

ARTICLE XII

AMENDMENTS

Section 1200 ALTERATIONS AND CHANGES

The Board of Supervisors may from time to time amend this Ordinance. Amendments to the Subdivision Ordinance shall become effective only after a public hearing held pursuant to public notice. In case of an amendment other than that prepared by the Planning Commission, the Board of Supervisors shall submit each such amendment to the Planning Commission for recommendations at least thirty days prior to the date fixed for the public hearing on such amendment. In addition each such amendment to the Subdivision Ordinance shall be submitted to the Tioga County Planning Commission for its recommendations 45 days prior to the scheduled public hearing. The recommendation to the Tioga County Planning Commission shall be made to the Board of Supervisors within 45 days.

ARTICLE XIII

APPEALS

Section 1300 RECONSIDERATION

Any subdivider aggrieved by a finding, decision or recommendation of the Charleston Township Planning Commission or the Board of Supervisors, may present additional relevant information and request reconsideration of the original findings, decision or recommendation upon written request within thirty (30) days of notification of the Planning Commission or Board of Supervisors decision.

Section 1301 APPROVAL REFUSED BY THE BOARD OF SUPERVISORS

- A. In any case where the Board of Supervisors shall refuse to approve any plans submitted to them in accordance with this Subdivision Ordinance, any person aggrieved by the action of the Board of Supervisors may, within 30 days after such action, appeal therefrom by petition to the court of quarter sessions of the county, which court shall hear the matter de nova, and after hearing, may enter a decree affirming, reversing, or modifying the action of the Board of Supervisors as may appear just in the premises. The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested. The decision of the court shall be final.
- B. The action of the Board of Supervisors, or of the court of appeal, in approving any such plans, and an approved duplicate copy of such plans, shall be recorded by the person applying for such approval in the office of the recorder of deeds of the county.

ARTICLE XIV

FEEES

Section 1400 FEE TO ACCOMPANY APPLICATION FOR
REVIEW AND APPROVAL OF PLANS

- A. All applications submitted for the review and approval of plans of subdivision and plans of land development prepared in preliminary form shall be accompanied by a fee in accordance to a schedule of fees and charges established, or to be established, and adopted by resolution of the Board of Supervisors to defray or to help defray any cost that may be incurred by the Township in viewing, and inspecting the site of the subdivision, or land development and reviewing the application, data and the plans submitted relative to the same.

ARTICLE XV

CERTIFICATES, AFFIDAVITS, APPROVALS

The certificates quoted below shall be inscribed on the plan as quoted, and shall be properly signed and attested when the plan is submitted to the Planning Commission, and the Board of Supervisors. All certificates shall be placed on final plan in an arrangement suitable for placement of all required seals.

OWNERS ADOPTION

Know All Men By These Presents, that (I or We) _____

_____ of the _____
(Name of owner or owners)

(City, Borough, Township) of _____ County of _____, State of _____, for (myself, ourselves), (my, our) heirs, executors, administrators and assigns, do hereby adopt this as (my, our) Plan of Subdivision of (my, our) property, situate in the Township of Charleston, County of Tioga, Commonwealth of Pennsylvania, and for divers advantages accruing to (me, us), do hereby dedicate forever, for public use for highway, drainage, sewage and utility purposes, all drives, roads, lands, rights-of-way, easements, ways and other public highways shown upon the plan, with the same force and effect as if the same had been opened through legal proceedings and in consideration of the approval of said plan and any future acceptance of said public highways, rights-of-way and easements by said County of Tioga and Township of Charleston, (I or We), _____, hereby agree to and

(Name of owner or owners)
by these presents do release and forever discharge said County of Tioga and said Township of Charleston, their successors or assigns from any liability for damages arising and to arise from the appropriation of said ground for public highways, and other public uses and the physical grading thereof to any grades that may be established. This dedication and release shall be binding upon _____, (my, our) heirs, executors, administrators and assigns and purchasers of lots in this plan.

IN WITNESS WHEREOF, (I or We) hereunto set (my, our) hand(s) and seal(s) this _____ day of _____, A.D., 19__.

ATTEST:

(Owner or Owners) (SEAL)

Notary Public (Owner or Owners) (SEAL)

My Commission expires the _____ day of _____ A.D., 19__.

The foregoing adoption and dedication is made by _____
(Name of _____
with the full _____
Individual or Corporate Owner)

understanding and agreement that the approval of the Board of Supervisors of the Township of Charleston, if hereto attached, will become null and void unless this plan is recorded in the Recorder of Deeds Office of Tioga County, County Court House, Wellsboro, Pennsylvania, within ninety (90) days of date of said approval.

INDIVIDUAL ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF TIOGA)

Before me, the subscriber, a Notary Public in and for said State and County, personally came to the above names _____

_____ acknowledged the foregoing
(Owner)

release and dedication and plan to be (his, her, their) act and deed desired the same to be recorded as such:

WITNESS MY HAND AND NOTARIAL SEAL this _____ day of _____, 19__ . My Commission Expires the _____, day of _____, 19__ .

CORPORATION ADOPTION

Know All Men By These Presents, that the _____
(Name of _____
_____, a corporation, _____
Corporation)

by virtue of a resolution of the Board of Directors, thereof does hereby adopt this as its plan of lots of its property situate in the Township of Charleston, Tioga County, Pennsylvania, for divers advantages accruing to it, does hereby dedicate forever, for public use for highway purposes, all drives, roads, lands and ways and other public highways shown upon the plat, with the same force and effect as if the same had been opened through legal proceedings, and in consideration of the approval of said plat and any future acceptance of said public highways by the said Township of Charleston, Tioga County, Pennsylvania, hereby covenants and agrees to and by these presents does release and forever discharge said Township of Charleston its successors or assigns from any liability for damage arising and to arise from the appropriation of said ground for public highways and the physical grading thereof to any grades that may be established. This dedication and release shall be binding upon _____ its

(Name of Corporation)
successors and assigns and purchasers of lots in this plat.

IN WITNESS WHEREOF, the said corporation has caused its corporate seal to be affixed by the hand of its president and same to be

attested by its secretary this _____ day of _____ A.D., 19__.

(Name of Corporation)

ATTEST:

Secretary President

The foregoing adoption and dedication is made by _____ (Name of Individual or Corporate Owner) with the full understanding

and agreement that the approval of the Board of Supervisors of the Township of Charleston, if hereto attached, will become null and void unless this plat is recorded in the Recorder of Deeds Office of Tioga County, County Court House, Wellsboro, Pennsylvania, within ninety (90) days of date of said approval.

CORPORATION ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF TIOGA) ss:
)

On this _____ day of _____ A.D., 19__
before me, a Notary Public in and for said County and State,

personally appeared _____ (Name and Title of Officer)

(Name of Corporation)

who being duly sworn deposeth and saith that he was personally present at the execution of the adoption, release and dedication and saw the common and corporate seal of the said corporation duly affixed and that the above release and dedication was duly signed and sealed by and as for the act and deed of the said Corporation, for the uses and purposes therein mentioned and that the name of this deponent subscribed to the said release and

dedication as _____ of said
(Title of Officer)

corporation, in attestation of the due execution and delivery of said release and dedication of this deponent's own proper and respective handwriting.

(Title of Officer)

ENGINEER'S CERTIFICATE

I _____, a Registered Professional Engineer (or Registered Surveyor) of the State of Pennsylvania, do hereby certify that this plat correctly represents the lots, lands, roads and highways as surveyed and plotted by me for the owners or agents.

(SEAL)

(Engineer)
Registration No. _____)

TOWNSHIP PLANNING COMMISSION APPROVAL

This plan of subdivision has been approved by the Planning Commission of the Township of Charleston, Tioga County, Pennsylvania on this

_____ day of _____, 19__.

ATTEST:

(Secretary) _____ (Chairman)

APPROVAL BY TOWNSHIP OF CHARLESTON

The Board of Supervisors of the Township of Charleston, Tioga County, Pennsylvania, hereby given public notice that it is approving this plan of subdivision for recording purposes only. The approval of this subdivision plan by the Township of Charleston does not constitute an acceptance of the roads, storm and sanitary drainage facilities, easements or rights-of-way, water mains or any other services or improvements shown on this plan nor an assumption of maintenance responsibility, nor will the same be accepted or maintained until constructed in accordance with all Township Specifications and requirements and officially accepted by action of the Board of Supervisors.

This plan of subdivision approved by resolution of the Board of Supervisors of the Township of Charleston, Tioga County, Pennsylvania

on this _____ day of _____, 19__.

ATTEST:

(Board of Supervisors) _____ (Chairman of the Board of Supervisors)

SEAL:

TIOGA COUNTY PLANNING COMMISSION REVIEW

This plan of subdivision has been reviewed by the Tioga County Planning Commission, Tioga County, Pennsylvania and comments

presented on this _____ day of _____, 19__.

SIGNED:

Director

PROOF OF RECORDING

COMMONWEALTH OF PENNSYLVANIA) ss:
COUNTY OF TIOGA)

Recorded in the office for the recording of deeds, plats, etc., in said County, in Plan Book Volume _____ Page _____.

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

Recorder of Deeds

OWNERS ACCEPTANCE OF RESPONSIBILITY FOR PROVIDING
STORM WATER DRAINAGE FACILITIES AND CONTROL
OF STORM WATER DRAINAGE

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

_____ of the Township of Charleston, County of Tioga, Commonwealth of Pennsylvania, for ourselves, our heirs, executors, administrators and assigns, and for our grantees and their subsequent purchasers, do hereby accept full and complete responsibility, liability, expense and provision of facilities for the control of storm water drainage over, across and through this subdivision of land until such time as (I or we), our heirs, executors, administrators and assigns construct storm water drainage facilities in accordance with Township's specifications and requirements and the same is officially accepted by action of the Board of Supervisors and until such formal acceptance (I or we) for ourselves, our heirs, executors, administrators, and assigns do hereby release the Township of Charleston from any responsibility in connection therewith. This acceptance of responsibility shall be binding upon _____ our heirs, executors, administrators and assigns, and all purchasers of lots in this plan of subdivision.

IN WITNESS WHEREOF, we hereunto set our hands and seals this

_____ day of _____, A.D., 19__.

ATTEST:

(Owner or Owners) (SEAL)

(Owner or Owners) (SEAL)

Witness my hand and notarial seal this _____ day of

_____, A.D., 19__.

Notary Public (SEAL)

My Commission expires the _____ day of _____
A.D., 19__.

ARTICLE XVI
VALIDITY AND PENALTY

Section 1600 VIOLATIONS

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 roads, 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 plan 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 Ordinance and the Pennsylvania Municipalities Planning Code of 1968 (Act 247), as amended, and of the regulations adopted hereunder and thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding one thousand dollars (\$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 Charleston Township General Fund. 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.

Section 1601 SEVERABILITY

- A. Should any section, clause, provision or portion of this Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect or impair the validity of any other section, clause, provision or portion of this Ordinance.
- B. It is hereby declared to be the intent of the Board of Supervisors of Charleston Township, that this Ordinance would have been adopted by the Board of Supervisors had such invalid or unconstitutional provisions not been included herein, and the remaining portions of this Ordinance shall remain in effect as though the portion declared invalid or unconstitutional had never been a part hereof.

Section 1602 REPEALER

All Resolutions, Ordinances, or part of Resolutions, or Ordinances inconsistent herewith are hereby repealed.

Section 1603 CHARLESTON TOWNSHIP ZONING ORDINANCE

Nothing herein contained shall be interpreted to permit any waiver of the restriction or requirements of the Charleston Township Zoning Ordinance.

Section 1604 EFFECTIVE DATE

Effective date of this Ordinance as amended shall be _____
October 21, 1975

Section 1605 ENACTED

Enacted and ordained into an Ordinance by the Board of Supervisors this 30th day of September, 1975.

TOWNSHIP OF CHARLESTON
BOARD OF SUPERVISORS

Walter E. Vandergraft PT
Chairman

James Gillsland pt

Rexford H. Abdanalg pt

ATTEST:

Dora Gillsland pt
Secretary