Borough of Seven Fields
Amendment to Subdivision and Land Development Ordinance
Ordinance No. 30
8/14/2006

THIS AMENDMENT to Subdivision and Land Development Ordinance No. 30 of the Borough of Seven Fields, Butler County, Pennsylvania as enacted on March 12, 1990, establishing comprehensive land use/development regulations for the Borough of Seven Fields, Butler County, Pennsylvania, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the Pennsylvania Municipal Planning Code, and for the repeal of all sections of the ordinance in conflict herewith.

After the holding of a public hearing, and the due advertisement of the following amendment to the said Subdivision and Land Development Ordinance, the following section is amended:

Section 601 Street Layout and Design
D. Street paving

Delete Paragraph 1b. and 1c. of Subsection D and replace with the following:

b. SUPERPAVE Asphalt mixture design, HMA base course, PG 64-22, <0.3 million ESALS, 25.0 mm mix, 4" depth

c. SUPERPAVE asphalt mixture design, HMA wearing course, PG 64-22, <0.3 million ESALS, 9.5 mm mix, 1-1/2" depth

THIS AMENDMENT IS ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF SEVEN FIELDS THIS 14th DAY OF AUGUST, 2006.

Borough Manager

Council President

SEAL

Borough of Seven Fields
Amendment to Subdivision and Land Development Ordinance
Ordinance No. 30
5/10/2004

THIS AMENDMENT to Subdivision and Land Development Ordinance No. 30 of the Borough of Seven Fields, Butler County, Pennsylvania as enacted on March 12, 1990, establishing comprehensive land use/development regulations for the Borough of Seven Fields, Butler County, Pennsylvania, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the Pennsylvania Municipal Planning Code, and for the repeal of all sections of the ordinance in conflict herewith.

After the holding of a public hearing, and the due advertisement of the following amendment to the said Subdivision and Land Development Ordinance, the following section is amended:

Section 601 Street Layout and Design

Delete Subsection D, Paragraph 1 and replace with the following:

1. All paving and curbing of streets shall be constructed strictly in accordance with the following details with the exception of intersections with state or county roads, which shall conform to state or county requirements, respectively:

   a. Subbase (PENNDOT No. 2A Aggregate) 10.0"
   b. ID-2 Bituminous Binder Course 4.0"
   c. ID-2 Bituminous Wearing Course 1.5"
   d. Road to be crowned at ¼" per 1 foot
   e. 6" PVC or PE Underdrain backfilled with #57 Aggregate on the high side of all roads at a depth of 15" below the subbase
   f. 18" Bituminous Wedge Curb with 4" height

   All material and construction requirements shall conform to the current edition of the Pennsylvania Department of Transportation Form 408 including all revisions, supplements and updated publications.

THIS AMENDMENT IS ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF SEVEN FIELDS THIS 10TH DAY OF MAY 2004.

Borough Manager

Council President

Reviewed and approved by me this 6TH day of July, 2004.

Mayor

SEAL

Borough of Seven Fields
Amendment to Subdivision and Land Development Ordinance
Ordinance No. 30
8/11/97

THIS AMENDMANT TO Subdivision and Land Development Ordinance No. 30 OF THE Borough of Seven Fields, Butler County, Pennsylvania as enacted on March 12, 1990, establishing comprehensive land use/development regulations for the Borough of Seven Fields, Butler County, Pennsylvania, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the Pennsylvania Municipal Planning Code, and for the repeal of all sections of the ordinance in conflict herewith.

After the holding of a public hearing, and the due advertisement of the following amendment to the said Subdivision and Land Development Ordinance, the following section is amended.

Section 606 — Sidewalks

Any piece of property that adjoins a publicly dedicated road, with the exception of C-1 property, must have a sidewalk. Sidewalks must be installed by the developer/builder or property owner.

THIS AMENDMENT IS ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF SEVEN FIELDS THIS 11TH DAY OF AUGUST, 1997.

Robert Messina, Council President

Christine Wells, Borough Manager/Secretary

REVIEWED AND APPROVED BY ME THIS 11TH DAY OF AUGUST, 1997.

Bruce Richards, Mayor

BOROUGH OF SEVEN FIELDS
AMENDMENT TO SUBDIVISION AND LAND DEVELOPMENT ORDIANCE
ORDINANCE #30

THIS AMENDMENT TO SUBDIVISION AND LAND DEVELOPMENT ORDIANCE NO. 30 of the Borough of Seven Fields, Butler County, Pennsylvania as enacted on March, 12, 1990, establishing comprehensive land use/development regulations for the Borough of Seven Fields, Butler County, Pennsylvania, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of the Pennsylvania Municipal Planning Code, and for the repeal of all sections of the ordinance in conflict herewith.

After the holding of a public hearing, and the due advertisement of the following amendments to the said subdivision and land development ordinance, the following sections are amended as set forth on the hereinafter amended pages of the subdivision and land development ordinance.

Page 600.11	606.C Sidewalks within all of the zoning districts shall be constructed so as to be handicapped assessable in accordance with the regulations of the Americans with Disabilities Act.

THIS AMENDMENT IS ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF SEVEN FIELDS THIS 12TH DAY OF NOVEMBER, 1996.

Robert Messina, Council President

Christine Wells, Borough Manager/Secretary

REVIEWED AND APPROVED BY ME THIS 12TH DAY OF NOVEMBER, 1996.

Bruce Richards, Mayor

Borough of Seven Fields

Butler County, Pennsylvania

Subdivision and Land Development Ordinance

Ordinance No. 30

Enacted March 12, 1990

BOROUGH OF SEVEN FIELDS
BUTLER COUNTY, PENNSYLVANIA

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

TABLE OF CONTENTS

ARTICLE I GENERAL PROVISIONS

100 SHORT TITLE AND EFFECTIVE DATE 100.1
101 PURPOSES 100.1
102 INTERPRETATION 100.2
103 SEVERABILITY 100.2
104 EFFECTIVE DATE 100.2

ARTICLE II DEFINITIONS

200 INTERPRETATION 200.1
201 DEFINITIONS 200.1

ARTICLE III REGULATION ESTABLISHMENT

300 REGULATION ESTABLISHMENT 300.1

ARTICLE IV PROCEDURES

400 AUTHORITY 400.1
401 BUTLER COUNTY PLANNING COMMISSION APPROVAL 400.1
402 APPROVAL WITH CONDITIONS 400.1
403 STEPS IN APPROVAL PROCESS OF MAJOR SUBDIVISIONS 400.1
404 STEPS IN APPROVAL PROCESS OF MINOR SUBDIVISIONS 400.3
405 COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF 400.5
406 RECORDING OF FINAL PLAN 400.8
407 COMMENCEMENT OF DEVELOPMENT 400.8
408 TIME LIMITATION OF PLANS 400.9
409 PLAN AMENDMENTS 400.9

ARTICLE V PLAN CONTENTS

500 PRELIMINARY PLAN 500.1
501 FINAL PLAN 500.2

ARTICLE VI DESIGN STANDARDS

600 GENERAL 600.1
601 STREET LAYOUT 600.2
602 DRAINAGE 600.7
603 SEWAGE DISPOSAL 600.10
604 FLOODPLAIN REQUIREMENTS 600.10
605 EASEMENTS 600.11
606 SIDEWALKS 600.11
607 SUBSIDENCE OF MINING 600.11
608 TRAFFIC IMPACT ANALYSIS 600.12

609 BOROUGH STANDARDS 600.12
610 WATER 600.12

ARTICLE VII CONSTRUCTION AND ACCEPTANCE OF IMPROVEMENTS

700 CONSTRUCTION REQUIRED 700.1
701 INSPECTIONS 700.1
702 AS BUILT PLANS 700.2
703 DEDICATION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS 700.2

ARTICLE VIII ADMINISTRATION

800 MODIFICATIONS 800.1
801 RECORDS 800.1
802 FEES 800.1
803 VIOLATIONS AND PENALTIES 800.2

ARTICLE IX REQUIRED CERTIFICATES

900 CERTIFICATES 900.1
901 OWNER'S ADOPTION 900.1
902 ACKNOWLEDGEMENTS 900.3
903 TITLE CLAUSE (NO MORTGAGE) 900.5
904 TITLE CLAUSE (MORTGAGE CLAUSE) 900.5
905 SURVEYOR'S CERTIFICATION 900.6
906 BOROUGH STIPULATION 900.6
907 BOROUGH APPROVAL 900.6
908 LOCAL PLANNING COMMISSION APPROVAL 900.7
909 COUNTY PLANNING COMMISSION APPROVAL 900.7
910 PROOF OF RECORDING 900.7
911 MUNICIPAL ENGINEER'S CERTIFICATION 900.8
912 PaDER COMPLIANCE 900.8
913 COMPLIANCE WITH SECTION 420 OF STATE HIGHWAY LAW 900.8

ARTICLE X MOBILE HOME PARKS

1000 REFERENCE TO ZONING ORDINANCE 1000.1

APPENDIX A ACT 247, THE MUNICIPALITIES PLANNING CODE DEFINITIONS

DEFINITIONS A-1

ARTICLE I
GENERAL PROVISIONS

100 Short Title

This Ordinance shall be known and may be cited as "The Borough of Seven Fields Subdivision and Land Development Ordinance."

101 Purposes

This Ordinance has been prepared in accordance with the Pennsylvania Municipalities Planning Code (53 P.S. 10101 et seq., Act. 247 of 1968, as amended) for the following purposes:

A. To assure sites suitable for building purposes and human habitation.

B. To assist orderly, efficient, integrated, and harmonious development of the Borough.

C. To coordinate proposed streets with existing streets or other proposed streets, parts, or other features of the Borough.

D. To provide adequate open spaces for traffic, recreation, light, and air and for the proper distribution of population.

E. To ensure coordination of subdivision and land development plans with Borough, inter-municipality, county, and Commonwealth improvement plans.

F. To prevent or eliminate damage to the environment and biosphere, and to encourage productive and enjoyable harmony between man and his environment, consistent with the mandates of the National Environmental Policy Act of 1969 and Article I, Section 27 (the Environmental Amendment) of the Pennsylvania Constitution.

G. To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards.

H. To protect the social and economic stability of the Borough and conserve the value of land and buildings in the Borough.

I. To create conditions favorable to the health, safety, and general welfare of the citizens of the Borough of Seven Fields.

102 Interpretation

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

103 Severability

The provisions of this Ordinance 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 Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

104 Effective Date

This Ordinance shall take effect March 12, 1990. Applications for subdivision and land development submitted prior to the effective date of this Ordinance shall be processed under the provisions of the Butler County Subdivision and Land Development Ordinance No. 24 effective June 7, 1973. The provisions of the Borough of Seven Fields Subdivision and Land Development Ordinance may be applied to such applications upon the request of the applicant.

ARTICLE II
DEFINITIONS

200 Interpretation

For the purposes of this Ordinance, certain terms and words used herein shall be interpreted as follows:

1. Words in the singular include the plural;

2. Words in the plural include the singular;

3. Words in the present tense include the future tense;

4. Words used in the masculine gender include the feminine and neuter;

5. The word "person" includes corporation, unincorporated association, and partnership, as well as an individual;

6. The word "structure" includes the meaning of "building" and each shall be construed as if followed by the phrase "or part thereof";

7. The words "shall" and "will" are always mandatory; and

8. The word "may" is permissive.

201 Definitions

Unless otherwise defined, all definitions in the Borough of Seven Fields Zoning Ordinance, as amended, and the Municipalities Planning Code, as amended, (MPC) are hereby adopted and made a part hereof by reference. Appendix A, appended to the rear of this Ordinance, provides the definitions from the MPC as found in Article I, Section 107 of the Act entitled "Definitions."

The following words, as used in this Ordinance, shall have the meanings indicated below:

ACCELERATED EROSION - The removal of the surface of the land through the combined action of man's activities and natural processes at a rate greater than would occur from natural processes alone.

ACT 247 or MPC - The Pennsylvania Municipalities Planning Code of July 31, 1968, 53 P.S. 10101, et seq., as amended from time to time.

APPLICANT - See Appendix A.

APPLICATION FOR DEVELOPMENT - See Appendix A.

APPOINTING AUTHORITY - See Appendix A.

AUTHORITY - See Appendix A.

AVAILABLE SEWER - A Borough sewer is considered available if:

A. Connection is recommended and/or required by Borough of Seven Fields or any other Borough authority incorporated in the Borough;

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 Borough sewer line is located within 1,000 feet of the nearest point of a subdivision, dependent upon a determination by the Borough Council and/or their agents as to the feasibility thereof.

BLOCK - A parcel of land bounded by streets, a watercourse(s), by railroad rights-of-way, by corporate boundaries of the Borough, by public land or other park or recreational area, unsubdivided land or any combination thereof.

BOARD - The Borough Council of the Borough of Seven Fields.

BOROUGH COUNCIL - The Borough Council of the Borough of Seven Fields.

BUILDABLE AREA - The area of a lot within the building lines, bounded by the required yards; where there is no required yard, then bounded by the lot line.

BUILDING SITE - A single parcel of land occupied or intended to be occupied by a building or structure; synonymous with lot.

CARTWAY - The portion of the street right-of-way surfaced for vehicular use. Width is determined from face-of-curb to face-of-curb or from one edge of driving surface to the other edge of driving surface.

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.

CLUSTER - A concept of design and site planning in which several houses are grouped together on a tract of land. Each cluster of houses is set off from others by an intervening space, often held for the common enjoyment of the neighboring residents or the community at large, and helps give visual definition to each individual group.

COMMISSION, PLANNING - The Planning Commission of the Borough of Seven Fields.

COMMON OPEN SPACE - See Appendix A.

CONDITIONAL USE - See Appendix A.

CONDOMINIUM - A form of ownership of real property, as defined in the Pa. Uniform Condominium Act of 1980, (68 PA C.S.A. 3101 et. seq.) which includes an undivided interest in a portion of a parcel, together with a separate interest in a space within a structure.

COUNTY PLANNING COMMISSION - The Butler County Planning Commission.

CUL-DE-SAC - A short street having one end open to traffic and being terminated at the other end by a vehicular turn-around.

CUT - An excavation; the difference in vertical elevation between a point on the surface of the original ground and a point of lower elevation on the finished grade; the material removed in excavation.

DEDICATION - The deliberate appropriation of land by its owner for any general or public use, reserving unto himself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been appropriated.

DETENTION BASIN - A structure designed to retard surface water runoff for a period of time sufficient to cause the deposition of sediment and to reduce the velocity and volume of surface flows leaving a site, thus preventing further erosion.

DEVELOPER - See Appendix A.

DEVELOPMENT AGREEMENT - A written agreement between the developer or applicant and the Borough of Seven Fields which guarantees the completion of site improvements and specifies the requirements for the posting of security.

DEVELOPMENT PLAN - See Appendix A.

DRIVEWAY (LANE) - An improved surface for vehicular access to a lot or parcel of land.

EARTHMOVING ACTIVITY - Activity resulting in the movement of earth or stripping of vegetative cover from the earth.

EASEMENT - A grant by a property owner to specific persons or to the public of the right to use that property for a specific purpose, such as utilities and drainage.

EASEMENT, CONSERVATION - A legal agreement between a property owner and an appropriate conservation organization or governmental entity, through which the property owner establishes certain use restrictions over all or portion(s) of the property for conservation purposes.

FILL - Any act by which earth, sand, gravel, rock, or any other material is placed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the finished grade; the material used to make a fill.

FLOODPLAIN - Those areas subject to periodic flooding and delineated as such by the Federal Emergency Management Agency or Butler County.

GOVERNING BODY - See Appendix A.

GRADE, NEW OR FINISHED - The resulting level of the ground after final grading where there is a cut, and after normal settlement where there is a fill.

GUARANTEE, MAINTENANCE - Any security which may be required of a developer by the Borough after final acceptance by the Borough of those improvements installed by the developer. Such security shall include only those financial instruments authorized by the MPC.

GUARANTEE, PERFORMANCE - Any security which may be required of a developer by the Borough in lieu of a requirement that certain improvements be made before the Borough approves the developer's subdivision plan or land development plan. Such security shall include only those financial instruments authorized by the MPC.

IMPERVIOUS SURFACE - Material which is impenetrable and unable to absorb water, including but not limited to buildings, structures, and paved areas (driveways, parking lots, etc.).

IMPROVEMENTS - Buildings, for public or quasi-public use, streets, curbs, gutters, street right-of-ways, storm drainage lines, stormwater management structures, sidewalks and walkways, recreational facilities, open space improvements, shade trees, street signs, buffer or screen plantings, monuments, water supply facilities and sewage disposal facilities and all other additions to the tract that are required by Ordinance or necessary to result in a complete subdivision or land development in the fullest sense of the term.

IMPROVEMENTS, PUBLIC - Improvements, including but not limited to those contained in the definition of "Improvements," that are intended for dedication to the Borough, either in fee or by easement.

LAND DEVELOPMENT - See Appendix A.

LAND DISTURBANCE - Any activity which causes land to be exposed to the danger of erosion, including clearing, grading, filling, plowing, or any other earthmoving, as defined.

LANDOWNER - See Appendix A.

LANE, ACCELERATION OR DECELERATION - A lane of a cartway intended for use by vehicles entering, leaving, or crossing a lane of forward travel without interrupting the flow of traffic.

LOT - See Appendix A.

LOT AREA - The acreage contained within the property lines of a lot as defined in the deed, excluding street and other transportation rights-of-way. Acreage shall be determined from an actual site survey rather than from a deed description.

LOT, FLAG - A lot which has a width less than the width required by the Zoning Ordinance at the building line.

LOT, THROUGH - A lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as "Double Frontage Lots."

MAJOR SUBDIVISION - Any subdivision not deemed a minor subdivision.

MEDIATION - See Appendix A.

MINOR SUBDIVISION - Any subdivision or resubdivision of land which involves adjustment of common property lines whereby, 1) no additional lots are created; 2) no provisions of the Zoning Ordinance of Borough of Seven Fields are violated; 3) no public improvements excepting sidewalks are required; 4) not more than three lots are involved in the subdivision; and 5) no land development, as defined by the MPC, is involved.

MOBILEHOME - See Appendix A.

MOBILEHOME LOT - See Appendix A.

MOBILEHOME PARK - See Appendix A.

MONUMENT - A concrete marker, made of six (6) inch clay pipe filled with Class B concrete, having a flat top and a minimum length of thirty (30) inches, set flush with the finished grade. Such pipe shall have a bell curve at the end installed below grade. A brass pin, or suitable substitute, shall be set in the top of each monument and scored or marked to indicate the exact point of crossing of the intersecting lines.

MUNICIPAL AUTHORITY - See Appendix A.

MUNICIPAL ENGINEER - See Appendix A.

OFFICIAL MAP - See Appendix A.

PLANNED RESIDENTIAL DEVELOPMENT - See Appendix A.

PLANNING AGENCY - See Appendix A.

PLAT (OR PLAN) -

A. Sketch: The outline representation of a proposed subdivision and/or land development.

B. Preliminary: The preliminary map or maps of a proposed subdivision or land development drawn and submitted in accordance with the requirements of this Ordinance.

C. Final: The last submission including all required exhibits representing the complete and exact arrangements and design to the land subdivision and/or land development.

D. Recorded: A final plan, with accompanying documents as required by this Ordinance, which has been recorded by the applicant in the office of the Recorder of Deeds of Butler County.

E. As Built: A corrected final plan, showing dimensions and locations of all streets and other improvements as actually constructed.

PLANNING COMMISSION - The Planning Commission of the Borough of Seven Fields.

PUBLIC GROUNDS - See Appendix A.

PUBLIC HEARING - See Appendix A.

PUBLIC MEETING - See Appendix A.

PUBLIC NOTICE - See Appendix A.

RESUBDIVISION - A change in map of an approved or recorded subdivision plat, if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

RETENTION BASIN - A reservoir, formed from soil or other material, which is designed to detain temporarily a certain amount of stormwater from a catchment area and which also may be designed to permanently retain additional stormwater runoff from the catchment area. Retention basins also may receive fresh water from year-round streams. Unlike detention basins, retention basins always contain water, and thus may be considered man-made lakes or ponds.

RIGHT-OF-WAY - The total width of any land reserved or dedicated as a street, alley, or crosswalk, or for any other public or private purpose.

SEDIMENT - Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

SEWAGE FACILITIES -

A. Individual system: The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the Butler County Health Department, and generally within the confines of the lot on which the use is located.

B. Community system: A sanitary sewage system, privately built and operated, in which sewage is carried from individual dischargers by a system of pipes to one or more common treatment and disposal facilities. Treatment and disposal may occur either on-site or off-site, and shall be approved by the Pennsylvania Department of Environmental Resources.

C. Public system: A system for the treatment and disposal of sewage in which sewage is conveyed by a system of pipes to an off-site, publicly-operated treatment facility and disposed of through means approved by the Pennsylvania Department of Environmental Resources.

SLOPE - The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

SOLAR ENERGY - Radiant energy (direct, diffused, or reflected) received from the sun at wavelengths suitable for conversion into thermal, chemical, or electrical energy.

SPECIMEN TREE - A unique, rare, or otherwise specifically selected plant or tree which most typically represents a whole class or group, specifically in shape, form, historical importance, or any other characteristic which may be designated as such by the Borough.

STORMWATER - Water which surfaces, flows, or collects during and subsequent to rain or snowfall.

STREET - See Appendix A.

STREET, COLLECTOR - A two or four lane roadway which functions as an intra-community link and which has at least one intersection with a State highway.

STRUCTURE - See Appendix A.

STREET PAVEMENT - The wearing or exposed surface of the roadway used by vehicular traffic.

SUBDIVIDER - Any individual, firm partnership, association, corporation, estate, trust, or any other group or combination acting as a unit (or agent authorized thereby) which undertakes the subdivision or development of land.

SUBDIVISION - See Appendix A.

SUBSTANTIALLY COMPLETED - See Appendix A.

SURVEYOR - A registered surveyor licensed by the Commonwealth of Pennsylvania.

SWALE - A low-lying stretch of land which gathers or carries surface water runoff.

TRANSFERABLE DEVELOPMENT RIGHTS - See Appendix A.

WATERCOURSE - A permanent stream, intermittent stream, river, brook, creek, or a channel or ditch for water, whether natural or man-made.

WATER SUPPLY -

A. Individual system: A safe, healthful, and adequate supply of water to a single user from a private well located on the land of the user.

B. Central water supply system: A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on-site and/or off-site. A central system can be further described as either of the following:

1. Public water supply system: A system which is owned by a Borough, a public company, or a private company which serves more than a single community or subdivision and may be interconnected with other water supply systems.

2. Community water supply system: A system which is owned by a Borough, a public company, or a private company and which serves a single community or subdivision and is not interconnected with any other water supply system.

WATER SURVEY - See Appendix A.

WOODLAND - Generally, a land area characterized by a more or less dense and extensive tree cover. More particularly, a plant community predominantly of healthy trees and other woody vegetation, well-stocked and growing more or less closely together.

ARTICLE III
REGULATION ESTABLISHMENT

300 Regulation Establishment

A. Subdivision Control

1. No subdivision of any lot, tract or parcel of land shall be effected and no street, alley, 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 or to abut thereon, except in strict accordance with the provisions of this Ordinance. No lot in any subdivision may be sold, and no permit may be issued; and no building may be erected in a subdivision, unless and until a subdivision plan has been approved and recorded; and until the improvements required by the Borough Council in connection therewith have been constructed or guaranteed as provided herein.

2. Each single family and two-family dwelling shall require a separate lot.

B. Land Development Control

1. Land development must comply with the regulations contained herein. Such compliance shall include, but not be limited to: the filing of preliminary and final plats, the dedication and improvement of right-of-ways, streets and roads, and the payment of fees and charges as established by the Borough Council.

2. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit, and improvements in the right-of-way. Developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features, and shall be indicated on the land development plans.

3. Land development shall not include the addition of an accessory building on a residential lot or lots subordinate to an existing principal building.

ARTICLE IV
PROCEDURES

400 Authority

Final authority for approval or denial of approval for all preliminary and final major subdivision and land development plans shall be vested in the Borough Council. Final authority for approval or denial of approval for all minor subdivisions shall be vested in the Borough Council. A preliminary plat shall not be required for a minor subdivision.

401 Butler County Planning Commission Approval

Prior to action by the Borough Council, all subdivision and land development plans shall be forwarded upon receipt by the Borough to the Butler County Planning Commission for review and report. Borough Council may not approve any such applications until a County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County. The failure of the Butler County Planning Commission to review and make a report with respect to any such plan shall not affect the validity of any action taken by the Borough Council with respect to such plan.

402 Approval with Conditions

The Borough Council or Planning Commission, whichever is applicable, may approve a plat, subject to conditions acceptable to the applicant including a procedure for the applicant's acceptance or rejection of the conditions that are imposed. Failure of the applicant to accept or reject such conditions within thirty (30) days of the establishment of the conditions shall cause automatic recession of the approval of the plot.

403 Steps in Approval Process of Major Subdivisions

An application for a major subdivision or land development is normally to involve two steps: 1) preliminary plat application review and approval, and 2) final plat review and approval. The applicant may choose to prepare a sketch plan for discussion purposes only with the Borough Council, Planning Commission or Zoning Officer, but any such discussions or actions taken shall not be deemed to be a decision with respect to any subdivision or land development plan or to vest any rights in the applicant.

A. Step 1: Preliminary Plat Application Review and Approval Process

1. Ten (10) copies of a preliminary plat of any land proposed for subdivision or land development, drawn in accordance with the requirements herein prescribed, and an application in a form prescribed from time to time by the Borough Council shall be submitted by the developer to the Zoning Officer forty (40) days prior to the next regular Borough

Council meeting at which the preliminary plat will be reviewed. The application shall not be deemed to be submitted until a complete application which, shall include, without limitations, the required fees have all been submitted. Any request by the applicant for tabling action on an application or for a withdrawal of an application must be submitted in writing.

2. The Borough Council and Borough Engineer shall review the preliminary plat at the next regular meeting following the receipt of a report on the subdivision or land development from the County Planning Commission, but in no event, not later than forty (40) days from the date of the submission of the application. At its discretion, the Borough Council may elect to review the application at an earlier meeting, but no approvals may be given by Council until a report is received from the Butler County Planning Commission or thirty (30) days has passed from the date the application was forwarded to the County by the Borough. The preliminary plat will then be approved, approved with conditions, or denied by the Borough Council and such decision communicated in writing to the applicant not later than ninety (90) days following the date of the regular meeting of the Council next following the date the application is filed.

3. The Borough Council's decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance relied upon.

4. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required, shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication, shall have like effect.

B. Step 2: Final Plat Review and Approval Process

1. Ten (10) copies of the final plat prepared in accordance with the requirements herein prescribed shall be submitted to the Zoning Officer either at the same time as the preliminary plat or after approval of the preliminary plat. Prior to action by the Borough Council, the final plat shall be forwarded upon receipt by the Borough to the Butler County Planning Commission for review and report. Borough Council may not approve any final plats until a County report is received or until the expiration of thirty (30) days from the date the plat was forwarded to the County. The failure of the Butler County Planning Commission to review

and make a report with respect to any such plat shall not affect the validity of any action taken by the Borough Council with respect to such plan.

2. The Borough Council and Borough Engineer shall review the final plat at the next regular Council meeting. The Borough Council will then approve, approve with conditions, or deny the final plat and communicate their decision in writing to the applicant not later than ninety (90) days following the date of the regular meeting of the Council next following the date the final plat is filed.

3. The Borough Council's decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance relied upon.

4. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required, shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication, shall have like effect.

404 Steps in Approval Process of Minor Subdivisions.

An application for a minor subdivision is normally to involve one step by Borough Council - final plat review and approval. A preliminary plat is not required to be submitted for a minor subdivision. The applicant may choose to prepare a sketch plan for discussion purposes only with the Borough Council, Zoning Officer, (or Planning Commission, if one exists), but any such discussions or actions taken shall not be deemed to be a decision with respect to any subdivision plan or to vest any rights in the applicant.

Prior to action by the Borough Council, all minor subdivision applications shall be forwarded upon receipt by the Borough to the Butler County Planning Commission for review and report. Borough Council may not approve any such applications until a County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County. The failure of the Butler County Planning Commission to review and make a report with respect to any such plan shall not affect the validity of any action taken by the Borough Council with respect to such plan.

A. Step 1: Final Plat Review and Approval Process

1. Ten (10) copies of a final plat of the minor subdivision, drawn in accordance with the requirements herein prescribed, and an application in a form prescribed from time to time by the Borough Council shall be submitted by the developer to the Zoning Officer within forty (40) days prior to the Borough Council meeting. The application shall not be deemed to be submitted until a complete application, which shall include, without limitations, the required fees, have all been submitted. Any request by the applicant for tabling action on an application or for a withdrawal of an application must be submitted in writing.

2. The Borough Council and Borough Engineer shall review the final plat at the next regular Council meeting. The Borough Council and Borough Engineer shall review the preliminary plat at the next regular meeting following the receipt of a report on the minor subdivision from the County Planning Commission, but in no event, not later than forty (40) days from the date of the submission of the application. At its discretion, the Borough Council may elect to review the application at an earlier meeting, but no approvals may be given by Council until a report is received from the Butler County Planning Commission or thirty (30) days has passed from the date the application was forwarded to the County by the Borough. The Borough Council will then approve, approve with conditions, or deny the final plat and communicate their decision in writing to the applicant not later than ninety (90) days following the date of the regular meeting of the Council next following the date the application is filed.

3. The Borough Council's decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. When the application is not approved in terms as filed, the decision shall specifiy the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance relied upon.

4. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required, shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication, shall have like effect.

405 Completion of Improvements or Guarantee Thereof

A. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by the Subdivision and Land Development Ordinance have been installed in accordance with this Ordinance.

B. In lieu of the completion of any improvements required as a condition for the final approval of a plat, the Developer shall execute a development agreement containing such covenants, warrants, securities, terms and conditions, and in a form prescribed by the Borough Council, and deposit with the Borough financial security in a form acceptable to the Borough in an amount sufficient to cover the costs of any improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.

C. When requested by the developer, in order to facilitate financing, the Borough Council shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Council and placed in writing at the request of the developer.

D. Without limitation as to other types of financial security which the Borough may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

E. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

F. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the

developer. Annually, the Borough may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Borough may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection.

G. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Borough, upon the recommendation of the Borough Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the municipality are unable to agree upon an estimate, then the estimate shall be recalculated and re-certified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Borough and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Borough and the applicant or developer.

H. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may, at the Borough's sole discretion, be increased by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above bidding procedure. Failure to increase the financial security in any single year shall not be deemed a waiver of the Borough's rights in any subsequent year. In the case where development is projected over a period of years, the Borough may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

I. As the work of installing the required improvements proceeds, the party posting the financial security may request the Borough to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Borough, and the Borough shall have forty-five days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to the Borough that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon

such certification the Borough shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed or, if the Borough fails to act within said forty-five day period, the Borough shall be deemed to have approved the release of funds as requested. The Borough may, prior to final release at the time of completion and certification by the Borough's Engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.

J. Where the Borough accepts dedication of all or some of the required improvements following completion, the Borough may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall be fifteen percent (15%) of the actual cost of installation of said improvements.

K. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Borough, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

L. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Borough shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

M. When the developer has completed all of the necesary and appropriate improvements, the developer shall notify the Borough in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer. The Borough 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 the Borough, 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 Borough's authorization; said report shall be detailed and shall indicate approval or rejection of said improvements, in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

N. The Borough shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing, by certified or registered mail of the action of the Borough.

O. If the Borough or the Borough Engineers fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

P. If any portion of said improvements shall not be approved or shal be rejected by the Borough, the developer shall proceed to complete the same and, upon completion, the same procedure of notification shall be followed.

406 Recording of Final Plan

A. Upon the approval of a final plat the developer shall, within ninety (90) days of such final approval, record such plat in the office of the Recorder of Deeds of Butler County. Such plat must officially note the approval of the Borough and date of such approval prior to recording.

B. Failure of recording a final plat with the prescribed time, shall void the approval and will require the applicant to resubmit the final plan for new approval by the Borough. In such cases a note acceptable to the Borough Council shall be placed on the final plan stating the original approval date and that the plan was resubmitted for a new approval.

407 Commencement of Development

A. No construction or land disturbance activities (not including soil or percolation testing, well drilling, or similar engineering or surveying activities) shall be commenced until the applicant submits to the Borough Engineer five (5) copies and one reproducible mylar copy of the plat as recorded by the Recorder of Deeds.

B. No application for a building permit under the Borough Zoning Ordinance shall be submitted and no building permit under the Borough Zoning Ordinance shall be issued for any building in any subdivision or land development and no work shall be done on any building in any subdivision or land development until the final plans for the said subdivision or land development have been approved and recorded as provided for, the development agreement has been fully executed, and until the terms of this Ordinance have been satisfied. Further, where final subdivision or land development approval has been conditioned upon the submission and approval of individual lot grading plans for some or all of the lots, no building permit shall be issued for construction on any such lot until this condition has been complied with.

C. No water system or sewer system, including extensions to existing or proposed systems or new systems employing sewage treatment plants, shall be constructed prior to the issuance of appropriate permits from the Pennsylvania Department of Environmental Resources or from federal or local agencies, as required.

408 Time Limitation of Plans

The continuing validity of any approval of plans in accordance with this Article shall be subject to those limitations established by the Municipalities Planning Code.

409 Plan Amendments

Major modifications of the approved plan, as determined by the Borough shall be resubmitted and reprocessed in the same manner as the original plan. All site disturbance activities shall cease pending approval of modified plans.

ARTICLE V
PLAN CONTENTS REQUIREMENTS

500 Preliminary Plan

The Preliminary Plan shall provide the following information as determined to be reasonably necessary by the Zoning Officer:

1. The proposed layout of the entire property at a scale not less than one hundred (100) feet equals one (1) inch.

2. The approximate location of property lines, buildings, watercourses and other existing physical features on or adjacent to the property.

3. The proposed location and width of streets; the size and square foot area of lots.

4. Contours of the entire plat proposed to be subdivided at five-foot intervals. Contours shall be based on the United States Government Sandy Hook Datum.

5. Storm and sanitary drainage indicating location and size of all existing storm and sanitary sewers, and a preliminary layout of proposed sanitary sewers, storm sewers, stormwater handling facilities and necessary extensions thereof to existing recognized and acceptable installations or facilities.

6. A separate profile of each established and proposed street, road or other way, showing surface elevations on the center line, on the property lines with grades along the roadway center line, and along the center line extended a reasonable distance beyond the plat.

7. The title under which the proposed subdivision is to be recorded with the name of the plotter.

8. The names of all adjoining properties and allotments showing the location of streets in said plats.

9. An arrow indicating the direction of North.

10. As directed by the Borough Engineer, the location, size and capacity of all drains and culverts.

11. Where the proposed subdivision is not totally within the confines of the Borough or is in proximity of the boundary line, such boundary line shall be accurately indicated on the plan.

12. A location map identifying the location of the proposed subdivision or land development.

13. The location and elevation of the One-Hundred-Year Floodplain District as designated by the Federal Emergency Management Agency and the Borough of Seven Fields Zoning Ordinance.

14. A conceptual grading plan of the total area within the proposed subdivision or land development showing existing and proposed contours.

15. Location of all required permanent monuments.

16. Draft of protective covenants, if any.

17. Proof of ownership of the parcel.

18. Subsurface condition of tract relative to mine subsidence

19. Any right-of-ways and easements existing or proposed.

20. Any other information as may be required by the Zoning Officer or Borough Council in order to more fully evaluate the proposed subdivision and its effect on adjacent property or the Borough as a whole.

501 Final Plan

The final plan, in addition to the information supplied on the preliminary plat shall provide:

1. The boundaries of the property, determined by courses and distances, and the length and bearing of all lot lines; distances to the nearest one one-hundredth (1/100) of a foot, United States standard measure.

2. The boundary of the tract shall be determined by an accurate survey in the field which must be balanced and closed, shown by description on the plat and certified to be correct by a registered surveyor.

3. Labelling Requirements

   a. All lots must be numbered and the area of each lot indicated in square feet.

   b. All parcels and units must be lettered and the area of each parcel or unit indicated in square feet and acres.

4. The lines of all proposed streets and any other portions of the property intended to be dedicated for public use.

5. The lengths of the radii, arcs, chords, tangents and central angles for all curved streets or lot lines.

6. The names of all adjoining subdivisions; the lines of all adjoining property owners; the lines of all adjoining streets with their names and widths.

7. All required forms such as endorsements, dedications and certificates.

8. A location map identifying the location of the proposed subdivision or land development.

9. The location of the One-Hundred-Year Floodplain District boundary as designated by the Federal Emergency Management Agency and the Borough of Seven Fields Zoning Ordinance.

10. The location of all required permanent monuments and survey pins.

ARTICLE VI
DESIGN STANDARDS

The following standards shall be complied with in all subdivisions or land developments in the Borough.

600 General

A. Extension of Facilities

In order to provide service for the subdivision and land development or to relieve any facilities overburdened by the development of the subdivision, the Borough Council may require that the developer extend street, sewer or drainage facilities to intersect, join, meet or be connected with existing street, sewer or drainage facilities beyond the property being developed. It is the intent of this section to encourage rational development of land within the Borough, and to discourage isolated, spotty, or overextended development which presents burdensome and excessive servicing costs to the Borough. Nothing in this section shall be construed as requiring Borough Council to approve such development in the first instance.

B. Lots

In general, sizes and shapes of lots shall be in conformity with good planning. No subdivision plan will be approved by the Borough Council unless all lots whereon buildings are intended to be constructed shall, in the opinion of the Borough Council, be of such character that they can be used for building purposes without danger to health or peril from fire, flood, landslide or other hazard.

C. Electric power service including distribution, service laterals and street lighting facilities shall be in accordance with current Pennsylvania Public Utility Commission requirements. The electric utility easement shall be in accordance with the right-of-way specifications set forth by the electric utility who is to serve the development. To the greatest extent possible, all electric facilities shall be located on common grounds within the following zoning districts: Planned Residential Developments (PRDs) in any Residential (R) district, Planned Economic Development District (PEDD) and Planned Commercial Development District (B-1). All costs for street lighting systems, as required by Borough Ordinance and/or established by the power company servicing the plan, shall be borne by the developer.

D. The installation of natural gas service facilities shall, to the greatest extent possible, be located on common grounds within the following zoning districts: Planned Residential Development (PRD), Planned Economic Development District (PEDD) and Planned Commercial Development District (PCDD).

E. The installation of cable service facilities shall, to the greatest extent possible, be located on common grounds within the following zoning districts: Planned Residential Development (PRD), Planned Economic Development District (PEDD) and Planned Commercial Development District (PCDD).

F. All improvements, whether public or private, shall be built to the standards developed and adopted by the Borough Council as part of this Ordinance and to any other applicable Borough Ordinances and to the standards of any other agency having jurisdiction over the specific improvement. Such improvements may include, but shall not be limited to: buildings for public or quasi-public use, streets, curbs, gutters, street rights-of-way, sewer lines, water lines, storm drainage lines, stormwater management structures, sidewalks and walkways, recreational facilities, open space improvements, shade trees, street signs, buffer or screen plantings, monuments, water supply facilities sewage disposal facilities and all other additions to the tract that are required by Ordinance or necessary to result in a complete subdivision or land development in the fullest sense of the term.

601 Street Layout and Design

A. General

1. All streets, when and wherever possible, shall connect with existing roads so as to form one (1) street and shall not be less in width than such existing streets. All streets shall be graded to a minimum width in accordance with the Borough standards herein referred to, and all bridges, culverts and storm sewers shall be constructed for the full width of the right-of-way of such streets or as specified by the Borough Engineer.

2. In any subdivision or re-subdivision, all lots shall have frontage on an improved public street.

3. Where lots abut existing streets whose right-of-way is less than Borough standards, there shall be dedicated for public use as part of such existing street the width required to add one-half (1/2) of the difference needed to increase the width to that required for new streets under this Ordinance or as required by Borough Council for county and state road rights-of-way and major Borough arteries.

4. Where lots abut existing Borough streets, the cartway of which is not paved or curbed in accordance with Borough specifications, the landowner or developer may be required to pave and curb such Borough street for one-half (1/2) of the width of the cartway. Borough Council may accept other acceptable security in lieu of the actual required paving and curbing. Borough Council, acting on the advice of the Borough Engineer, shall decide if such paving and curbing or security thereof, shall be required in these instances.

5. Proposed streets shall be properly related to Borough, County and State roads and highway plans which have been prepared and officially adopted and/or filed as prescribed by law.

6. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades.

7. Local streets shall be so laid out as to discourage through traffic.

B. Right-of-way

1. No street right-of-way in a subdivision, plot, or re-plot of land shall have a width of less than fifty (50) feet unless the Borough Council determines that such a right-of-way width serves no purpose.

2. When subdivisions, plots, re-plots abut on county or state highways, or the aforesaid highways run through the property to be subdivided, a minimum right-of-way of sixty (60) feet will be required for all such highways and other roads included in the major highway system of the Borough of Seven Fields.

3. When a subdivision fronts on one side of an existing street, at least one-half (1/2) of the required right-of-way, said distance being measured from the center line of pavement, or where none exists, from the center line of the existing right-of-way, shall be dedicated for public use.

C. Cartway width

1. Single family development: 24 feet face-of-curb to face-of-curb.

2. Duplexes and townhouses development not exceeding four buildings: 22 feet face-of-curb to face-of-curb.

3. Cartway widths of 26 feet face-of-curb to face-of-curb are required in those high density areas comprised of multi-family dwellings which do not meet the conditions established in Paragraph 2 immediately above.

4. Collector streets are required to provide a cartway width of 26 feet face-of-curb to face-of-curb.

D. Street paving

1. All paving and curbing of streets shall be constructed strictly in accordance with the details set forth in the Borough Standards with the exception of intersections with state or county roads, which shall conform to state or county requirements, respectively.

2. All fills shall be thoroughly compacted in accordance with the Grading Ordinance of Borough of Seven Fields and completely consolidated before any paving is placed thereon.

3. Shoulders of streets, including driveways, shall not slope more than three-fourths (3/4) inch per foot above or below the curbs and shall be adequately drained. Driveways constructed across sidewalk areas shall conform to shoulder grades.

E. Grades

Vertical grades of four percent (4%) are desireable, however, no grade of less than one-half percent (0.5%) nor more than twelve percent (12%) will be permitted. When the grade of any street at the approach to an intersection exceeds five percent, a leveling area shall be provided with a transitional grade not to exceed two percent for a distance of 25 feet from the nearest right-of-way line of the intersection.

F. Horizontal Curves

Proper sight distance must be provided with respect to horizontal alignment. Measured along the centerline five (5) feet above grade, horizontal curves shall be provided to permit the following minimum sight distances:

Minor Streets:	one hundred (100) feet
Collector Streets:	two hundred (200) feet
Arterial Streets:	four hundred (400) feet

G. Vertical curves

Vertical curves shall be used at all changes in grade and shall be designed according to generally accepted design standards taking into account the design speed and the stopping sight distance for the grade of the road. The standard employed by the developer must be submitted to the Borough Engineer for his acceptance at the time of the Preliminary Plansubmission. The preferred design standards are those stated in the most current edition of PennDOT Publication 70 entitled Guidelines for Design of Local Roads and Streets.

H. Building lines

A minimum building line to meet the zoning regulations of the district in which the lot is located will be required on all lots in a subdivision, said building line to be established from the required minimum right-of-way (or side line) of all present or proposed streets, roads or ways and, in addition, shall be so located as to provide one hundred (100) feet clear sight distance measured from center line of each street in the case of corners. Exceptions to building lines may be granted where slope conditions warrant. The owner shall illustrate these conditions as a proposed layout showing the topographical contours of the

property. Corner lots shall, in addition to the above-required building line, provide a building line parallel to the side street as required by the zoning regulations.

I. Block dimensions

For residential developments the minimum length shall be five hundred (500) feet and the maximum length, twelve hundred (1,200) feet, except where no other practical alternative is available. Where blocks are longer than 1,200 feet, special consideration shall be given to the requirements of satisfactory fire protection.

J. Street names

Due care shall be exercised in the selection of street names to ascertain that there is no duplication in the same post office service area or in the Butler Postal Delivery District. A letter from the local postmaster certifying that the street names used are not duplications of street names within the same post office service area or in the Butler Postal Delivery District shall be filed by the developer. Street names shall be supplied the Borough for preparation of street name signs using Borough standards. A fee equal to the cost of installation of such street signs by the Borough shall be required to be provided by the developer at the time of execution of the development agreement.

K. Intersections

All street intersections shall be at right angles, where topography permits, and shall be connected by radii of at least twenty (20) feet. Not more than two (2) streets shall intersect at any one point, unless the Borough Engineer approves that the intersection can be constructed with no danger to public safety. Minimum street intersection angles shall not be less than seventy (70^{o}) degrees.

Intersections with collector or arterial streets shall be located not closer than one thousand (1,000) feet apart, measured from center line to center line, along the center line of the major street.

Intersections with minor streets shall not be at interval of less three hundred (300) feet.

All access control standards for driveways described in the Borough of Seven Fields Zoning Ordinance shall apply to all streets. Any access from a Borough street onto a County or State road shall be regulated by the applicable State or County access control standards.

L. Lots

1. Lot lines shall be perpendicular to, parallel to or concentric with street lines, as the case may be, except where approved by the Borough Council. All lots shall be

such as to meet the zoning regulations of the district in which the lot is located. Lots on a curve shall have sufficient width so as to provide a minimum width at the building line to meet zoning regulations of the district in which it is located. No lot shall include any part of the public right-of-way to be dedicated.

2. Flag lots shall not be created in any subdivision.

M. Cul-de-sac and dead end streets.

1. Cul-de-sac streets, permanently designed as such, are permitted when it is evident that either:

   a. Through traffic is not essential to the street system in that area, or

   b. The surrounding topography would not allow the connection of the street to any other streets, or

   c. Existing development would prohibit the extension.

2. Cul-de-sac streets must be provided with a paved turnaround with a minimum right-of-way radius of fifty (50) feet and must not exceed one thousand (1,000) feet in length as measured from the intersection of the cartway centerlines at one end, along the centerline of the cul-de-sac street, to the outermost part of the paved turnaround.

3. Dead-end streets shall be prohibited except to provide future access to an adjoining property or because of authorized stage development. Such streets shall be provided with a temporary, all-weather turnaround, within the subdivision or development, and the use of such a turnaround shall be guaranteed to the public until such time as the street is extended. The geometric configuration of the turnaround need not conform to the cul-de-sac standards, but must be approved by the Borough Council.

N. Private Streets

Private streets shall not be approved except as part of the development of a Planned Economic Development District or Planned Commercial Development District. No lot, except as part of a condominium plan, shall be created that only has frontage on a private street right-of-way.

O. Monuments and survey points

1. Monuments shall be set permanently by a registered surveyor and shall be so indicated on the final plat. Monuments shall be set at the intersection of all lines forming angles in the boundary of the subdivision or land development and along street lines as recommended by the Borough Engineer. (See definition for monument standards). In addition, all lot corners shall be marked by steel reinforcing bars at

least twenty-four (24) inches long and not less than three-quarter (3/4) inches in diameter.

2. If monuments have not been set at the time the final plat is submitted to the Borough Council, there shall be deposited with the Borough Secretary a certified check or bond in the amount of five hundred dollars ($500.00) per monument and two hundred and fifty dollars ($250.00) per pin. The amount of such check or bond will be returned as soon as the monuments have been set by the developer in accordance with this Article and as provided by the Borough Engineer. If such work has not been completed within two (2) years after the approval of the final plat, the Borough Engineer may cause the monuments to be set, and pay for the same out of the proceeds of the aforesaid certified check.

3. Any monuments or markers that are removed shall be replaced by a registered surveyor at the developer's expense until such time as the developer's interest in the property involved ceases.

P. Traffic control signs

Traffic control signs shall be installed as prescribed by the Borough Engineer and Police Department. All costs associated with these installations shall be borne by the Developer. Appropriate security guaranteeing the installation of same shall be provided to the Borough at the time of the execution of the development agreement.

Q. Partial subdivisions

The owner or owners of a tract or parcel of land out of which a partial subdivision is proposed shall submit to the Borough, along with and in addition to the plat for the proposed subdivision, a separate plat covering the remainder of such tract or parcel of land setting forth the proposed use and, if applicable, the proposed stages of development for the remaining land parcels, as well as any other pertinent information necessary to provide for the health, safety and general welfare of the public and community.

602 Drainage

A. Drainage flow and control for a subdivision or land development shall be in accordance with sound engineering practice and shall include, but not be limited to, all necessary pipes, manholes, catch basins, drop inlets and paved gutters. All lots shall be laid out and graded to provided positive drainage away from buildings except as required for proper stormwater detention facilities. No person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or water course without having obtained the approval of the Department of Environmental Resources or the Borough, whichever is applicable. Where a

subdivision or land development is traversed by a natural water course, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such water course and of such width as will be adequate to preserve the natural drainage. The Borough will assure that all permanent streams, not under the jurisdiction of other official agencies, are maintained open and free and flowing.

B. Any landowner and any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety or other property. Such measures shall include such actions as are required:

1. To assure that the maximum rate of stormwater runoff is no greater after development than prior to development activities, or

2. To manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects health and property from possible injury.

C. If the development site is located within a watershed for which a stormwater management plan has been adopted, as required by the Pennsylvania Storm Water Management Act, then any proposed stormwater control measures shall be consistent with the watershed plan. The control measures for an individual development or site shall be reviewed and approved by the Borough Engineer. All calculations of pre- and post-development stormwater runoff and storage requirements shall be done using the U.S. Soil Conservation Soil Cover Complex Method (as published in Technical Release TR-55).

D. Stormwater facilities built either as single purpose projects or incidental to a larger development project should not unreasonably or negligently collect, concentrate, divert, obstruct or increase stormwater runoff. Design criteria should consider downstream channel and encroachment capacities, flooding conditions, bank erosion, water quality standards, and impacts of stormwater originating upstream.

E. Storm sewers, culverts, and related installations shall be provided to permit unimpeded flow of natural water courses, to drain all low points along streets, and to intercept storm water runoff along streets at intervals reasonable related to the extent and grade of the area drained.

F. Storm sewers, as required, shall be placed in front of the curb or curb line when located in a street right-of-way. When located in undedicated land, they shall be placed within an easement not less than fifteen (15) feet wide, as approved by the Borough Engineer, who may require additional width of easement as circumstances warrant.

G. Street drainage will not be permitted to cross intersections or the crown of the road.

1. Maximum spacing of street inlets shall not exceed six hundred (600) feet.

2. All street inlets shall be PennDOT Type C or M. Inlet tops shall be cast in place reinforced concrete or precast concrete.

3. All culvert ends shall be provided with either reinforced concrete headwalls or pipe end sections.

4. Minimum pipe size shall be fifteen (15) inch diameter.

H. All springs and sump pump discharges shall be collected so as not to flow in the streets.

I. Storm water roof drains shall not discharge water directly over a sidewalk.

J. Stabilized outlets shall be provided for footer drains, floor drains, and downspouts.

K. The minimum design criteria shall be a ten (10) year storm. Higher frequency conditions shall be used in sensitive areas and where an overflow would endanger public or private property.

L. Runoff calculations must include complete hydrologic and hydraulic design and analysis of all control facilities.

M. Control facilities shall be designed to meet, as a minimum, the design standards and specifications of the Erosion and Sedimental Control Handbook for Butler County.

1. Detention ponds may be waived by the Borough Council on the recommendation of the Borough Engineer at sites in close proximity to major streams in order to facilitate drainage prior to stream flooding.

2. In areas underlain with limestone geology, ponds shall be limited to the detention (dry) type unless the developer can show a special need for a retention pond, in which case it shall have a lining. Detention ponds shall be prohibited in areas of known sinkholes unless the pond is lined. If a sinkhole develops in a pond or channnel before acceptance by the municipality, a lining shall be required.

3. Any ponds with slopes steeper than three (3) to one (1) shall be fenced with a six (6) foot fence with a type subject to the approval of the municipality.

N. A maintenance program for control facilities must be approved prior to the approval of the Final Plan.

1. Such program shall indicate that the responsibility for maintenance of the control facilities during the development activities of the project shall be the responsibility of the contractor, developer and owner.

2. In cases where permanent control facilities are owned by an entity, it shall be the responsibility of that entity to maintain control facilities (e.g., homeowner's association). In such cases, a legally binding agreement between the owner and the Borough shall be made providing for maintenance of all permanent stormwater runoff control facilities, including the inspection by the Borough.

603 Sewage Disposal

A. Sanitary sewers

All sanitary sewers shall be designed in accordance with the requirements of the Pennsylvania Department of Environmental Resources (PaDER) as to flows, capacities, slopes, manholes and supports and cover. In addition to these requirements, all service lines and lateral service lines shall be extended to the property line of the property being served. Required vents shall be so located that they will not permit the entry of surface or storm water into the sanitary sewer. All construction related to sanitary sewers shall be in conformity with the Borough Standards.

B. On-site sewage disposal systems

Where sanitary sewer service is unavailable, on-site sewage disposal systems for individual homes or buildings may be installed and used until such time as sanitary sewer service shall become available. On-site sewage disposal systems shall be designed and constructed in conformity with the minimum requirements of the PaDER and must be approved by the local Sewage Enforcement Officer.

C. All storm and sanitary sewer installations, including laterals and house connections, shall be certified as meeting Borough standards and good engineering practice by the Zoning Officer or Borough Engineer.

604 Floodplain Requirements

Any subdivision or land development proposed in an area designated as a Floodplain District shall comply with the following requirement:

A. Building sites for residential and non-residential uses shall not be permitted in any designated Floodway (FW) District. Residential and non-residential site uses may be allowed in the Floodplain District if the site or buildings are elevated to the regulatory flood elevation.

B. The finished elevation of the proposed street shall not be below the regulatory flood elevation.

C. All utilities, including sanitary sewers, proposed for installation in the Floodplain District shall be floodproofed.

605 Easements

A. Utility easements shall have a minimum width of twenty (20) feet and shall be placed near or on the lot lines when possible. When the Borough Council determines that conditions are suitable for utilities either in the present or in the future, then an easement reservation can be required.

B. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such water course, and of such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance purposes, but in no case shall the easement be less than thirty (30) feet.

C. Aerial easements shall be a minimum of fifteen (15) feet.

606 Sidewalks

A. Sidewalks and crosswalks shall be provided on collector streets and all streets and parking compounds located within multi-family building developments and in single-family developments where the average lot width is less than seventy-five (75) feet. Sidewalks and crosswalks may also be required by Borough Council in areas other than those itemized above where deemed necessary by Council.

B. The requirement for sidewalks may be waived at the discretion of the Borough Council.

607 Subsidence of Mining

A. All subdivisions and land developments shall specify the depth from the surface to underlying mining as closely as can be determined using available data from the Bureau of Mines or other local sources of information.

B. Any subdivision or land development where mining has occurred within one hundred (100) feet of the surface on any portion of the parcel shall be required to submit a detailed engineering study describing the areas of potential mine subsidence and the methodology to protect the future development from mine subsidence. Included with these plans shall be a description of core borings taken at surveyed points. These plans shall be prepared by a registered engineer with previous experience in mine reclamation and development of mine subsidence areas. The study shall be reviewed by the Borough Engineer who shall make comments on the methodology used in the study and the potential means of development of this area given the hazards of the underlying mining. The developer may be required by the Borough Council to complete all or portions of the recommended methodology to correct any mining subsidence hazards. Such a

determination shall consider the advice of the Borough Engineer regarding the evaluation of the developer's study and the suitability of the site for the proposed development. In any case, the Borough Council may require additional information if it can not adequately determine the level of mine reclamation necessary for the safe development of the parcel.

608 Traffic Impact Analysis

The Borough Council may require a traffic impact analysis to be completed by a qualified traffic consultant when the proposed subdivision will result in:

A. Direct access to any collector or arterial road;

B. Residential development greater than twenty-five (25) dwelling units;

C. Any use which, according to the table of Average Trip Generation Rate by Land Use Category or according to a qualified traffic engineer, will generate in excess of either two hundred fifty (250) trips per acre per day or one hundred (100) trips per day.

Said analysis shall address the anticipated traffic impact on all roads in the vicinity of the subdivision or development including those not directly abutting the subdivision or development. All applicable state and local requirements shall be considered in the traffic analysis. The subdivider or developer will be required to pay for all, or a portion of, the cost of off-site traffic improvements which are required in part due to the development, to the extent allowable under prevailing law.

609 Borough Standards

Detailed plans and specifications (herein, before and after "Borough Standards") shall specify how any improvements required by this Ordinance shall be constructed. Borough Standards shall be adopted by Resolution of the Borough Council and may be amended from time to time as deemed necessary by Council. The Borough Standards in effect on the date of enactment of this Ordinance are hereby adopted and made a part hereof as if fully set forth herein.

610 Water

If water is to be provided by means other than by private wells owned and maintained by individual owners of lots, applicants shall present evidence to the Borough Council, that the lots are to be supplied by a certified public utility, a bonafide cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for said Certificate, a Cooperative Agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

ARTICLE VII
CONSTRUCTION AND ACCEPTANCE OF IMPROVEMENTS

700 Construction Required

The applicant shall construct all streets, together with all other improvements, including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, storm drainage facilities, sanitary sewers, landscaping, traffic control devices, open space and restricted areas, and erosion and sediment control measures in conformance with the final plan as approved, and other applicable state and county regulations.

701 Inspections

A. The construction or installation of all improvements shall at all times be subject to inspection by representatives of the Borough at costs to the Developer as prescribed in 802, Fees. If such inspection reveals that work is not in accordance with approved plans and specifications, that construction is not being done in a workmanlike manner, or that erosion or sediment controls are failing to prevent accelerated erosion or water-borne sediment from leaving the site of construction, the said representative is empowered to require corrections to be made and/or the suspension of subdivision approval, and to issue a cease and desist order.

B. The said cease and desist order shall be terminated upon determination by the Borough that the said defects or deviations from plan requirements have been corrected.

C. No underground pipes, structures, subgrades, or base course shall be covered until inspected and approved by the Borough. These inspections shall occur at the following intervals:

1. Upon completion of rough grading, but prior to placing top soil, installing permanent drainage or other site improvements, or establishing covers.

2. Upon excavation and completion of subgrade.

3. Prior to backfilling any sanitary or storm sewer lines.

4. Upon excavation, installation, and completion of drainage structures, community sewage systems, or water supply systems.

5. Before placing stone base course, or before initial layer of screenings.

6. Before binder course.

7. Before wearing course.

8. Final inspection.

D. The developer shall notify the designated Borough representative at least twenty-four (24) hours in advance of completion of any construction operations requiring an inspection.

702 As Built Plans.

Within thirty (30) days after completion and Borough approval of subdivision or land development improvements as shown on final plans, and before Borough acceptance of any portion of such improvements, if any, the developer shall submit to the Borough Council a corrected copy of said plans showing actual dimensions and conditions of streets and all other improvements, certified by a professional engineer to be in accordance with actual construction. All sanitary lateral sewer stub ends shall be located in addition to station and length by cross tie dimensions extending from adjacent manholes.

703 Dedication and Acceptance of Public Improvements

A. Upon completion of any public improvements shown on an approved subdivision plan and within ninety (90) days after approval of such public improvements as herein provided, the developer shall submit written offer of such public improvements for dedication to the Borough. When the offer of dedication is not included in the approved subdivision plan, then said offer shall include a deed of dedication covering said public improvements together with satisfactory proof establishing the developer's clear title to said property. Such documents are to be filed with the Borough Secretary for review by the Borough Solicitor. Deeds of dedication for public improvements may be accepted by the Borough Council at a regular meeting thereof and recorded in the Recorder of Deeds Office of Butler County, Pennsylvania. Should the streets, even though constructed according to the specifications of this Ordinance, deteriorate before the said 50 percent of the lots have certificates of occupancy issued, such streets shall be repaired in a manner acceptable to the Borough Council before being accepted by the Borough.

B. The Borough Council may require that certain subdivision and land development improvements remain undedicated, with maintenance, reconstruction, and repair, the responsibility of individual lot owners, a homeowners' association or similar entity, or an organization capable of carrying out maintenance responsibilities. In such an event, the applicant shall submit to the Borough for review and approval by the Borough Solicitor, drafts of such legal documents as are necessary to insure compliance with this subsection. No building permits shall be issued until such documents are approved and recorded in the Butler County Recorder's Office.

C. The Borough Council, shall determine whether or not any street shown on a plat, completely within the confines of said plat, shall be a public or private street.

D. The Borough Council may allow certain improvements to be deferred provided such deferment and the requirement for future installation is placed upon the final plat as recorded and if deemed necessary by the Borough Council, appropriate security shall be provided by the developer to the Borough, that said improvements will be installed.

ARTICLE VIII
ADMINISTRATION

800 Modifications

The Borough Council may grant a modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

801 Records

A. The Borough shall assign a subdivision application number to all subdivision and land development applications, and all matters referring to an application shall be filed in accordance with the subdivision application number. The Borough shall keep a record of its findings, decisions, and recommendations relative to all plans filed with it for review.

B. All such records shall be public records.

802 Fees

A. Application fee

All applications for subdivision or land development approval shall be accompanied by a fee established by resolution of the Borough Council. In addition, a deposit equal to the anticipated engineering fees for review of the subdivision or land development shall be paid at the time of submittal of the application. If there is an excess between the amount of the deposits and the actual engineering fees, then said excess shall be returned or applied to other applicable fees established by this Ordinance. If there is a deficiency between the deposit and the actual engineering fees, then the developer will be billed the cost of said excess and shall pay same.

B. Review fee

Any costs incurred by the Borough for consultant fees, including those of the Borough Engineer, to review a subdivision or land development application will be borne by the developer. The need for such a review shall be determined by the Borough Council.

C. Inspection fees

Any costs incurred for the inspection of improvements will be reimbursed by the developer. Such reimbursement shall be based upon a schedule established by resolution of the Borough Council.

D. Legal fees

Fees of the Borough Solicitor for preparation of the development agreement and review of the subdivision or land development application shall be paid by the developer.

E. All fees shall be credited to the General Revenue Fund and are not refunded if said application is withdrawn by the applicant or disapproved by Borough Council.

F. Prior to release of the mylar for recording, all fees and costs incurred to date shall be paid.

803 Violations and Penalties

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefore, in a civil enforcement proceeding commenced by the Borough of Seven Fields, pay a judgment of not more than Five Hundred ($500.00) Dollars, plus all court costs, including reasonable attorney fees incurred by the Borough of Seven Fields as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the Defendant neither pays nor timely appeals the judgment, the Borough of Seven Fields may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to believe that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter, each day that a violation continues shall constitute a separate violation. All judgments, costs, and reasonable attorney fees collected for the violation of this Ordinance, shall be paid to the Borough of Seven Fields.

ARTICLE IX
REQUIRED CERTIFICATES

900 Certificates

The appropriate certificates stated below shall be inscribed with black waterproof India ink or veritype on the mylar tracing, exactly as stated, and shall be properly signed with black waterproof India ink and attested when the plan is submitted for review or approval by the Borough Council of the Borough of Seven Fields.

901 Owners Adoption

Required: Use 901 (A) for individual owner(s) or 901 (B) for corporations.

A. Adoption for Individual Owners

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

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

ATTEST

_____ _____

Notary Public Owner

B. Adoption for Corporate Owners

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

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

ATTEST: NAME OF CORPORATION

(Seal)

_____ _____

Secretary President

902 Acknowledgements

Required: Use either 902 (A) for individual acknowledgements or 902 (B) for corporate acknowledgements.

A. Individual Acknowledgement

COMMONWEALTH OF PENNSYLVANIA) ss:

COUNTY OF BUTLER)

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

Sworn to and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ day of

_____ 19 _____.

My Commission Expires the _____ day of _____, 19 _____.

(Seal)

_____

Notary Public

B. Corporation Acknowledgement

COMMONWEALTH OF PENNSYLVANIA) ss:

COUNTY OF BUTLER)

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

_____
Title of Officer

Sworn to and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ day of

_____ 19 _____.

My Commission Expires the_____ day of_____,19 _____.

(Seal)

_____
Notary Public

903 Title Clause (No Mortgage)

I, (or We) _____(Name of Owner)_____ owners of the

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

_____ _____

Witness Owner

904 Title Clause (Mortgage Clause)

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

I, (or We) _____(Name of Owner)_____, owners of the _____(Name of Plan)_____, do hereby certify that the title of this property is in the name of_____,as recorded in Deed Book Volume_____,Page _____, Recorder of Deeds Office of Butler County.

_____ _____

Witness Owner

I (or We) _____(Name of Mortgagee)_____mortgagee of the property embraced in this_____(Name of Plan)_____, do hereby consent to the recording of said plan in the Recorder of Deeds Office of Butler County, Pennsylvania, and to the dedications and covenants appearing hereon.

_____ _____

Witness Mortgagee

905 Surveyor's Certification (Required)

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

_____ _____

Date Registered Surveyor & Reg. No.

906 Borough Stipulation (Required)

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

(Seal)

_____ _____

Secretary President of Council

907 Borough Approval (Required)

Approved by the Borough Council of the Borough of Seven Fields by Resolution, this _____ day of _____, 19 _____.

(Seal)

_____ _____

Secretary President of Council

908 Local Planning Commission Approval (Required When Created)

Reviewed by the Borough Planning Commission this_____day of _____, 19 _____.

(Seal)

_____ _____
Secretary Chairman

909 County Planning Commission Review (Required)

Reviewed by the Butler County Planning Commission this _____day of _____, 19 _____.

(Seal)

_____ _____
Secretary Chairman

910 Proof of Recording (Required)

COMMONWEALTH OF PENNSYLVANIA) ss:

COUNTY OF BUTLER)

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

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

(Seal)

_____
Recorder

911 Municipal Engineer's Certification (Required)

I, _____, a Registered Professional Engineer for the Borough of Seven Fields, do hereby certify that this subdivision plan meets all the engineering and design requirements of the Borough of Seven Fields Subdivision and Land Development Ordinance and Zoning Ordinance.

(Seal)

_____ _____

Date Signature & Reg. No.

912 PaDER Compliance (Required)

Approval of this Subdivision, or execution of this mylar, is no guarantee by the Borough of Seven Fields that any or all sewer connections or taps necessary for completion of this entire plan will be approved or issued.

The Borough of Seven Fields of Butler County, Pennsylvania agrees not to issue Building Permits or to permit development on any portion of this plan until such time as sewage disposal planning is completed in accordance with the provisions of the rules and regulations of the Pennsylvania Department of Environmental Resources.

_____ _____

Date Borough Secretary

913 Compliance with Section 420 of the State Highway Law

Any plat requiring access to a highway under the jurisdiction of the Department of Transportation must contain the following note before the plat may be approved.

Note: A Pennsylvania Dept. of Transportation Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law" before driveway access to a state highway is permitted. Access to the state highway shall be only as authorized by the highway occupancy permit.

ARTICLE X
MOBILE HOME PARKS

1000 Reference to Zoning Ordinance

Mobile home parks are permitted in Borough of Seven Fields in accordance with the requirements set forth in the Borough of Seven Fields Zoning Ordinance, as amended. All applications for review and approval of a mobile home park shall follow the procedures prescribed in the Zoning Ordinance. Any proposed development where mobile homes will be permitted, but the lots on which the mobile homes are located will be owned separately, shall be required to meet all of the standards for a typical subdivision and shall be in accordance with the requirements of the Borough of Seven Fields Zoning Ordinance, as amended and this Ordinance.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE - NO.30

ORDAINED AND ENACTED by the Council of the Borough of Seven Fields, this 19th day of February, 1990.

Christine R. Clutter
Christine R. Clutter
Borough Secretary

Jacqueline S. Ross
Jacqueline S. Ross
Council President

REVIEWED AND APPROVED BY ME this _____ day of _____, 1990.

_____
Dr. Michael H. Coleman
Mayor of Seven Fields Borough

(SEAL)

The Mayor of the Borough of Seven Fields, Dr. Michael Coleman, failed to sign the above Ordinance; however, the Ordinance was not returned by the Mayor with a veto and noted objections. So pursuant to Section 1007 of the Borough Code, the approved Ordinance is effective as of the date of the next regular Council meeting which was March 12, 1990.

APPENDIX A

ACT 247 DEFINITIONS - THE MUNICIPALITIES PLANNING CODE, AS AMENDED

Section 107. Definitions.

(a) The following words and phrases when used in this act shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

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

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

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

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

"City" or "cities," cities of the second class A and third class.

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

"Conditional use," a use permitted in a particular zoning district pursuant to the provisions in Article VI.

"County," any county of the second class A through eighth classes.

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

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

"Governing body," the council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class A through eighth classes or as may be designated in the law providing for the form of government.

"Land development," any of the following activities:

(1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

(3) Development in accordance with section 503(1.1).

"Landowner," the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

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

"Mediation," a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

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

"Mobilehome lot," a parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome.

"Mobilehome park," a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots for the placement thereon of mobilehomes.

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

"Municipal engineer," a professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.

"Municipality," any city of the second class A or third class, borough, incorporated town, township of the first or second class, county of the second class A through eighth class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly.

"Nonconforming lot," a lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

"Nonconforming structure," a structure or part of a structure nanifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

"Nonconforming use," a use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

"Official map," a map adopted by ordinance pursuant to Article IV.

"Planned residential development," an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.

"Planning agency," a planning commission, planning department, or a planning committee of the governing body.

"Plat," the map or plan of a subdivision or land development, whether preliminary or final.

"Public grounds," includes:

(1) parks, playgrounds, trails, paths and other recreational areas and other public areas;

(2) sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and

(3) publicly owned or operated scenic and historic sites.

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

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

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

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

"Special exception," a use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX.

"Street," includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

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

"Subdivision," the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or 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 ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

"Substantially completed," where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to section 509) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

"Transferable development rights," the attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands within the municipality where more intensive development is deemed by the municipality to be appropriate.

"Variance," relief granted pursuant to the provisions of Articles VI and IX.

"Water survey," an inventory of the source, quantity, yield and use of groundwater and surface-water resources within a municipality.

(b) The following words and phrases when used in Articles IX and X-A shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Board," any body granted jurisdiction under a land use ordinance or under this act to render final adjudications.

"Decision," final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies.

"Determination," final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

(1) the governing body;

(2) the zoning hearing board; or

(3) the planning agency, only if and to the extent the planning agency is charged with final decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

"Hearing," an administrative proceeding conducted by a board pursuant to section 909.1.

"Land use ordinance," any ordinance or map adopted pursuant to the authority granted in Articles IV, V, VI and VII.

"Report," any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

SUBDIVISION AND LAND DEVELOPMENT APPLICATION
BOROUGH OF SEVEN FIELDS, BUTLER COUNTY

Part A: Information About the Developer

1. Name of Development: _____
2. Developer's Name: _____
3. Developer's Address: _____
4. Developer's Phone #: _____
5. Contact Person: _____

Part B: Information About the Land Owner (If different from Part A)

1. Owner's Name: _____ 2. Owner's Phone #: _____
3. Owner's Address: _____ 4. Owner's Contact Person: _____

Part C: Information About the Developer's/Owner's Engineer

1. Engineer's Name: _____ 2. Engineer's Phone #: _____
3. Engineer's Address: _____

Part D: Information About the Proposed Development

1. Total Acres: _____ 2. Zoning District(s): _____
3. Proposed Use: _____
4. Number and Type of Proposed Units: _____
5. Proposed Method of Water Supply: _____
6. Proposed Method for Providing Wastewater Services: _____
7. Access to a State Highway: _____
8. Stormwater Management Plan & Name of Preparer: _____
9. Covenants, Conditions and Restrictions: _____
10. Comments, Additional Information Requested, etc. _____

_____ _____
Signature of Applicant **Date**

_____ _____
Borough Representative **Date**

For Municipal Use Only

1. Date Plan Officially Submitted: _____ 2. Plan No.: _____
3. Application Fee Rec'vd.: _____ 4. Review Date: _____
5. Approved, Conditionally Approved, Denied: _____ 6. Boro Response Date: _____

THE BOROUGH OF SEVEN FIELDS
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
AMENDMENTS

The Seven Fields Planning Commission is preparing to recommend that Borough Council adopt the following recommendations as amendments to the Borough's current Subdivision and Land Development Ordinance which was enacted on March 12, 1990:

Article IV: Procedures

403 Steps in Approval Process of Major Subdivisions

A. Step 1: Preliminary Plat Application Review and Approval Process

1. Ten (10) copies of a preliminary plat of any land proposed for subdivision or land development, drawn in accordance with the requirements herein prescribed, and an application in a form prescribed from time to time by the Borough Council shall be submitted by the developer to the Zoning Officer (40) days prior to the next regular Borough Council meeting at which the preliminary plat will be reviewed. The application shall not be deemed to be submitted until a complete application which, shall include, without limitations, the required fees have all been submitted. Any request by the applicant for tabling action on an application or for a withdrawal of an application must be submitted in writing.

CHANGE

... shall be submitted by the developer to the Zoning Officer prior to the first working day of the month in which the preliminary plat will to be reviewed by the Planning Commission.

B. Step 2: Final Plat Review and Approval Process

1. Ten (10) copies of the final plat prepared in accordance with the requirements herein prescribed shall be submitted to the Zoning Officer either at the same time as the preliminary plat or after approval of the preliminary plat. Prior to action by the Borough Council, the final plat shall be forwarded upon receipt by the Borough to the Butler County Planning Commission for review and report. Borough Council may not approve any final plats until a County report is received or until the expiration of thirty (30) days from the date the plat was forwarded to the County. The failure of the Butler County Planning Commission to review and make a report with respect to any such play shall not affect the validity of any action taken by the Borough Council with respect to such plan.

CHANGE

...shall be submitted to the Zoning Officer either at the same time as the preliminary plat or after approval of the preliminary plat, prior to the first working day of the month in which the final plat will be reviewed by the Planning Commission .

404 Steps in Approval Process of Minor Subdivisions

A. Step 1: Final Plat Review and Approval Process

1. Ten (10) copies of a final plat of the minor subdivision, drawn in accordance with the requirements herein prescribed , and an application in a form prescribed from time to time by the Borough Council shall be submitted by the developer to the Zoning Officer within forty (40) days prior to the Borough Council meeting. The application shall not be deemed to be submitted until a complete application, which shall include. without limitation, the required fees, have all been submitted. Any request by the applicant for tabling action on an application or withdrawal of an application must be submitted in writing.

CHANGE

...shall be submitted by the developer to the Zoning Officer prior to the first working day of the month in which the plat will be reviewed by the Planning Commission.

Article V: Plan Contents Requirements

500 Preliminary Plan

ADDITION

21. A signature space is to be provided on the plans for the signatures of the developer. Planning Commission and Borough Council upon approval of the preliminary plat.

All references to the "Borough Council" will be changed to "Planning Commission" where applicable. Because the existing ordinance was adopted prior to the formation of the Borough Planning Commission, many of the duties assigned to the Borough Council in the ordinance are now handled by the Planning Commission.

Appendix B: Traffic Study Requirements, as developed by Michael Baker Engineers (attached) is also recommended for adoption to be made a part of the Subdivision and Land Development Ordinance

APPENDIX B

Preparation of a Traffic Impact Study and Report
4-18-95

Purpose:

The purpose of conducting a traffic impact study and preparing the accompanying report is to identify the impacts a proposed development may have on the traffic facilities within the Borough. The traffic impact study and report shall document the existing and anticipated levels of service (LOS) both with and without the proposed development and it shall identify mitigating measures that will allow the impacted facilities to operate at a LOS, considered acceptable by the Borough.

The Borough of Seven Fields considers a LOS C or better (as defined in the latest edition of the Transportation Research Board's Highway Capacity Manual) to be acceptable.

General criteria for the investigation, analysis, and presentation of the study are identified herein. Satisfying these traffic impact study requirements for the Borough of Seven Fields does not necessarily relieve the developer of his responsibility to other authorities. Additional issues regarding traffic impacts along state highways and traffic facilities located in other municipalities may need to be addressed. Study procedures not specifically addressed in this appendix shall adhere to the general practices as outlined by the Pennsylvania Department of Transportation (PennDOT), Federal Highway Administration (FHWA), Transportation Research Board (TRB) and Institute of Transportation Engineers (ITE).

Coordination:

The developer shall present a development proposal to the Planning Commission. The Planning Commission will decide if a traffic study needs to be conducted. If a study is required. the scope of the study and the boundaries of the study area will be established by the Borough Engineer. The traffic impact study and report will need to be reviewed and approved by the Planning Commission and the Borough Engineer before any recommendations for approval of the development can be made to Borough Council.

Study Procedures:

Study Area: The boundaries and elements of the study area will be determined by the Borough Engineer. The study area shall include existing traffic facilities as well as proposed traffic improvement projects that have been funded. Transportation projects listed on Southwestern Pennsylvania Regional Planning Commission's (SPRPC's) Long Range Transportation Plan should not be considered an element of the study area until funding has been specifically allocated for its implementation. Study area boundaries will generally remain within the Borough, however, the operation of traffic facilities in adjacent communities may occasionally affect the operation of traffic facilities within the Borough of Seven Fields. For this reason, the Borough retains the right

to request a study of traffic facilities that are outside of the Borough boundaries. The Planning Commission and Borough Engineer reserve the right to modify the study area as the traffic impact investigation proceeds.

Data Collection: Peak hour periods shall be determined from 24 hour vehicle counts. Peak hour vehicle turning movement counts shall be conducted manually with data summarized in 5 minute or 15 minute intervals. Sufficient turning movement data should be collected so the peak hour is bracketed by 15 minute non-peak intervals. Intersection turning movement counts shall include pedestrian volumes as well as vehicular volumes. Existing heavy vehicle percentages, for all traffic facilities, should be determined for at-least the peak periods.

Analysis of Existing Traffic Operations (Without the Proposed Development): The Developer shall calculate the LOS of all pertinent traffic facilities within the study area. For a single phase development this work will typically include the following.

- The capacity and operational LOS's of the existing traffic facilities within the study area during the AM, PM, and proposed development peak hour for the current year.
- The capacity and operational LOS's of the existing traffic facilities within the study area during the AM, PM, and proposed development peak hour for the opening year.
- The capacity and operational LOS's of the existing traffic facilities within the study area during the AM, PM, and proposed development peak hour for the design year.

The current year is the year the proposal is presented to the Planning Commission. The opening year is the year the proposed development is expected to be completed. The design year is the final year of a specified design horizon. A ten year design horizon (between the opening year and the design year) will generally be considered adequate, however the Borough reserves the right to lengthen or shorten the duration of the design horizon on a project by project basis.

The analysis of traffic facilities should include the following.

- Analysis of signalized intersections, including the identification of LOS and vehicle delay for the overall operation and for each lane group.
- Analysis of unsignalized intersections, including the identification of LOS for overall operation and for each approach.
- Analysis of roadway segments, including the identification of level of service and calculated capacity.
- Analysis or documentation of existing or anticipated queue lengths.
- Analysis or documentation of vehicle headways and vehicle gaps.
- Identification of posted speed limits.

- Operational analysis of ramps, merge areas, and weave areas; including the identification of level of service.

- Documentation and analysis of pedestrian needs, transit needs, and bicycle needs.

Analysis scenarios for multi-phase developments will need to be approved by the Borough Engineer.

If the peak hour of the proposed development coincides with either the AM peak hour or the PM peak hour of the adjacent side streets, an analysis of only these two periods will be required. If the traffic characteristics of a proposed development results in a negligible impact to the AM peak period, the A.M. peak hour analysis may not be required. Documented proof of a development's peak period traffic characteristics will need to be provided to the Borough. It should also be noted that the traffic analyses for the opening year will not be needed if improvements, necessary for the design year, are implemented prior to the opening year.

The Borough Engineer reserves the right to revise the list of pertinent traffic facilities and the level of detail of the analyses as the study proceeds.

Trip Generation: Trip generation rates shall be calculated for the proposed development and other pending/approved land development projects in the study area. These rates shall be calculated from the procedures identified in the current edition of the ITE Trip Generation Manual. Specific land use categories for the proposed development must be approved by the Borough Engineer. The Borough reserves the right to request additional information from the developer regarding the trip making characteristics of the proposed development and require the developer to use an alternative methodology to determine trip generation rates if the land use category in the ITE Trip Generation Manual is not sufficiently similar or if it is based upon a relatively small sample size. The developer will provide trip generation rates for all phases of the proposed development for the following periods.

- AM peak hour of the adjacent side street,

- P M peak hour of the adjacent side street,

- Peak hour of the proposed development.

Trip Distribution: A trip distribution pattern associated with the proposed development will be established in coordination with the Borough Engineer. This trip distribution pattern can be based upon existing traffic flow patterns, anticipated trip making characteristics of the region identified by SPRPC, the results of a land use model, the results of a comprehensive travel time and delay study, or any method found acceptable by the Borough Engineer.

Background Growth and Projected Traffic Volumes: Background growth rates will be established in coordination with the Borough Engineer and may be based upon recent traffic growth rates, anticipated traffic growth rates identified by SPRPC, or other methods found acceptable by the Borough Engineer.

Analysis of Future Traffic Operations (With the Proposed Development): Peak hour traffic volumes used for the analysis of future operations, shall include existing traffic volumes, the anticipated increase in background traffic resulting from regional growth outside the study area, the anticipated traffic generated from the proposed development, and the anticipated traffic generated from other approved developments within the study area. The report shall identify improvements that will allow the existing and proposed traffic facilities to operate at an acceptable LOS through the design year. The report shall include a summary of the expected LOS's for the improved network and an appendix that incorporates the analysis calculations. For single phase developments this work will typically include the following analysis scenarios.

- The capacity and operational LOS's of the existing and proposed traffic facilities within the study area during the AM, PM, and proposed development peak hours for the opening year.

- The capacity and operational LOS's of the existing and proposed traffic facilities within the study area during the AM, PM, and proposed development peak hours for the design year.

The analysis of proposed traffic facilities should include the same aspects that were included in the analysis of the existing facilities. Analysis scenarios for multi-phased developments will need to be approved by the Borough Engineer. It should be noted that traffic analyses for the opening year will not be needed if improvements, necessary for the design year, are implemented prior to the opening year.

The Borough Engineer reserves the right to revise the list of pertinent traffic facilities and the level of detail of the analyses as the study proceeds.

Internal Circulation:

The traffic impact study and report shall address the internal circulation and traffic safety of the proposed development. Issues relative to vehicle turning radii, transit interfaces, site specific traffic control, pedestrian and bicycle safety, adequacy and layout of parking areas, layout of delivery and loading areas, and potential sight obstructions shall be addressed.

Implementation of System Improvements:

The traffic report shall include a summary of the proposed improvements along with an anticipated implementation schedule for these improvements. The design of system improvements shall be governed by generally accepted design practices in accordance with Federal, State, or Local design criteria and are not addressed by this appendix. The report shall also include a commitment by the developer that identifies his financial responsibilities for the proposed improvements.

Final Report:

A final report must be prepared to document the results of the traffic impact study. In addition to documenting all study elements, the report should specifically include the following.

- The professional seal of the supervising engineer.
- An area map showing the limits of the study area, the affected traffic facilities, and the location of the proposed development.
- A graphical representation of existing and anticipated traffic volumes at each traffic facility for all analysis scenarios.
- A graphical representation of existing and anticipated levels of service at each traffic facility for all analysis scenarios.
- An improvement implementation schedule and a commitment to finance said improvements.
- An appendix consisting of all formal calculations and computer print outs.

The report shall be submitted in its entirety to the Planning Commission and the Borough Engineer for their review and approval.

Borough Review:

Every reasonable effort will be made by the Borough to review the report in a timely manner, however, the Borough reserves the right to comment on and request modifications to the report.

The developer will be required to reimburse the Borough of Seven Fields for the Borough's cost of reviewing the traffic impact report.

Ordained and enacted by the Council of the Borough of Seven Fields this 10th day of July, 1995.

ATTEST:

BOROUGH OF SEVEN FIELDS

Christine Wells
Secretary

Paul A Morris
President

Reviewed and approved by me this 10 day of July, 1995.

Elizabeth O. Bygrove
Mayor