

SUBDIVISION ORDINANCE
CHARLESTON TOWNSHIP
TIOGA COUNTY, PENNSYLVANIA

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T A B L E O F C O N T E N T S

		<u>Page</u>
	PURPOSE AND AUTHORITY	1
ARTICLE I		1
Section 100	Adoption	1
Section 101	Grant of Power	1
Section 102	Effective Date	1
Section 103	Short Title	1
Section 104	Subject Properties	2
Section 105	Sale and Lease of Lots	2
		3
ARTICLE II	DEFINITIONS	3
		10
ARTICLE III	PRE-APPLICATION CONFERENCE	10
Section 300	Procedures	10
Section 301	Plans and Data	10
		11
ARTICLE IV	PRELIMINARY PLANS	11
Section 400	Procedures	12
Section 401	Plans and Data	12
		14
ARTICLE V	FINAL PLANS	14
Section 500	Procedures	16
Section 501	Plans and Data	18
Section 502	Resubdividing or Replatting	18
		19
ARTICLE VI	SUBDIVISIONS OF THREE LOTS OR LESS	19
Section 600	Procedures	19
Section 601	Plans and Data	19
		21
ARTICLE VII	DESIGN STANDARDS	21
Section 700	Application of Standards	21
Section 701	Land Requirements	21
Section 702	Road Requirements	24
Section 703	Lots	24
Section 704	Building Lines	24
Section 705	Easements	25
Section 706	Reserved Areas	25
Section 707	Road Names	25
Section 708	Access	25
		26
ARTICLE VIII	IMPROVEMENTS	26
Section 800	Grading	26
Section 801	Under Drainage	26
Section 802	Base Course	27
Section 803	Pavement Wearing Course	27
Section 804	Sanitary Sewers	27
Section 805	Sanitary Sewage Treatment Plant	28
Section 806	Storm Drains and Facilities	28
Section 807	Water Supply	28

T A B L E O F C O N T E N T S

(Continued)

	<u>Page</u>
Section 808	Monuments 28
Section 809	Existing Natural Conditions 28
Section 810	Erosion Control 28
ARTICLE IX	MOBILE HOME PARKS 30
Section 900	Procedures 30
Section 901	Inspections 30
Section 902	Erection and Placement of Mobile Homes 30
Section 903	Mobile Home Park Plans 31
Section 904	Park Construction Requirements 31
Section 905	Park Drainage Requirements 31
Section 906	Lots, Setbacks and Screening 31
Section 907	Mobile Home Park Road System 31
Section 908	Water Supply 32
Section 909	Sewage Disposal 32
Section 910	Storm Drains and Facilities 33
ARTICLE X	CONDITIONS OF ACCEPTANCE 34
Section 1000	Performance Requirements 34
Section 1001	Improvement or Performance Bond 34
Section 1002	Release From Improvement Bond 34
Section 1003	Remedies to Effect Completion of Improvements 35
Section 1004	Maintenance Bond 36
Section 1005	Higher Standards 36
Section 1006	Recording 37
ARTICLE XI	WAIVER OF REQUIREMENTS 38
Section 1100	Purpose 38
Section 1101	Granting 38
ARTICLE XII	AMENDMENTS 39
Section 1200	Alterations and Changes 39
ARTICLE XIII	APPEALS 40
Section 1300	Reconsideration 40
Section 1301	Approval Refused by the Board of Supervisors 40
ARTICLE XIV	FEES 41
Section 1400	Fee to Accompany Application for Review and Approval of Plans 41
ARTICLE XV	CERTIFICATES, AFFIDAVITS, APPROVALS 42

T A B L E O F C O N T E N T S

(Continued)

	<u>Page</u>
ARTICLE XVI	48
Section 1600	48
Section 1601	48
Section 1602	49
Section 1603	49
Section 1604	49
Section 1605	49

SUBDIVISION ORDINANCE
TOWNSHIP OF CHARLESTON
TIOGA COUNTY, PENNSYLVANIA

ARTICLE I

PURPOSE AND AUTHORITY

Section 100 ADOPTION

The following rules and regulations for the subdivision of land in the Township of Charleston, Tioga County, Pennsylvania, are adopted by Ordinance No. 106 dated September 30, 1975, by the Board of Township Supervisors pursuant to Article V, Section 501 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

Section 101 GRANT OF POWER

The governing body of each municipality may regulate subdivisions and land development within the municipality by enacting a subdivision and land development ordinance. The ordinance may require that all plats of land lying within the municipality shall be submitted for approval to the governing body or in lieu thereof to a planning agency designated in the ordinance for this purpose. All powers granted herein to the governing body or the planning agency shall be exercised in accordance with the provisions of the subdivision and land development ordinance.

Section 102 EFFECTIVE DATE

This Ordinance shall become effective on October 21, 1975, and shall remain in effect until modified or rescinded by the Board of Supervisors Township of Charleston.

Section 103 SHORT TITLE

This Ordinance shall be known and may be cited as "The Charleston Township Subdivision Ordinance."

Section 104 SUBJECT PROPERTIES

No subdivision of any lot, tract or parcel of land shall be effected; no grading of the property shall be commenced; no road, sanitary sewer, storm sewer, water main or other facilities and public utilities in connection therewith shall be 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 Ordinance.

Section 105

SALE AND LEASE OF LOTS

No lot in a subdivision shall be sold or leased; no permit to erect, alter or repair any building upon land in a subdivision shall be issued; and no building shall be erected in a subdivision, unless and until a subdivision plan has been approved and recorded, and until the improvements required by the Board of Supervisors in connection therewith have either been constructed or guaranteed as hereinafter provided.

ARTICLE II

DEFINITIONS

Section 200 INTERPRETATION

For the purpose of this Ordinance certain terms and words used herein shall be interpreted or defined as follows:

- A. Words used in the present tense shall include the future.
- B. Words used in the singular number shall include the plural.
- C. Words used in the plural number shall include the singular.
- D. The word "person" includes a corporation as well as an individual, or an association of individuals.
- E. The words "shall" and "will" are always mandatory.
- F. The word "may" is permissive when approved as a variance.

Section 201 ALLEY

A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

Section 202 AVAILABLE SEWER

A municipal sewer is considered available if:

- A. Connection is recommended and/or required by the regulations of Charleston Township or any municipal authority incorporated in the Township.
- B. Connection is recommended and/or required by the regulations of the Pennsylvania Department of Environmental Resources pursuant to the "Pennsylvania Sewage Facilities Act," Act 537, or
- C. An existing municipal sewer line, with sufficient capacity is located within one thousand five hundred (1,500) feet of the nearest point of a subdivision.

Section 203 BOARD OF SUPERVISORS

The Board of Township Supervisors of Charleston Township, Tioga County, Pennsylvania.

Section 204 BUILDING OR STRUCTURE

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

Section 205 BUILDING, FRONTLINE OF

The line of that face of the building nearest the frontline of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps or patios.

Section 206 BUILDING LINE

The line within the property defining the required minimum distance between any enclosed structure and the adjacent street right-of-way.

Section 207 CARTWAY

That portion of the road right-of-way surfaced for vehicular use. Width is determined from one edge of driving surface to the other edge of driving surface.

Section 208 CLEAR SIGHT TRIANGLE

A triangular area of unobstructed vision on corner lots formed by a 100 foot sight line along the centerline of a secondary or primary road, by a 75 foot sight line along the centerline of a local road and by a line joining these two sight lines at the greatest distance from their intersection. This entire area is to remain clear of obstructions to sight above a plane established three and one-half (3-1/2) feet in elevation from grade level at the intersection of the road centerline.

Section 209 COMMISSION, PLANNING

The Charleston Township Planning Commission.

Section 210 COVENANT

An obligation defined by law or agreement, the violation of which can be restrained by court action: these are usually stated in the deed.

Section 211 CUL-DE-SAC

A residential road with one end open to traffic and pedestrian access and permanently terminated by a vehicular turn-around with a minimum right-of-way diameter of 100 feet.

Section 212 DEVELOPER

Any person, individual, firm partnership, association, corporation, estate, trust or any other group or corporation acting as a unit dividing or proposing to divide land, so as to constitute a subdivision as defined by this Ordinance and including any agent of the developer.

Section 213 EASEMENT

Grant by a property owner for the use, for a specific purpose or purposes, of a strip of land by the general public, a corporation or a certain person or persons.

Section 214 ENGINEER

The Engineer of Charleston Township.

Section 215 ESSENTIAL SERVICE

The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of: underground gas, electrical, telephone transmission or distribution systems; and public water, public sanitary sewer and public storm sewer facilities including wires, mains, drains, sewers, pipes, conduits, cables, hydrants and similar equipment and accessories in connection therewith; including buildings necessary for the furnishing of adequate services for the public health, safety and general welfare.

Section 216 GROUP HOUSING PROJECT

Where two or more residential buildings are constructed on a plot of ground not subdivided into customary lots and streets subject to the approval of the Planning Commission and the Board of Supervisors.

Section 217 IMPROVEMENTS

Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including but not limited to: grading, paving, curbs, gutters, storm sewers and drains, improvements to existing watercourses, sidewalks, crosswalks, road signs, monuments, water supply facilities and sewerage disposal facilities.

Section 218 LOT

A tract or parcel of land designated for conveyance, or transfer of ownership; improvement of sale, whether immediate or future.

Section 219 LOT, CORNER

A lot, abutting two or more roads at their intersection, on which the building line for all roads must be observed.

Section 220 LOT DEPTH

The mean horizontal distance between the front lot line and the rear lot line.

Section 221 LOT WIDTH

The horizontal distance across the lot, between the side lot lines, measured at the building line.

Section 222 MOBILE HOME

A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Section 223 MOBILE HOME LOT

A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Section 224 MOBILE HOME PARK

A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, in accordance with the requirements of this Ordinance.

Section 225 MUNICIPALITY

Township of Charleston, Tioga County, Pennsylvania.

Section 226 OFF-SITE SEWER SERVICE

A sanitary sewage collection system approved by the Township and Pennsylvania Department of Environmental Resources in which sewage is carried from individual lot or dwelling units by a system of pipes to a central treatment and disposal plant which may be publicly or privately owned and operated.

Section 227 OFF-SITE WATER SERVICE

A potable water distribution system approved by the Township and Pennsylvania Department of Environmental Resources in which water is carried to individual lots or dwelling units by a system of pipes from a central water source located beyond the limits of the lot being served which may be publicly or privately owned and operated.

Section 228 ON-SITE SEWER SERVICE

A single system of piping, tanks or other facilities approved by the Township serving only a single lot and disposing of sewage in whole or in part into the soil.

Section 229 ON-SITE WATER SERVICE

A single system of piping, tanks or other facilities serving only a single lot and obtaining the water either in whole or in part from a primary source located within the limits of the lot being served.

Section 230 OPEN SPACE

An unoccupied space open to the sky.

Section 231 OWNER

The duly authorized agent, attorney, purchaser, devisee, fiduciary or any person having vested or equitable interest in the lot in question.

Section 232 PARKING SPACE

An off-road space having an area of not less than two hundred (200) square feet, whether inside or outside of a structure, for the temporary standing of automotive vehicles to be used exclusively as a parking stall for one (1) automotive vehicle plus one hundred fifty (150) square feet used exclusively for turning and access to the parking stall.

Section 233 PLAN, COMPREHENSIVE

The Comprehensive Plan of Charleston Township known and cited as the Charleston Township General Development Plan adopted April 17, 1975 as may be amended.

Section 234 PLAN, PRELIMINARY

A tentative subdivision plan, in lesser detail than a final plan, showing approximate road and lot layout on a topographic map as a basis for consideration prior to preparation of a final plan.

Section 235 PLAN, FINAL

A complete and exact subdivision plan, prepared by a Registered Professional Engineer or Registered Surveyor for official recording as required by statute, to define property rights, proposed roads and all other improvements.

Section 236 PUBLIC UTILITY

Within the terms of this Ordinance, the public utility shall be defined as gas, electric, and telephone service.

Section 237 RESERVE STRIP

A strip of land adjacent to a road intended to control access to the road from an adjacent property.

Section 238 RESUBDIVISION OR REPLATTING

The modification of a recorded subdivision in whole or in part, by a redesign of lots, by change of size, area or by road layout.

Section 239 RIGHT-OF-WAY

Land reserved for use as a road or other public purpose and dedicated for public use; all must be recorded in the Recorder of Deeds Office, Tioga County, Wellsboro, Pennsylvania.

Section 240 ROAD CLASSIFICATIONS

The following road classification shall apply to roads in Charleston Township and shall be applied as defined in the "General Development Plan for Charleston Township".

- A. Arterial - Arterials bring traffic to and from the expressway and serve major movements of traffic within or through the areas not served by expressways. They serve primarily to move traffic, but also perform a secondary function of land service.
- B. Collector - This class of road serves the internal traffic movement within the Township and connects developed areas with the arterial system. They do not accommodate long, through trips and are not continuous for any appreciable length. The principal difference between collector and arterial roads is the length of trip accommodated. The collector system simultaneously supplies abutting property with land service and accommodates local internal traffic movements.
- C. Local - The local road's sole function is to provide access to immediately adjacent land. Such roads normally represent a fairly large percentage of the total road mileage, but carry a small portion of the vehicle miles traveled daily.

Section 241 SUBDIVIDER

The owner, or authorized agent of the owner, of the subdivision.

Section 242 SUBDIVISION

The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: Provided, however, that the division of land for agricultural purposes into parcels of more than ten acres, not involving any new road or easement of access, shall be exempted.

Section 243 TOPOGRAPHIC MAP

A map showing ground elevations by contour lines and the location of important natural, manmade and other features.

Section 244 UTILITY

Within the terms of this Ordinance, a utility shall be defined as sanitary sewer, water and storm sewer facilities.

Section 245 YARD, FRONT

The open space extending the entire width of the lot between the front building line and the road right-of-way.

Section 246 YARD, REAR

The required open space extending from the rear of the main building along the rear lot line (not necessarily a road line) throughout the entire width of the lot.

Section 247 YARD, SIDE

The required open space extending from the side of any building along the side lot line through the entire depth of the building.