §406; as amended by Ord. 4/4/1991)



**PART 5**

**PRELIMINARY PLANS**

**§22-501. Plan Requirements.**

The following materials shall be submitted with an application for review and approval of a preliminary plan:

- A. Four copies of the subdivision plan in the form of a map or series of maps drawn to a scale not smaller than 100 feet to the inch, and showing the following:
- (1) Proposed subdivision name or identifying title.
  - (2) Municipality in which the subdivision is located.
  - (3) North point, scale and date.
  - (4) Name of the owner of the property or of his authorized agent or the subdivider.
  - (5) Name and seal of the registered engineer, surveyor or architect responsible for the plan.
  - (6) Tract boundaries, with bearings and distances.
  - (7) Contours at vertical intervals of five feet or in the case of relatively level tracts, at such lesser interval as may be necessary for satisfactory study and planning of the tract.
  - (8) Datum to which contour elevations refer shall be U.S. Coast and Geodetic Survey datum.
  - (9) All existing buildings, sewers, water mains, culverts, petroleum or petroleum products lines, fire hydrants and other significant man-made features.
  - (10) All existing watercourses, tree masses and other significant natural features.
  - (11) All existing streets on or adjacent to the tract, including name, right-of-way width and cartway width.
  - (12) All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.

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- (13) Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions, proposed minimum setback lines for each lot which shall be at least 40 feet in front; 25 feet in the rear and 15 feet on each side. If lot borders on a street, the setback shall be measured from the right-of-way line, otherwise from the lot line. If the side borders another street, said setback line shall be 25 feet; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
  - (14) Wherever practicable, the preliminary plan shall show the names of owners of all abutting unplotted land and the names of all abutting subdivisions.
  - (15) Where the preliminary plan covers only a part of the subdivider's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
  - (16) A location map, at a scale of 2,000 feet to the inch, showing the proposed development and adjoining areas, will be required. [Ord. 10-9-02(1)]
  - (17) Copies of proposed restrictions shall be included with preliminary plan.
  - (18) A notice, when applicable, signed by the owner or occupier that no building permit will be issued for any lot or parcel which will require access to a State highway until authorized by a PennDOT Highway Occupancy Permit. [Ord. 1-08]
- B. Three copies of a sketch or map, drawn approximately to scale, showing the scale, showing the location of the proposed subdivision in relation to adjacent properties and existing streets, and showing any proposed connections with existing sewer and water facilities and a summary table of the number of structures and dwelling units proposed. Where on-site facilities are proposed, the location of neighboring on-site facilities, if any, shall also be shown.
- C. Three copies of a statement of proposed improvements, including streets, curbs, gutters, and sidewalks, including a typical cross-sectional diagram of proposed street construction, and including the proposed means of water supply and sanitary drainage.
- D. In the event that the plans propose the enlargement of utility or other services extending from another municipality, a statement or certificate indicating that the proposal has been reviewed by the municipality or municipal authority concerned and is considered to be reasonable.

(Res. 2/10/1965, Art. V, §500; as amended by Ord. 2-1985, 3/13/1985, §1; by Ord. 1-08, 10/8/1986, §1; and by Ord. 10-9-02(1), 10/9/2002, §1)

**§18-502. Review Procedure.**

1. Upon receipt of the required plans and application materials, the Township Secretary shall forward one copy of the plan and supporting data to the Engineer, and one copy to the Township Solicitor.
2. The Engineer shall review the plans from the standpoint of engineering requirements and considerations and shall transmit them to the Township Solicitor with a copy of his report, and the Township Solicitor shall review the plans to determine compliance with pertinent Township ordinances and shall transmit the plans and a report to the Township Supervisors.
3. The Board of Township Supervisors shall take official action on a subdivision plan after it has received the reports of the Township Engineer and the Solicitor. The Board shall note its action on all three copies of the plans. One copy shall be returned to the subdivider and two copies shall be retained for Township use.

(Res. 2/10/1965, Art. V, §501)





**PART 6****FINAL RECORD PLANS****§22-601. Plan Requirements.**

The following materials shall be submitted with an application for approval of a final plan. Final plans shall conform in all important details with preliminary plans as previously approved, and any conditions specified in the approval of preliminary plans shall be incorporated in the final plans.

- A. Five copies of the subdivision plan in the form of a map or series of maps, drawn to a scale of 100 feet to the inch on sheets 24 inches by 36 inches. Where more than one sheet is required, an index map of the entire subdivision at a smaller scale shall be shown on a sheet of the same size. The Township Supervisors may require final plans at a scale of 50 feet to the inch as a condition of preliminary plan approval to assure legibility in cases warranted by the complexity of the proposal. At least two copies of such maps shall be made on linen, or acetate, or comparable materials, and the error of closure shall not be more than one part in 10,000. Such final subdivision plans shall show
  - (1) The items required to be shown in preliminary subdivision plans, as specified in §22-501(A).
  - (2) Final topographic contours at not more than five-foot intervals or at such intervals that the contours shall have a maximum spacing of 100 feet.
  - (3) The location of all proposed monuments, street lights, and street signs.
- B. Two copies of a utility map or maps showing tract boundaries, existing and proposed streets, lot lines, sanitary and storm water sewer facilities, water pipes, curbs, sidewalks, fire hydrants, and manholes.
- C. Two copies of profile and cross-section maps or diagrams of streets showing proposed grades of curbs, sanitary and storm water sewers, water pipes and any other underground utilities.
- D. A statement of the type or types of structures to be erected and a summary table of the number of structures and dwelling units proposed.
- E. Evidence that the plans are in conformity with building, sanitation and other applicable Township ordinances and regulations and with the regulations governing the extension of utility services into the Township. In any

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instance where such plans do not conform, evidence shall be presented that an exception has been officially authorized.

- F. Evidence that the subdivider has installed the necessary street and other improvements as required in §22-702 in accordance with Township standards and specifications, or that the subdivider has furnished the Township the following assurances that said improvements will be installed; unless waived by a written agreement entered into by the Board of Township Supervisors:
- (1) A written agreement concerning improvements not yet completed in a form provided by the Township that the subdivides will lay out and improve roads and streets, and construct all of the improvements required in §22-702 as a condition of the approval of the plan by the Board of Township Supervisors within the time or times specified therein.
  - (2) A bond in such amount, under such conditions and form and with surety, as shall be approved by the Board of Township Supervisors to guarantee the performance of the subdivider's undertaking in (1) above and to secure the completion of all required improvements within the time therein specified and a written agreement that, upon acceptance of the said streets or improvements, the subdivider shall provide a maintenance bond not exceeding 25% of the full cost of all improvements under such conditions, in form and with surety as shall be approved by the Board of Township Supervisors to guarantee the maintenance of all required improvements for a period of not less than two years from the date of acceptance of said improvements by the Township. In lieu of a bond, the subdivider may deposit cash or securities with the Township or with a bank or trust company to guarantee performance of said contract and to secure completion of the improvements under an escrow agreement approved by the Township Solicitor and the Board of Township Supervisors. The amount of the bond or other guarantee shall be sufficient to cover the cost of the required improvements as estimated by the Engineer. The escrow agent for the deposits of such cash or securities shall be designated and selected by the Board of Township Supervisors.
  - (3) An agreement that the subdivider will install underground utilities before paving streets and constructing sidewalks.
- G. In any case where part of the tract proposed for subdivision comprises a cemetery, the subdivider shall create a trust fund such as will provide the Township with an income of approximately \$100 per annum to provide for the care and maintenance of the cemetery.

(Res. 2/10/1965, Art. VI, §600)

**§22-602. Review Procedure.**

1. One copy of each subdivision plan and one copy of utility maps and street profiles received by the Township Secretary shall be transmitted to the Township Solicitor for his review. The Township Solicitor shall report back to the Township Secretary whether the final plans as submitted are in sufficient agreement with previously submitted preliminary plans to warrant detailed engineering review.
2. On receipt of the Township Solicitor's favorable report, the Township Secretary shall forward one copy of the subdivision plan and one copy of utility maps and street profiles to the Engineer for his review as to the adequacy and estimated cost of construction of required public improvements. In the event that the Township Engineer finds that the subdivider has made substantial changes in his plans since the preliminary plans were approved, the Township Engineer shall so notify the Township Secretary and shall review the plans according to the procedure for preliminary plans.
3. On receipt of the Engineer's report, the Township Secretary shall notify the Township Solicitor to prepare proper forms of agreement between the Township and the subdivider concerning the matters described in §22-601(F) above, and in §22-705(22), if appropriate.
4. The Township Secretary shall place consideration of the plan on the agenda of the Board of Township Supervisors and notify the subdivider of the time and place of the meeting at which the plans shall be considered.
5. The Board of Township Supervisors shall take official action on each subdivision plan and shall note or stamp its action on all copies of the plan. Distribution of copies of the subdivision plan, as finally approved, shall be as follows: one copy to the Engineer, two copies to be retained in the Township files, and two copies to the subdivider. One copy of all supporting materials shall be retained in the Township files. The subdivider shall be responsible for filing one copy of the subdivision plan as approved with the County Recorder of Deeds within 30 days after final approval by the Board of Township Supervisors.

(Res. 2/10/1965, Art. VI, §601)



**PART 7**

**DESIGN STANDARDS**

**§22-701. Application.**

The standards of design in this Part 7 shall be used to judge the adequacy of subdivision proposals. Where, in the opinion of the Township Engineer, the literal application of these standards in certain cases would work undue hardship or would be plainly unreasonable, a Township Engineer may recommend such reasonable exceptions as will not be contrary to the public interest. In granting exceptions the Board of Supervisors may impose such conditions as will in its judgement secure substantially the objective of the standards or requirements so varied or modified.

(Res. 2/10/1965, Art. VII, §700)

**§22-702. Construction of Improvements.**

The subdivider shall grade and pave the streets and install all other necessary improvements at no expense to the Township, including where required, curbs, sidewalks, water mains, sanitary and storm sewers, street lights, fire hydrants, street name signs, and other facilities and utilities required by the Board, in strict accordance with the requirements of this Part 7 and the standards and specifications of the Township. Construction and inspection of all such facilities and utilities shall be subject to inspection by appropriate Township officials during the progress of the work. The subdivider shall not begin work on structures in any part of the subdivision until the streets in that part have been graded to within four inches of the finished grade.

(Res. 2/10/1965, Art. VII, §701)

**§22-702A. Notice of Commencement of Construction.**

Prior to the commencement of construction, of any street, curb, sidewalk, water main, sanitary or storm sewer, street light, fire hydrant or other facility or utility required by the Board, the subdivider or his agent shall give at least three days notice thereof to the Supervisors or the Road Foreman.

(Res. 2/10/1965; as added by Ord. 9/14/1994)

**§22-703. General Standards.**

1. Land. No land shall be subdivided for residential purposes unless all hazards to life, health, or property from flood, fire and disease, shall have been eliminated or

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unless the plans for the subdivision shall provide adequate safeguard against such hazards.

2. Development. Proposed subdivisions shall be coordinated with existing nearby neighborhoods so that the community as a whole may develop harmoniously.

(Res. 2/10/1065, Art. VII, §702)

### **§22-704. Blocks and Lots.**

1. Block Length. Residential and commercial blocks shall be not less than 500 feet long nor more than 1,200 feet long. Crosswalks up to 12 feet wide, with a paved walk of six feet in width, may be required for blocks more than 1,000 feet long.
2. Block Width. Blocks shall be wide enough for two tiers or lots and shall not generally be less than 300 feet wide between right-of-way lines.
3. Through Lots. Double frontage lots are to be avoided and generally will not be permitted unless the lots are a minimum of 200 feet deep. Along intercommunity or major highways, through reverse frontage lots, served entirely by a separate residential service or neighborhood feeder street, may be required in order to protect the character of the major street.
4. Grading. Blocks and lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of storm water in pools. Roof drainage shall be provided for according to recommendations of the Engineer or such other official as may be designated by the Board of Township Supervisors. Topsoil shall be preserved and redistributed as cover and shall be suitably planted with perennial grasses or ground cover.
5. Location and Lot Size. The location, minimum lot size and width requirements shall be as follows:
  - A. All lots shall abut a public street.
  - B. In any portion of the Township where no public sanitary sewer facilities are provided, each lot shall have a minimum lot area per family of 43,560 square feet, excluding any road right of way and a minimum lot width of 100 feet at the building setback line and also along the public street.
  - C. In any portion of the Township where public sanitary sewer facilities are provided, each lot shall have a minimum lot area of 12,000 square feet excluding any road right of way and a minimum lot width of 80 feet at the building setback line and also along the public street. [Ord. 5/11/1994]
6. Lot Lines. Lot lines shall be approximately at right angles or radial to street line so long as reasonably shaped lots result.

7. House Numbers. House numbers shall be assigned to each lot by the Township.
8. Residential Parking. At least one off-street parking space with access to a public street shall be provided for each proposed dwelling unit. Where such access is to other than a residential service street, adequate turnaround space shall be provided on the lot.
9. Exceptions. Blocks in commercial and industrial districts may vary from the element of design contained in this section if the nature of the use requires special treatment. Off-street parking and loading space shall be provided along with safe and convenient access to the street system.

(Res. 2/10/1965, Art. VII, §703; as amended by Ord. 2-1985, 3/13/1985, §2; by Ord. 4-11-1990, 4/11/1990, §1; and by Ord. 2-10-1993, §1; and by Ord. 5-11-1994, §1)

**§20-705. Streets, Alleys and Sidewalks.**

1. Street Pattern. The proposed street pattern shall be integrated with existing and or officially planned streets and it shall be related to topography to produce usable lots and reasonable street grades.
2. Design and Purpose. Streets shall be designed according to their function and laid out to preserve the integrity of their design in accordance with the following functional classification:
  - A. Rural Service Street. A street providing access to farms and scattered residences. Improvements along such streets must be designed to allow ultimate construction of the street as a neighborhood feeder street. Standards for these streets assume light traffic flow and no on-street parking.
  - B. Residential Service Street. A street, usually within a development, intended primarily to serve only the properties along it. Standards assume light traffic flow and street parking along one side. When such a street is intended to serve row or multi-family structures, the standards provide for parking on both sides and light traffic flow. Such streets should be laid out to discourage through traffic.
  - C. Neighborhood Feeder Street. A street which connects residential service streets to intercommunity streets or to neighborhood facilities. Standards assume medium traffic flow and parking on both sides of the street.
  - D. Intercommunity or Secondary Street. A street connecting places of relatively dense settlement with each other and with major highways. Standards assume medium heavy traffic flow at high speeds. Street parking may or may not be provided for.

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- E. Major Highway or Street. A street connecting regional centers and only incidentally of local use.
- F. Alley and Service Drive. A minor vehicle way which provides a secondary means of access to the back or side of properties otherwise abutting a street. Standard assumes infrequent use by heavy vehicles at low speed.

3. Streetwidths. Streets shall be laid out according to the following minimum schedule:

<b>Class of Street</b>	<b>Right of Way Width</b>	<b>Minimum Cartway Width</b>	<b>Minimum Pavement Width</b>
Rural Service	50 feet	33 feet	24 feet
Residential service	50 feet	33 feet	24 feet
Neighborhood feeder	50 feet	33 feet	24 feet
Intercommunity or secondary	80 feet	24 or 40 feet	33 feet
Major	State highway standards	State highway standards	State highway standards
Alleys and service drive	20 feet	20 feet	16 feet

- 4. Street Pavement. Minimum pavement width shall be improved with macadam or other hard surface. The remainder of the cartway shall be improved according to Township Specifications.
- 5. Continuations. Where reasonable and practicable, new streets shall be laid out to continue existing streets at no reduction in width. Greater widths may be required.
- 6. Street Names. Continuations of existing streets shall be known by the same name; but names for other streets shall not duplicate or closely resemble names for existing streets in the Township.
- 7. Access. Streets shall be laid out to make provision for access to all lots and to adjacent undeveloped areas, and the subdivider shall improve these access streets to the limits of the subdivision.
- 8. Reserve Strips. Reserve strips controlling access to the subdivision or to adjacent areas are prohibited.
- 9. Dead-End Streets. Dead-end streets are prohibited unless constructed as cul-de-sacs with turn-around areas. Such turn around areas shall have minimum outside radii of 50 feet and maximum grades not to exceed 2%. The total length of such



dead-end streets, including the turn-around areas, shall not exceed 500 feet. [Ord. 2-12-03]

10. Clear Sight Distance. Clear sight distance along the center lines of residential and neighborhood streets shall be maintained at not less than 150 feet; along secondary or intercommunity streets at not less than 250 feet; and along major streets at not less than 450 feet.
11. Directional Changes. Changes in street direction shall be made by horizontal curves with a minimum radius of 500 feet for major streets, 300 feet for secondary streets, and 200 feet for neighborhood feeder streets and rural and residential service streets. These radii are to be measured at the center line. Shorter radii may be permitted on recommendation of the Engineer.
12. Grades. There shall be a minimum centerline grade of 3/4 of 1% on all streets. Grades shall not exceed 6% on all major and secondary traffic streets and 8% on rural, residential and neighborhood streets. Steeper grades may be permitted on rural and residential streets for short distances if no gentler slope is possible.
13. Vertical Curves. Changes in grade shall be joined by vertical curves; and the maximum rate of change of grade shall be 5% per hundred feet of road, provided that the clear sight distances specified above are maintained at all points.
14. Crown. The slope of the crown on residential service and neighborhood feeder streets shall be more than 1/8 inch per foot and less than 1/3 inch per foot as directed by the Engineer.
15. Curbs. Curbs and gutters shall be constructed for the full length of all streets as may be judged necessary by the Township Supervisors.
16. Side Slopes. Street cuts and fills shall be provided with side slopes no steeper than one vertical to 1 1/2 horizontal. Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent gulleying and erosion.
17. Sidewalks. Sidewalks shall generally be required for residential and commercial areas, but the Township Supervisors may recommend that the sidewalk requirement for low-density residential areas be waived. Sidewalk paving shall not be less than four feet wide. The Township Supervisors may recommend wider pavements in high-density areas and in commercial areas. The location of sidewalks relative to planting strips shall be in accordance with Township requirements.
18. Materials and Construction Standards. Materials and construction standards for streets, curbs, gutters, and sidewalks shall conform to regulations and standards of the Township.
19. Storm Sewerage. Provision of storm sewerage inlets, catch basins and manholes shall meet the requirements of the Township as regards both design and location. All catch basins shall be connected to a manhole.

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20. Intersection. Street intersections shall be designed according to the following standards:
  - A. No more than two streets shall cross at the same point. Street intersections shall be at right angles wherever possible, and intersections of less than 60° (measured at the center lines of the streets) will not be permitted.
  - B. Intersecting streets shall not enter into the same side of intercommunity or secondary streets or major highways at intervals of less than 800 feet. Minor streets entering another street from opposite sides should be directly opposite each other; or if necessary, they may be separated by at least 200 feet between center lines measured along the center line of the cross street. Greater offset may be required by the Township Supervisors depending on the importance of the cross street.
  - C. Maximum grade within any intersection shall not exceed 1% in any direction, and approaches to any intersection shall follow a straight course within 100 feet of the intersection, grades within 100 feet of an intersection shall not exceed 5%.
  - D. Curb radii at intersections shall be according to the following schedule of minimum lengths: 15 feet for intersections of alleys and all streets; 20 feet for residential service and neighborhood feeder streets; and 30 feet for major and secondary streets. Where streets of different categories intersect, requirements for the more important one shall hold. The street right-of-way line shall be parallel to the curb line. In zones where buildings are permitted to abut the right-of-way line, a diagonal cut-off may be employed, provided sidewalk width and corner visibility are unimpaired.
  - E. Except where buildings are permitted to front on property lines, a seventy-five-foot clear sight triangle shall be provided, in which no building or structure, wall, fence, hedge, tree, shrub or other growth shall be placed except for utility poles, light standards, street signs and fire hydrants.
21. The following standards shall apply to the design and location of alleys and service drives:
  - A. Alleys shall not be permitted in residential developments except by permission of the Township. No part of any dwelling, garage, or other structure may be located within 16 feet of the center line of an alley.
  - B. Alleys or secondary service drives serving commercial and industrial establishments are required unless other provisions for service are provided.
22. Dedications. Whenever a subdivider proposes to establish a street which is not offered for dedication, he shall submit a copy of the statement signed by the Township Solicitor that he has made an agreement on behalf of his heirs and as-

signs with the Township. Said agreement shall be subject to the Township Solicitor's approval and shall be recorded with the subdivision plan. Said agreement shall establish the conditions under which the street or streets may later be offered for dedications and shall stipulate among other things:

- A. That the street shall be in good state of repair as certified by the Engineer, or that the owners of the lots along it agree to include with the offer of dedication sufficient money, as estimated by the Engineer, to restore the street to a good state of repair.
- B. That an offer to dedicate the street shall be made only for the street as a whole.
- C. The method of assessing repair costs.
- D. That agreement to offer the street for dedication by owners of 60% of the lots shall be binding on owners of the remaining lots.

(Res. 2/10/1965, Art. VII, §704; as amended by Ord. 4-11-1990, 4/11/1990, §2; and by Ord. 2-12-03, 2/12/2003, §1)

**§22-706. Utilities.**

- 1. All properties shall be connected to a municipal sanitary sewer system as required by Upper Paxton Township Ordinance, and to a public water system, if accessible. Where a sewer is not yet accessible but is planned for extension to the subdivision, the subdivider shall install sewer lines, including lateral connection as may be necessary to provide adequate service to each lot when connection with sewer service is made. The sewer lines shall be suitably capped at the limits of the subdivision, and the laterals shall be capped at the street right-of-way line. When capped sewers are provided on-site disposal facilities shall also be provided. A sewer shall be considered to be planned for extension to a given area any time after engineering and related studies have been initiated preparatory to the construction of facilities adequate to serve the area containing the subdivision.
  - A. Sanitary sewers shall have a minimum inside diameter of eight inches and a minimum grade of 1/2%.
  - B. Manholes shall be located generally at intervals of 250 feet and in no case more than 400 feet. Manholes are also required at all points of change of course or grade and at all points of intersection of sewer lines.
  - C. Sanitary sewers shall not be used to carry storm water.
  - D. When on-site facilities are necessary, their design, construction and installation shall be in accordance with the requirements of any Township ordi-

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nance or regulation governing such on-site facilities, and shall be approved by the sanitary officer or other appropriate governmental health agency.

2. Installation of all sewers, water mains, street lights, manholes and other utilities, shall be in strict accordance with the engineering standards and specifications of the Township, Municipal Authority, or other public utility concerned.
3. Fire hydrants when provided shall be located so that the distance from any building frontage to a fire hydrant is not more than 600 feet measured along the curb.
4. Where common utility lines are installed in or over undedicated land, a public easement seven feet on each side of the line shall be required. Suitable easements may also be required along the course of streams. Where feasible, telephone and electric lines shall be installed underground.

(Res. 2/10/1965, Art. VII, §705)

### **§22-707. Other Public Facilities.**

1. Land Requirements. Areas set aside for recreational or school purposes shall be reasonably compact parcels, placed to serve all parts of the subdivision, accessible from a public street, and not excessively irregular in terrain.
2. Play Lots. Play lots for children of pre-school age shall be from 2,000 to 5,000 square feet in area.
3. Landmarks. Wherever possible, subdividers shall preserve trees more than six inches in diameter at the base of the trunk, groves, waterways, scenic points, historic spots, and other community assets and landmarks.
4. Monuments. Permanent monuments shall be placed throughout the subdivision in accordance with Township specifications, to give full surveying control for each block and for all areas of dedicated land or public easement. Monuments shall not be set in the ground until final grading is completed.

(Res. 2/10/1965, Art. VII, §706)

**PART 8**

**PENALTIES**

**§22-801. Penalty for Violation.**

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, transfers 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 plat of such subdivision or land development or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Chapter and has been recorded as provided herein, shall be guilty of a summary offense, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agents of any of them, responsible for such violation, shall pay a fine not exceeding \$1,000 per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the Township of Upper Paxton. The description by 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.

(Res. 2/10/1965, Art. VII, §800, as amended under Adopting Ordinance; and by Ord. 9/11/1990, §2)