ORDINANCE 2013-51
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ARTICLE I – SHORT TITLE, PURPOSE, AND JURISDICTION

101 – SHORT TITLE
This Ordinance shall be known and may be cited as “The Germany Township Subdivision and Land Development Ordinance.”

102 – PURPOSE
This Ordinance is enacted for the purpose of assuring suitable sites for building purposes and human habitation and to provide for the harmonious development of the Township of Germany for the proper coordination of proposed streets, parks, or other facilities for insuring adequate open space for traffic, recreation, light and air and for the proper distribution of population, thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens of Germany Township. The approval of any subdivision plan shall be based upon considerations set forth as following:

1. Recognition of a desirable relationship of the development proposed to the general land form, topographic and geologic character, to natural drainage and surface water runoff, and to the ground water table.

2. Recognition of a desirable standard of subdivision design, including adequate provision for pedestrian and vehicular traffic, and for suitable building sites for the contemplated land use.

3. Preservation of such natural assets as ponds, streams shrubs, trees, and watershed areas.


103 – AUTHORITY AND JURISDICTION
The authority of the Township Supervisors to adopt this Ordinance regulating subdivision and land development within Germany Township is granted by Article V of the Pennsylvania Municipalities Planning Code (MPC) of July 31, 1968, Act No. 247 as amended. No subdivision or land development of any lot, tract, or parcel of land shall be made, no streets, sanitary sewer, storm sewer, water main and other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance. Any matters or issues not specifically regulated by this Ordinance would then be regulated in accordance with the provisions with the MPC, as amended.

104 – INTERPRETATION
The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict or
are inconsistent with the provisions of any other ordinance regulation or requirement, the more restrictive provisions shall apply, including those provisions of the MPC, as amended.

105 – COUNTY REVIEW

All applications for subdivision and/or land development approval within Adams County shall be forwarded upon receipt to the Adams County Office of Planning and Development for review and report. Such action shall occur at the Preliminary and Final Plan stages, and the Township shall not take action on said plans until the county report is received or until the expiration of thirty (30) days from the date a complete application is submitted to the County for review. A complete application requires a submission of a request for review form and payment in full of all costs and fees associated with the Plan.

106 – MUNICIPAL LIABILITY

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the municipality or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon the municipality, its officials or employees.

107 – SEVERABILITY CLAUSE

If any provision of this Ordinance shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of this Ordinance.
ARTICLE II – DEFINITIONS

For the purpose of this Ordinance, the following words and phrases shall have the meaning as given in the Article.

- Words in the present tense include the future.

- The singular includes the plural.

- The word “shall” is mandatory, the word “may” is optional.

- The word “person” means an individual, corporation, partnership, firm, association, company, or any other similar entity.

- If a word or term is not defined in this Ordinance, the word or term shall have its plain and ordinary meaning within the context of the section. In the latter case, a standard reference dictionary should be consulted.

AGRICULTURAL OPERATION - an enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AGRICULTURAL PURPOSE – The use of a tract at least ten acres in size for the purpose of active cultivation or animal raising as a means of obtaining income and as defined in the Pennsylvania Municipalities Planning Code (ACT 247) as amended.

ALLEY – A minor right-of-way privately or publicly owned, primarily for service access to the rear or side of properties.

APPLICANT – A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors, or assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary 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 for the approval of a development plan.

BLOCK – An area bounded by streets, alleys, public parks, railroad right-of-way, water courses or bodies of water, boundary lines of the Township or any combination of the above.

BUILDING SET BACK LINES - A line, parallel to the street right-of-way line for front yards, and parallel to the lot lines for side and rear yards, designating the minimum
distance from the right-of-way and/or lot lines that a building may be erected under the various land requirements of this Ordinance.

**CARTWAY** – The surface of an improved street or road available for vehicular traffic.

**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.

**COUNTY** – The County of Adams, Commonwealth of Pennsylvania.

**CROSSWALK** – A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

**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 or resubdivision.

**DEVELOPMENT** – A subdivision of land or land development.

**DWELLING** – A building or a portion thereof designed for and used exclusively for residential occupancy.

a. **DWELLING UNIT** – An independent housekeeping unit consisting of living quarters of one or more rooms arranged for use by one or more individuals with cooking, living, sleeping and sanitary facilities.

b. **SINGLE FAMILY DETACHED UNIT** – A residential structure containing only one dwelling unit.

c. **CONVERSION UNIT** – Existing residential structure which has been modified structurally in such a way as to convert it from one dwelling unit to multiple dwelling units.

d. **SEMI-DETACHED UNIT** – A residential structure containing two single dwelling units having one common wall.

e. **ATTACHED, ROW, OR TOWNHOUSE UNIT** - A residential structure containing three or more dwelling units which are separated from each other by two common walls, except for the end units.

f. **MULTIPLE DWELLING OR APARTMENT UNIT** – A residential structure of two or more stories containing three or more dwelling units (not row or townhouse units).

g. **CONDOMINIUMS** – A given set of dwelling units each of which is owned by an individual person or persons in fee simple, and which is assigned a proportionate interest in all common elements, as set forth in the “Uniform Condominium Act”, of July 2, 1980, P. L. 286 No. 82, Section 1, as amended and supplemented.
EASEMENT – A right-of-way granted for the limited use of land for private, public or quasi-public purposes.

ENGINEER, TOWNSHIP – A registered professional engineer in Pennsylvania designated by the Township to perform the duties of engineer as herein specified.

ENGINEERING SPECIFICATION - The engineering specifications of the municipality regulating the installation of any required improvements or for any facility installed by any owner, subject to public use.

EROSION – The removal of surface materials by the action of natural elements.

EXCAVATION – Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, carried, uncovered, removed, displaced, relocated or bulldozed. Excavation may also mean the earth, sand, gravel, rock or any other similar material uncovered, removed, etc.

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

FLOOD – A temporary inundation of normally dry land areas.

a. FLOODPLAIN or FLOOD PRONE AREA – A relatively flat or low land area adjoining a stream, river or watercourse, which is subject to partial or complete inundation; and/or, any area subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

b. FLOODWAY – The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

c. ONE HUNDRED (100) YEAR FLOOD – A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).

d. REGULATORY FLOOD ELEVATION - The 100 year flood elevation plus a freeboard safety factor of one and one-half (1½) feet.

GOVERNING BODY – The Board of Supervisors of the Township of Germany, Adams County, Pennsylvania.

IMPROVEMENTS – Those physical additions and changes to the land that may be necessary to produce usable and desirable lots including, but not limited to buildings, structures, roads, streets, pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, stormwater retention and detention basins, open space
buffer or screen plantings, street signs, water supply facilities, and sewage disposal facilities.

LAND DEVELOPMENT - any of the following activities:

a. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

   (1) 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

   (2) 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 structures.

b. A subdivision of land.

c. Development in accordance with Section 503(1.1) of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended.

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 conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in the 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.

LOT, THROUGH OR DOUBLE FRONTAGE – A lot with front and rear street frontage.

LOT AREA – The area contained within the property lines of a lot, excluding space within any street right-of-way or driveway easement providing access to an adjoining property, or officially designated floodplain located on the lot.

LOT LINE ADJUSTMENT — the revision or deletion of one or more lot lines in such a way that all of the following are true:

a. No new lots will be created beyond what was previously approved.

b. No additional street segments or significant changes in alignment are proposed other than what was previously approved.

c. No additional nonconformities will be created under the zoning ordinance currently applied in Germany Township.

d. No new land development will occur other than a land development that was previously approved or buildings to support farming.
PLAN, SKETCH – An informal plan, not necessarily to exact scale, indicating existing features of a tract, its surroundings, and the general layout of a proposed subdivision or land development.

PLAN, PRELIMINARY – A subdivision or land development plan, in lesser detail than the final plan, indicating the proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.

PLAN, FINAL – A complete and exact subdivision or land development plan prepared for official recording as required by statute.

PLAT - The map or plan of a subdivision or land development, whether preliminary or final.

PUBLIC GROUNDS – Parks, playgrounds, trails, paths, and other public and recreational areas and sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities, and publicly owned or operated scenic and historic sites.

PUBLIC NOTICE – Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time, place, and date of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than seven (7) days prior to the date of the hearing.

RE-SUBDIVISION – Any replatting or resubdivision of land limited to change in lot lines on an approved final plan or recorded plan.

REVERSE FRONTAGE LOT – A lot extending between and having frontage on, an arterial street and a minor street, and with vehicular access solely from the latter.

RIGHT-OF-WAY, STREET – A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designed as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land, alley, or however designated.

RUNOFF – The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off of the surface of the land.

SEDIMENTATION – The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as “sediment.”

SETBACK LINE - See Building Setback line.

SIGHT DISTANCE – The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

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.
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.

STREET RIGHT-OF-WAY LINE - A line defining the edge of a street right-of-way and separating the street from abutting property or lots.

STREETS

a. ARTERIAL STREET – A major street or highway with fast or heavy traffic volumes of considerable continuity, and used primarily as a traffic artery for intercommunications among large areas.

b. COLLECTOR STREET – A major street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of residential development and street for circulation within such a development.

c. MINOR STREET – A street used primarily for access to abutting properties.

d. CUL-DE-SAC – A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STRUCTURE – Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including but not limited to buildings, factories, sheds, cabins, mobile homes, and dotted similar items.

SUBDIVISION – The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: Provided, however, that the 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 residential dwellings shall be exempted. (As amended 1982 P. L. 628, No. 177)

a. Subdivision, Major - Any subdivision or land development that does not qualify as a Minor Subdivision.

b. Subdivision, Minor - A lot addition, a subdivision and/or a land development of a single lot existing on the date of adoption of this Ordinance into three (3) or fewer lots or dwelling units for the exclusive purpose of residential or agricultural use, provided such lots or units of land thereby created shall have frontage on an existing improved public street or private street constructed to Township specifications, and provided further there is not created by the subdivision or land development any new streets.

SURFACE DRAINAGE PLAN – A plan showing all present and proposed grades and facilities for storm water drainage.
TOP SOIL – Surface soils and subsurface soils which presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Top soil is usually found in the uppermost soil layer called the “A” horizon.

UNDEVELOPED LAND – Any lot, tract or parcel of land which has not been graded or in any other manner improved or prepared for subdivision or land development or the construction of a building.

WATERCOURSE – A stream of water, river, brook, creek, or a channel of a perceptible extent, with definite periodically flowing water.
ARTICLE III – APPLICATION PROCEDURES AND PLAT REQUIREMENTS

301 – PRE-APPLICATION PROCEDURES

1. Copies of this Ordinance shall be available for use or purchase by any person seeking information concerning land development and/or subdivision standards and procedures in effect within the Township. Any prospective Developer may meet with the Township Planning Commission to discuss and review tentative plans and/or any provisions of this Ordinance.

2. Prior to submission of any land development or subdivision plan, the prospective Developer shall meet with the Township Zoning Officer to confirm proposal is in compliance with the municipal zoning ordinance, in use and as applicable at time the plan submission is made.

3. Prior to the final plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act of 1966, Act 537, as amended. It is suggested that the prospective developer consult the Township Sewage Enforcement Officer or the Pennsylvania Department of Environmental Protection as to the requirements of that Act.

4. Prospective developers shall consult the Adams County Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development.

5. A stormwater management and drainage plan shall be submitted for all subdivisions and/or land developments in accordance with this Ordinance and the Township’s Stormwater Management Ordinance, and its amendments, in order for a determination to be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development. Land that is subject to flooding shall not be platted for residential occupancy or for any other use that may endanger health, life, or property. Such land within a subdivision shall be set aside for such uses as shall not be endangered by periodic or occasional flooding and shall not produce unsatisfactory living conditions.

6. Prior to Township acceptance of the Subdivision/Land Development Application, the Developers Agreement shall execute in accordance with the provisions in Section 605 of this Ordinance.

302 – SKETCH PLAN

Prior to the submission of any land development or subdivision plan, whether a Preliminary Plan or a Final Plan, developers are strongly encouraged to submit a sketch plan to the Township Planning Commission in order to review the proposal for factors that may affect the development. The developer is encouraged to meet with the Township Zoning Officer prior to submission of a Sketch Plan.
1. The sketch plan shall be submitted by a developer or his authorized representative to the Township Secretary or such other official as may be designated by the Supervisors within ten (10) business days in advance of a regularly scheduled Planning Commission meeting.

2. A sketch plan should contain at least the following information:
   
   a. Location Map
   
   b. General information concerning any community facilities and/or any other significant manmade or natural features that will affect the proposal.
   
   c. A property map at a legible scale showing the specific parcel of land or site involved.
   
   d. A sketch of the proposed development drawn at a scale no smaller than 1” – 100’ showing the proposed layout of streets and lots, and other features of the subdivision.

303 – SUBMISSION OF PLANS

1. Preliminary or Final Plans, including plans for minor subdivisions, small land developments and lot line adjustments, and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary or such other official as may be designated by the Supervisors at least ten (10) business days in advance of a regularly scheduled Planning Commission meeting.

2. Preliminary Plan submission shall consists of the following:
   
   a. Five (5) copies of the appropriate application form available from the Township.
   
   b. Twelve (12) blue-line or black-line paper prints of the Preliminary Plan showing all the information required in Section 306.
   
   c. Five (5) copies of all other required documentation.
   
   d. A filing fee as established by Ordinance of Germany Township, which may be amended from time to time, and described in Article VI of this Ordinance.

3. Final Plan submission shall consist of the following:
   
   a. Seven (7) completed copies of the appropriate application form available from the Township.
   
   b. Twelve (12) blue-line or black-line paper prints of the Final Plan showing all the information required in Section 307.
   
   c. Five (5) copies of all other required documentation.
d. A filing fee as established by Ordinance of Germany Township, which may be amended from time to time, and described in Article VI of this Ordinance.

4. Submission of a Final Plan for approval by the Township shall occur not more than five (5) years following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this period of time shall make the approval of the Preliminary Plan null and void unless an extension of time has been granted by the Township.

5. Except for any modifications or changes required by the Township, the Final Plan shall conform basically to the approved Preliminary Plan. Where significant modifications or changes, other than those required by the Township, are made to an approved Preliminary Plan, the Plan shall be submitted again as a Preliminary Plan.

304 – MINOR SUBDIVISION, SMALL LAND DEVELOPMENT, LOT LINE ADJUSTMENT

1. The developer may request an abbreviated submission process for the following plans, except when the proposal requires infrastructure improvements including but not limited to new streets, alleys, public or joint use sanitary sewer facilities, public or joint use water supplies or storm water management facilities:

   a. Minor subdivisions of 3 lots or less.

   b. Land developments involving only a single nonresidential building less than 5,000 square feet of impervious area.

   c. Lot line adjustments, including re-subdivisions and additions to existing lots.

2. For all qualifying subdivisions, land developments, and lot line adjustments, a site plan must be filed by the applicant and reviewed in accordance with the following:

   a. The submission shall follow the procedure for Final Plan submission as outlined in Section 303.

   b. The Plan shall be prepared by a registered surveyor, professional engineer, or registered landscape architect and be drawn on reproducible stable transparency, using black ink for all data including approval signatures.

   c. Scale:

      • Tracts of one (1) acre or less shall be drawn at a scale of no less than 1” = 50’.

      • Tracts of more than one (1) acre shall be drawn at a scale of no less than 1” = 100’.
• Finished size of drawings for final plan submission shall be 18" by 24". Drawings done at a scale requiring a sheet larger than 18" by 24" may be reduced to that size providing all lines and lettering are clear and legible after reduction.

• For plans requiring more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

d. Information Required

(1) Name of proposed subdivision, and of the municipality in which it is located.

(2) Name and address of Developer.

(3) Name, address, license number, and seal of the surveyor, professional engineer or landscape architect, registered and licensed in the Commonwealth of Pennsylvania, who prepared the drawings.

(4) Date of original submission and of each subsequent revised submission.

(5) True or magnetic north point.

(6) Graphic scale.

(7) Written scale.

(8) A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.

(9) The total tract boundary lines of the area being subdivided with distances accurate to one hundredth of a foot and bearings to one quarter of a minute. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

(10) Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat only the lot number and subdivision name need be shown.

(11) Location of existing streets, alleys and easements within or adjoining the tract including the name, width, width of cartway, and sidewalks.

(12) Lot numbers, lot lines with accurate dimensions, a statement of the total number of lots and parcels and the building setback lines for each lot.
(13) For developments where on-site sewage disposal systems will be used, the location where the soil test was conducted for each lot shall be shown. The test location(s) must be shown by metes and bounds description from nearest property corner.

(14) The following shall be shown on the site plan for all Small Land Developments pursuant to Section 304.1.b.

(a) Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four percent (4%) or less, and at intervals of at least five (5) feet for land with average slope exceeding four percent (4%). For Land Development only.

(b) Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark.

(c) A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

(d) The building setback lines and placement of each proposed building and structure.

(15) Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.

(16) The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within the proposed subdivision.

(17) A certification of ownership, acknowledgement of a plan and offer of dedication shall be lettered on the plan and shall be duly acknowledged and signed by the owner(s) of the company.

(18) An approval block for the use of the Township Supervisors and the Township and County Planning Commission.

(19) A block to be used for inserting the date fixed in the formal action of approval or accompanying agreement established by the Supervisors as to when any improvements which may be required must be completed. A completion of improvements or guarantee in accordance with Section 516 of this ordinance is required.
305 – DISTRIBUTION OF PLANS
Copies of the Preliminary or Final Plan and accompanying documentation shall be immediately distributed by the Township Secretary as follows:

1. One (1) copy of the application, plan, and accompanying documentation to the Township Engineer.

2. One (1) copy of the application, plan, and accompanying documentation to the Township Sewage Enforcement Officer.

3. Adams County Office of Planning and Development.
   a. Preliminary Plan - One (1) copy of the application, plan, and accompanying documentation.
   b. Final Plan - One (1) copy of the application, plan, and accompanying documentation.

4. One (1) copy of the Soil Erosion and Sediment Control Plan to the County Conservation District Office.

5. One (1) copy of the plan to the District Office of the Pennsylvania Department of Transportation when a proposed subdivision abuts or is traversed by a state road.

6. The remaining copies of the application, plan, and accompanying documentation to the Township Planning Commission.

306 – PRELIMINARY PLAN REQUIREMENTS
The Preliminary Plan submission shall be prepared by a registered surveyor, professional engineer or registered landscape architect and be drawn on reproducible stable transparency, using black ink for all data including approval signatures.
Scale:
- Tracts of one (1) acre or less shall be drawn at a scale of no less than 1” = 50’.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than 1” = 100’.
- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than 1” = 200’.
- Tracts to be used for commercial, industrial, or high density housing development shall be drawn at a scale of no less than 1” = 50’.
306 A – INFORMATION REQUIRED

The Preliminary Plan shall show:

1. Name of the proposed subdivision, and of the municipality in which it is located.

2. Name and address of Developer.

3. Name, address, license number, and seal of the surveyor, professional engineer or landscape architect, registered and licensed in the Commonwealth of Pennsylvania, who prepared the drawings.

4. Date of original submission and of each subsequent revised submission.

5. True or magnetic north point.

6. Graphic scale.

7. Written scale.

8. Certification by the registered surveyor that the topography shown resulted from an actual survey and the date of that survey.

9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.

10. The total tract boundary lines of the area being subdivided with distances accurate to one hundredth of a foot and bearings to one quarter of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplatted land of the Developer (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.

12. Boundaries of adjacent properties and recorded name and deed references. When adjacent properties are part of a recorded plat, only the lot number and subdivision name need be shown.
13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four percent (4%) or less, and at intervals of at least five (5) feet for land with average slope exceeding four percent (4%).

14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established benchmark.

15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.

16. If the subdivision proposes a new street intersection with a State Legislative Route, evidence shall be provided that a Highway Occupancy Permit (HOP) application has been submitted to PennDOT. Intersection occupancy permit number(s) shall be indicated for any new street intersection with a State Legislative Route.

17. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, and sidewalks.

18. The location (and elevation, if established) of all existing and proposed street monuments.

19. Location of existing and proposed rights-of-way and easements.

20. Lot numbers and statement of the total number of lots and parcels.

21. Lot lines with approximate dimensions.

22. The building setback lines for each lot, or other site.

23. For developments where on-site sewage disposal systems will be used, the location where the soil test was conducted for each lot shall be shown. The test location(s) must be shown by metes and bounds description from nearest property corner.

24. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

25. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.

26. The location of any existing bodies of water or watercourses, tree masses, buildings, or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within the proposed subdivision or on adjoining properties within 100 feet for the proposed subdivision.

27. Location, size and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines), and location of all manholes, inlets, and culverts. This data may be submitted as a separate plan.
28. Location, size, and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.

29. Location of drainage structures, including marshes, ponds, streams, or similar conditions.

30. Location of parks, playgrounds, and other areas to be dedicated or reserved for public use, with any conditions governing such use.

31. Where the development lies partially or completely in any flood-prone area, or where the development borders on any flood-prone area, the Preliminary Plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall identify accurately the boundaries of the flood-prone area.

32. Submit a Landscape Plan in accordance with Section 521 Landscaping.

306 B – SUPPLEMENTARY DATA REQUIRED

The Preliminary Plan shall be accompanied by the following supplementary data where applicable:

1. A sewer planning module revision for land development as required by the Pennsylvania Department of Environmental Protection.

2. A plan for the control of erosion and sedimentation in accordance with Section 508 herein for review by the Adams County Conservation District Office as required by the Pennsylvania Clean Streams Act.

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

4. Typical street cross-sections drawings for all proposed streets in accordance with Section 403 herein and the Germany Township Construction and Materials Specification Manual.

5. Tentative profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades.

6. The applicant shall, if required by Section 505 of this ordinance, submit a feasibility report concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be submitted in conjunction with the Preliminary Plan for review and recommendations by the Pennsylvania Department of Environmental Protection.
7. The applicant shall submit a stormwater management plan, a stormwater drainage plan and stormwater calculations in accordance with the Township Stormwater Management Ordinance and Section 507 of this ordinance.

8. Where the Preliminary Plan covers only part of the entire landholdings, a sketch of the future street system of the un-submitted part shall be submitted. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.

9. Where the land included in the subject application has an electric transmission line, a gas pipeline, or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.

10. Where deemed necessary by the Township, the applicant shall also submit an environmental assessment in accordance with Section 409 herein.

11. A Traffic Impact Assessment in accordance with the following:

   a. A traffic impact study is required for all subdivisions and land developments which meet any of the following criteria:

      (1) Proposing 20 or more new dwelling units.
      (2) Proposing 75 or more new parking spaces.
      (3) Generating 100 or more new one-way trips during the peak hour of the proposed development, as determined by the latest edition of the Trip Generation Manual by the Institute of Transportation Engineers (ITE).
      (4) The Board of Supervisors determines that the subdivision or development may adversely impact existing traffic conditions.

   b. The Township Engineer and Township Officials shall hold a pre-study meeting with the developer and/or the developer’s engineer to review the proposed development and its potential impact on the surrounding area. At that meeting, the following study elements shall be discussed and agreed to:

      (1) Study area limits.
      (2) Type and intensity of development
      (3) Number and length/area of new roads, driveways, internal ring roads, internal access points and parking accommodations; location of site access points
      (4) Any capacity, safety, or access problems previously documented for the existing roadways within the study area
      (5) Anticipated completion of all phases of the development, i.e., project horizon
(6) The peak hour(s) of the development.

(7) Availability of recent existing traffic studies in close proximity to the site.

c. Elements of the Traffic Impact Study.

(1) Study summary

(a) A brief overview of the development project shall be provided and include the following information: characteristics of the development site; the type and intensity of the development; number and length/area of new roads, driveways, internal ring roads, internal access points, and parking accommodations; location of site access points onto existing roads; and construction staging.

(b) The developer, the developer’s engineer and any other parties involved in the preparation of the traffic impact study shall be noted.

(c) The geographic limits of the study area, along with a description of any features and landmarks, shall be described.

(d) A summary of the key findings and recommendations of the study shall be provided.

(2) Base or existing traffic conditions.

(a) A description of each existing road and intersection within the study area shall be provided, and shall include right-of-way and cartway width, posted speed limits, pavement condition, and current daily traffic volume count less than three (3) years old (including collection of truck percentages by approach).

(b) Intersection turning movement counts at all site access points and key road intersections shall be conducted during peak hours of the existing traffic and peak hours of the development. The counts shall be provided on an intersection schematic diagram.

(c) All highway improvements that are guaranteed by either the Township or PennDOT for implementation by the project horizon year shall be listed.

(d) An inventory of existing public or private transportation services available within one mile of the site shall be made and included in the study.

(e) A capacity analysis utilize the techniques described in the most current edition of the Highway Capacity Manual and a determination of levels of service on the study area’s roadways and intersections, as well as the site’s access points and internal circulation (if applicable) shall be conducted.

(f) Gap or queue studies shall be conducted where applicable for unsignalized and signalized intersections, respectively.
(g) The frequency of intersection and mid-block accidents shall be examined and hazardous locations identified. Specifically, an inventory of accidents over a three (3) year period shall be conducted, and accident clustering identified.

(3) Background traffic growth/future traffic conditions without development.

(a) The anticipated rate of growth per year for the study area shall be determined without the proposed development. The method used to determine the growth rate must be approved by the Township Engineer.

(b) Future no-build and peak hour volumes for roads and intersections with the study area shall be calculated along with intersection schematic diagrams.

(c) Capacity analysis to determine Level of Service (LOS) at critical locations shall be conducted.

(4) Analysis of future conditions with the proposed development

(a) Trip generation

i. The total number of vehicle trips to be generated by the site shall be estimated using the ITE Trip Generation Manual, most current edition; or another trip generation source approved by the Township Engineer.

ii. For commercial uses, if the calculation for either pass-by or diverted link trips is required, the estimates must be justified in the report.

(b) Trip distribution

i. The directional characteristics of the site traffic flow shall be determined. The sources of information used to calculate trip distribution shall be provided in the study.

ii. For larger developments with proposed parking facilities, the distribution of traffic flow shall be calculated for the parking facilities, access drives, internal ring roads, and internal reservoir access points, as well as potential pedestrian circulation.

(c) Trip assignment

i. Vehicle trips shall be assigned to the mainline and turning movement volumes for future conditions with the development.

ii. Trip assignments shall be made for applicable internal vehicle and pedestrian movements.

(d) Peak hour volumes. Mainline and turning movement counts for all site access points and the existing roadway network within the study area shall be provided. Internal vehicular, and pedestrian volumes, if
applicable, shall also be provided as well as schematic diagrams showing these volumes.

(e) Capacity level of service (LOS) analysis.

i. Capacity analysis shall be performed and levels of service shall be determined on the study area roadways and intersections for future traffic conditions with the development. The analysis shall include the guaranteed improvements in the analysis for the future scenario without development. The LOS results for future build and future no-build scenarios shall be compared.

ii. In no case shall the LOS with future traffic conditions with the development be less than the existing LOS.

(5) Transportation development improvements.

(a) If deficiencies are evident on the study area roadways and at critical intersections, the developer or the developer's engineer shall consult with the Township Engineer and Township officials to develop improvements to remedy these deficiencies. A description including cost and probable funding of these improvements, accompanied by schematic layouts, shall be provided in the text. The developer and Township shall prepare an agreement to effect the improvements in accordance with Article 6 of this Ordinance. This agreement shall be in a form acceptable to the Township Solicitor and approved by the Board of Supervisors, and the Agreement may require the developer to indemnify and to hold harmless the Township for any issues arising out of or related to the improvements.

(b) The same procedure shall be followed if deficiencies or potential hazards are evident for internal traffic and pedestrian circulation.

(c) Capacity/Level of Service (LOS) Analysis. The proposed improvements in LOS for mainline and turning movements shall be tested. Any guaranteed improvements tested in the future scenario without development will be included in addition to the proposed improvements.

12. A Hydrogeologic Study to Evaluate Ground Water Nitrate Levels in accordance with Section 505 B.

307 – FINAL PLAN REQUIREMENTS

The Final Plan submission shall be prepared by a registered surveyor, professional engineer, or registered landscape architect and be drawn on reproducible stable transparency, using black ink for all data including approval signatures.

Scale:

- Tracts of one (1) acre or less shall be drawn at a scale of no less than 1" = 50'.
- Tracts of one (1) to ten (10) acres shall be drawn at a scale of no less than 1" = 100’.

- Tracts in excess of ten (10) acres shall be drawn at a scale of no less than 1" = 200’.

- Tracts to be used for commercial, industrial, or high density housing developments shall be drawn at a scale of no less than 1” = 50’.

Finished size of drawings for final plan submission shall be 18” by 24”. Drawings done at a scale requiring a sheet larger than 18” by 24” may be reduced to that size providing all lines and lettering are clear and legible after reduction.

If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

307 A – INFORMATION REQUIRED

The Final Plan shall show:

1. Name of proposed subdivision, and of the municipality in which it is located.

2. Name and address of Developer.

3. Name, address, license number, and seal of the surveyor, professional engineer or landscape architect, registered and licensed in the Commonwealth of Pennsylvania, who prepared the drawings.

4. Date of original submission and of each subsequent revised submission.

5. True or magnetic north point.

6. Graphic scale.

7. Written scale.

8. Certification by the registered surveyor that the topography shown resulted from an actual survey and the date of that survey.

9. A key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals one thousand (1000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one thousand (1000) feet of any part of the property. In addition, a title, scale, and north point shall be indicated.

10. The total tract boundary lines of the area being subdivided with distances accurate to one hundredth of a foot and bearings to one quarter of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet; provided, however, that the boundary (s) adjoining additional unplatted land of the Developer (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and
elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

11. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.

12. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat only the lot number and subdivision name need be shown.

13. Contour lines at vertical intervals of at least two (2) feet for land with average natural slope of four percent (4%) of less, and at intervals of at least five (5) feet for land with average slope exceeding four percent (4%).

14. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established bench mark.

15. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.

16. The following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:

   a. The length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines), and

   b. The width (in feet) of the cartway, right-of-way and, if required, of the ultimate right-of-way, and (in degrees, minutes, and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.

   c. All straight lot lines, defined (in feet and hundredths of a foot) by distances, and (in degrees, minutes, and quarters of a minute) either by magnetic bearings or by angles of deflection from other lot and street lines.

17. If subdivision proposed a new street intersection with a State Legislative Route, the intersection occupancy permit number(s) shall be indicated for all such intersections.

18. Location of existing streets and alleys adjoining the tract including the name, width, width of cartway, and sidewalks.

19. The location (and elevation, if established) of all existing and proposed street monuments.

20. Location of existing and proposed rights-of-way and easements.

21. Lot numbers and a statement of the total number of lots and parcels.

22. Lot lines with accurate dimensions.
23. The building setback lines for each lot, or other sites.

24. For developments where on-site sewage disposal systems will be used, the location where the soil tests were conducted for each lot shall be shown. The test location(s) must be shown by metes and bounds description from nearest property corner.

25. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

26. Location and size of existing and proposed utility structures and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.

27. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.

28. A certification of ownership, acknowledgement of a plan and offer of dedication shall be lettered on the plan and shall be duly acknowledged and signed by the owner(s) of the property.

29. An approval block for the use of the Township Supervisors and the Township and County Planning Commission.

30. A block to be used for inserting the date, agreed upon by the Township Supervisors and the developer, by which all improvements shall be complete, shall be lettered on the plan. Such date shall not be more than two (2) years from the date of the Final Plan approval.

31. Submit a Landscape Plan in accordance with Section 521 Landscaping.

307 B – SUPPLEMENTARY DATA REQUIRED

Unless previously submitted, the Final Plan shall be accompanied by the following supplementary data where applicable:

1. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawing(s) may be shown either on the Final Plan or on the profile sheets. Driveway details and cross sections including pipe culvert size shall be shown on the plan.

2. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information properly labeled:
   a. Existing (natural) profile along both cartway edges or along the centerline of each street.
   b. Proposed finished grade of the centerline, or proposed finished grade at the top of both curbs or proposed finished grade at both cartway (pavement) edges.
c. The length of all vertical curves.

d. Existing and proposed sanitary sewer mains and manholes.

e. Existing and proposed storm mains, inlets, manholes, and culverts.

3. Whenever a Developer proposes to establish a street which is not offered for public use, he shall be subject to the requirements of Section 502-B and shall submit such plans, agreements, and documents as may be required by the Township under the provisions of that section.

4. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks.

5. Final designs for any bridge or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

6. Where the Final Plan covers only a part of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.

7. Water and sewer feasibility reports as may be required including any updated information which may have become available since the submission of the Preliminary Plan.

8. A plan for the control of erosion and sedimentation for review by The County Conservation District Office as required by the Pennsylvania Clean Streams Act.

9. The applicant shall also submit a storm water management plan, a stormwater drainage plan and stormwater calculations in accordance with the Township’s Stormwater Management Ordinance and Section 507 of this Ordinance.

10. Existing contour lines and final grading elevations and contour lines for the development.

11. Where deemed necessary by the Township, a map showing the location of the proposed development with respect to the Township’s floodprone areas, including information on the Regulatory Flood Elevation, the boundaries of the flood-prone areas, proposed lots and sites, fills, flood or erosion protection facilities, and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any flood-prone area, or borders on any flood-prone area, such map shall also show the location and elevation of proposed roads, public utilities, and building sites.

12. A sewer planning module as required by the Pennsylvania Department of Environmental Protection.
13. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.

14. Any other certificates, affidavits, endorsements or dedications, etc., that may be required by the Planning Commission or Board of Supervisors.

15. When a proposed plan has been submitted to the Adams County Conservation District Office for their review and recommendations, a plan and/or other documentation to show what has been, or will be done in response to their recommendations.

16. An affidavit to the effect that all affected municipalities have been notified of any alteration and/or relocation of any watercourse.

17. Documented proof that when any local, state or federal agency holds interest or jurisdiction in the plan or any phase of the plan, the approval of that agency has been secured.

18. Copies of any executed right-of-access agreements and documentation said agreement was properly recorded in the office of the Adams County Recorder of Deeds.

19. Copies of any PennDOT Highway Occupancy Permit (HOP) for a new street intersection with a State Legislative Route.

308 – ACTION ON PRELIMINARY PLAN APPROVAL

1. Action on a Preliminary Plan shall be taken by the Township Planning Commission not later than sixty (60) days following the acceptance of the Township Planning Commission Meeting agenda on which a complete submission is presented. However, no final decision or action shall be taken by the Township Planning Commission until the reports are received from the County Planning Commission and other individuals and agencies to which the Plan was sent for review and comment, or until the expiration of forty-five (45) days from the date the plans were forwarded to such individuals and agencies.

2. All actions on the Plan by the Township Planning Commission shall be taken at a public meeting whether it be a regularly scheduled or special meeting. If the Plan is to be considered at a special meeting, the developer shall be so notified.

3. The decision of the Township Planning Commission concerning the Plan shall be in writing. If a Plan is not approved, or approved subject to certain conditions, the written decisions shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Board of Supervisors and the Township Engineer.

4. Following receipt of the written decision from the Township Planning Commission, the Board of Supervisors shall consider the Preliminary Plan at their next regularly
scheduled or special meeting. If the Plan is to be considered at a special meeting, the developer shall be so notified, and in addition, the Board of Supervisors may also schedule a public hearing pursuant to public notice, before taking any action on the Plan.

5. Action on a Preliminary Plan shall be taken by the Board of Supervisors and communicated to the developer not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) days period shall be measured from the thirtieth day following the day the application was filed. In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals to whom the Plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

6. The decision of the Board of Supervisors concerning the Plan 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. If a Plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Township Planning Commission.

7. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required by this Ordinance shall be deemed an approval of the Plan in terms as presented unless the developer has agreed to an extension of time.

8. Approval of the Preliminary Plan shall not constitute approval of the Final Plan for any purpose or reason, but shall constitute conditional approval of the proposed development as to its general character and layout.

9. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinances shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the plan for such approval was duly submitted.

309 – ACTION OF FINAL PLAN APPROVAL

1. Action on the Final Plan by the Township Planning Commission shall be taken in the same manner as for Preliminary Plans. In addition, if a Final Plan is approved, the Township Planning Commission Chairman and Secretary shall sign the Record Plan.
and all prints and forward all but one (1) print to the Board of Supervisors along with a copy of their written decision.

2. Following receipt of the written decision from the Township Planning Commission, the Board of Supervisors shall consider the Plan at their next regularly scheduled or special meeting. If the Plan is to be considered at a special meeting, the developer shall be so notified, and in addition the Board of Supervisors may also schedule a public hearing before taking any action on the Plan.

3. Action on a Final Plan shall be taken by the Board of Supervisors and communicated to the developer not later than ninety (90) days following the date for the regular meeting of the Planning Commission next following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, said ninety (90) day period shall be measured from the thirtieth day following the day the application was filed. In their review, the Board of Supervisors shall consider the reports and recommendations of the Township Planning Commission and the various other individuals to whom the Plan was sent for review and comment. As a result of their review, the Board of Supervisors may require or recommend such changes and modifications, as they shall deem necessary or advisable in the public interest.

4. The decision of the Board of Supervisors concerning the Plan 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. If a Plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance. Copies of the decision shall be sent to the Township Planning Commission.

5. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required by this Ordinance shall be deemed an approval of the Plan in terms as presented unless the developer has agreed to an extension of time.

6. Before any Final Plan is approved the developer shall either install all the required improvements or shall provide for deposit with the Township a corporate bond or other security acceptable to the Township in the amount of one hundred ten percent (110%) if improvements are to be completed within one year. The amount of financial security may be increased by an additional ten percent 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. The cost of the improvements shall be established by submission to the Board of Supervisors a bona fide estimate from a professional engineer chosen by the party posting the financial security to complete the improvements or, in the absence of such bona fide estimate, the cost shall be established by estimate prepared by the Township Engineer. Such bond or security established shall provide for, and secure to the public, the completion of all required improvements on or before the date fixed by the Supervisors in the formal action of approval or accompanying agreement. Release of such bond or security shall be in accordance with Section 517 of this Ordinance.
310 – RECORDING OF FINAL PLAN
1. Upon approval of a Final Plan by the Township, the developer shall record the Record Plan in the office of the Adams County Recorder of Deeds within ninety (90) days after the date of delivery of an approved plat signed by the Board of Supervisors, following completion of conditions imposed for such approval, whichever is later. No Plan shall be recorded unless it has been officially approved by the Township.

2. If the Plan is not recorded within ninety (90) days, the approval by the Township shall be null and void unless an extension of time is granted by the Board of Supervisors upon request from the developer.

3. After the Plan has been recorded, a copy of the Recorder’s Certificate shall be submitted to the Board of Supervisors.

4. No land in a development shall be sold or transferred prior to recording of the Record Plan.

5. Limitations of Final Plan Approval. The approval of the Final Plan by the Township shall be deemed an acceptance of the Plan and shall authorize the Recorder of Deeds to record the same, but shall not impose any duty upon the Township concerning maintenance or improvements of any streets, highways, alley, or other portions of the same until said Township shall have accepted same by dedication for public use.

311 – RESUBDIVISION PROCEDURE
Any replatting or resubdivision, including changes to a recorded plan, shall be considered as a new application, and shall comply with all requirements of this ordinance, except as set forth in Section 304 of this Article.

312 – ADDITIONS TO EXISTING LOTS
A parcel of land may be added to an existing recorded lot for the sole purpose of increasing the lot size provided that:

1. The parcel to be added must be contiguous to the existing lot.

2. The addition must maintain the overall straightness of lot lines.

3. The Plan prepared for the addition of this parcel shall follow the procedures outlined in Section 304 of this Article.

4. The applicant shall file in the Miscellaneous Docket in the Recorder of Deeds Office of Adams County a memorandum that the subject property shall be considered one single tract for subdivision proposed and that this said tract shall not be subdivided by the applicant or applicants of their heirs or assigns in the future without resubmission for subdivision purposed.
ARTICLE IV – DESIGN STANDARDS

401 - APPLICATION OF STANDARDS
The following standards shall be applied by the Township Planning Commission, and the Township Supervisors in evaluating plans submitted for review and/or approval. It is intended that these standards be considered the minimum requirements and may be modified as necessary to protect the health, safety, and general welfare of the public.

402 – GENERAL SITE STANDARDS
The following requirements and guiding principles for Subdivisions and Land Development shall be observed with respect to factors affecting the suitability of the site for such development.

1. The Land Development Plan shall conform to the municipal comprehensive plan and official map or to such parts thereof, as shall have been officially prepared and adopted by the municipality in which the development is situated.

2. A land development must be coordinated with existing land development in the neighborhood so the entire area may be developed harmoniously.

3. Land proposed for land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the Erosion Control Regulations of the Pennsylvania Department of Environmental Protection and/or Adams County Conservation District.

4. In a development where the average slope exceeds fifteen percent (15%), the Township may require modifications to these regulations.

5. In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation by the Township. Examples of such features would include, but not be limited to, large trees, watercourses, historic areas and structures, scenic view, etc. To insure the protection of such features, the Township may require the following additional information to be submitted:

   a. A grading plan showing the existing and proposed ground elevations relative to the features.

   b. The accurate location of the features to be protected.

   c. An explanation of the precautions to be taken by the developer to protect such features.

6. Any plans for the alteration of a watercourse shall be incorporated into the design plans and subject to approval by the Township, or where deemed necessary, the
7. Land subject to hazards of life, health, or property as may arise from fire, disease, excessive noise, odor, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.

**403 – STREET AND HIGHWAY STANDARDS**

**403 A – GENERAL**

All streets proposed to be constructed within the Township shall conform to the following general design requirements:

1. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites. Finished elevation of proposed streets shall not be below the regulatory flood elevation.

2. Residential streets shall be so laid out as to discourage through traffic; however, proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street system.

3. When a subdivision abuts or contains an existing or proposed primary or secondary highway, the Township may require a marginal access street, reverse frontage, or other treatment which will provide protection for abutting properties, reduction of the number of intersections and separation of local from through traffic.

4. No street shall terminate into a dead end. Any street dead ended for access to adjoining property or because of authorized staged construction shall be provided with a temporary all-weather turnaround and the use of such turnaround shall be guaranteed to the public until such time as the street is continued.

5. Private streets (streets not offered for dedication to public use), are prohibited unless they meet the design and improvements standards of this Ordinance.

6. The proposed street system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width.

**403 B – STREET WIDTHS**

1. Minimum street right-of-way and cartway widths.
a. The following standards shall be applied to all streets:

<table>
<thead>
<tr>
<th>STREET TYPE</th>
<th>RIGHT-OF-WAY</th>
<th>CARTWAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial streets</td>
<td>As determined by the Township after consultation with the Pennsylvania Department of Transportation</td>
<td></td>
</tr>
<tr>
<td>Collector streets without curbs</td>
<td>60 feet</td>
<td>22 feet with 6 foot shoulders</td>
</tr>
<tr>
<td>Collector streets with curbs</td>
<td>60 feet</td>
<td>36 feet curb to curb</td>
</tr>
<tr>
<td>Minor streets without curbs</td>
<td>50 feet</td>
<td>22 feet with 6 foot shoulders</td>
</tr>
<tr>
<td>Minor streets 100 feet or more lot frontage with curbs</td>
<td>50 feet</td>
<td>34 feet curb to curb</td>
</tr>
<tr>
<td>Minor streets less than 100 feet lot frontage with curbs</td>
<td>50 feet</td>
<td>36 feet curb to curb</td>
</tr>
<tr>
<td>Cul-de-sac streets</td>
<td>Same as Minor Streets</td>
<td></td>
</tr>
<tr>
<td>Alley or service drive</td>
<td>25 feet</td>
<td>20 feet</td>
</tr>
</tbody>
</table>

b. Shoulders shall be installed in accordance with standards provided in the Germany Township Construction and Materials Specification Manual and PennDOT RC Standards.

2. Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Township in specific cases for:

a. Public safety and convenience.

b. Parking in commercial and industrial areas and in areas of high density development.

c. Widening of existing streets where the width or alignment does not meet the requirements of the proceeding paragraphs. When a proposed subdivision or land development abuts an existing street or streets that do not meet the minimum right-of-way widths listed above, the developer shall provide the Township with an easement or dedication of land so that the streets or streets may be widened to Township standards.

d. Where topographic conditions require excessive cuts and fills.

403 C – STREET GRADES

1. The grades of streets shall not be less than the minimum nor more than the maximum requirements listed below:

<table>
<thead>
<tr>
<th>STREET TYPE</th>
<th>MINIMUM GRADE</th>
<th>MAXIMUM GRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial street</td>
<td>As determined by the Township after consultation with the Pennsylvania Department of Transportation</td>
<td></td>
</tr>
<tr>
<td>Collector and</td>
<td>0.75% with curbs</td>
<td>7% for collector</td>
</tr>
<tr>
<td>Minor streets and alleys</td>
<td>0.75% with curbs</td>
<td>10% for minor and alleys</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>1.0% without curbs</th>
<th></th>
</tr>
</thead>
</table>
2. Vertical curves shall be used in changes of grade when the difference exceeds one percent (1%) and shall be designed for maximum visibility. Vertical curves shall meet the minimum stopping sight distance requirements as set forth in §403E herein.

3. On permission of the Township, minor street grade under special topographic condition may exceed ten percent (10%) for distances less than one hundred (100) feet provided the grade does not in any case exceed fifteen percent (15%).

4. A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street shall not be less than one-eighth (1/8) of an inch per foot and not more than one-third (1/3) of an inch per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept runoff.

403 D – CURVES

1. Where connecting street lines deflect from each other at any one point by more than ten (10) degrees, the line must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

<table>
<thead>
<tr>
<th>STREET TYPE</th>
<th>MINIMUM RADIUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collector street</td>
<td>300 feet</td>
</tr>
<tr>
<td>Minor street</td>
<td>150 feet</td>
</tr>
</tbody>
</table>

2. Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets, there must be a tangent of at least one hundred (100) feet between reverse curves.

403 E – SIGHT DISTANCE

1. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments. The sight distance measured from the centerline four and five-tenths (4.5) feet above grade shall be provided in accordance with the most recent standards found in PennDOT Publication 13M, Design Manual, Part 2, Highway Design.

2. There shall be provided and maintained at all intersections a clear sight triangle with a line of sight between points one hundred (100) feet from the intersection of the street centerlines. No building or other obstruction over three (3) feet in height that would obscure the vision of a motorist shall be permitted within these areas.

403 F – INTERSECTION

1. No intersection shall involve the junction of more than two (2) streets.

2. Right-angle intersections shall be used whenever possible. All intersections shall intersect at an angle of 90° within 100 feet (measured from the intersection of the centerlines). In no instance, however, shall streets intersect at an angle of less than seventy-five (75) degrees.
3. Intersections shall be approached on all sides by leveling areas. Where the grades exceed seven percent (7%) such leveling areas shall have a minimum length on one hundred (100) feet (measured from the intersection of the centerlines) within which no grade shall exceed a maximum of four percent (4%).

4. All streets intersecting a state road (US, PA) shall be subject to the approval of the Pennsylvania Department of Transportation.

5. Design of curb or edge of pavements must take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb edge of pavement be less than the following:

<table>
<thead>
<tr>
<th>INTERSECTION TYPE</th>
<th>CURVE RADIUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor with minor street</td>
<td>15 feet</td>
</tr>
<tr>
<td>Minor with collector</td>
<td>25 feet</td>
</tr>
<tr>
<td>Collector with collector</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

6. Minor and collector streets shall not intersect arterial streets on the same side at less than eight hundred (800) foot intervals and shall be in alignment with any existing or proposed streets intersection from the opposite side. If two (2) streets that intersect another from opposite sides cannot be aligned, then a distance of at least two hundred (200) feet shall be provided between the two intersecting centerlines.

7. Distances between intersections shall be in accordance with the following.

<table>
<thead>
<tr>
<th>Type of Intersection</th>
<th>Minimum Distance between Centerlines of Intersections</th>
<th>Minimum Separation of Streets not in Alignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial w/ Arterial</td>
<td>800 feet</td>
<td>Must be Aligned</td>
</tr>
<tr>
<td>Arterial w/ Collector And Minor</td>
<td>800 feet</td>
<td>Must be Aligned</td>
</tr>
<tr>
<td>Collector w/ Collector</td>
<td>600 feet</td>
<td>Must be Aligned</td>
</tr>
<tr>
<td>Collector w/ Minor</td>
<td>500 feet</td>
<td>200 feet</td>
</tr>
<tr>
<td>Minor w/ Minor</td>
<td>500 feet</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

403 G – SLOPE OF BANK ALONG STREETS

The slope of banks along streets measured perpendicular to the street centerline shall be no steeper than the following:

1. One foot of vertical measurement for three feet of horizontal measurement for fills.

2. One foot of vertical measurement for three feet of horizontal measurement for cuts.

403 H – OTHER STREET PROVISIONS

1. Cul-de-sac Streets

Cul-de-sac streets designed to be so permanently, shall not exceed eight hundred (800) feet in length and no more than fifteen (15) single family residential lots shall front on said cul-de-sac street. The cul-de-sac street shall be provided with a paved
turnaround having a maximum diameter of eighty (80) feet and legal right-of-way of one hundred (100) feet in diameter.

2. Partial and Half-Streets

The dedication of half-streets at the perimeter of new developments is prohibited, except to complete existing half-streets.

3. Names of Streets

Names of new streets shall not duplicate or approximate existing or platted street names or approximate such names by the use of suffixes as “lane”, “way”, “drive”, “court”, or “avenue”. In approving the names, consideration shall be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing street.

4. Reserve Strips

Controlling access to streets by reserve strips is prohibited except where their control is definitely placed in the Township under control approved by the Township. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties or from another street.

5. Alleys

Alleys shall be permitted in townhouse, multiple family, commercial and industrial developments. Alleys shall be permitted in single family residential developments as a secondary means of access to the side or rear lots with street frontage and shall be designed to discourage through traffic.

**404 – ACCESS DRIVES AND DRIVEWAYS**

1. No access drive or driveway may cross a street right-of-way line:

   a. Within five (5) feet of a property line except when required common access from abutting uses.

   b. Within fifteen (15) feet of a fire hydrant.

2. All access drives or driveways shall be provided with a clear sight triangle as described in Section 403-E.2 of this Ordinance. The drive may not exceed a slope of five percent (5%) within twenty-five (25) feet of the street right-of-way lines. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed fifty (50) percent in slope within twenty-five (25) feet of the point the drive intersects the street right-of-way.

3. A driveway permit issued by Germany Township shall be required for all proposed driveways or access drives on a Township road.
4. A highway occupancy permit (HOP) issued by the Pennsylvania Department of Transportation (PennDOT) shall be required for all access drives or driveways accessing a State Highway.

5. A right-of-access easement shall be executed and recorded for all shared or common driveways.

404 A – RESIDENTIAL

Access drives and driveways to any public street or highway in a residential development, except for multi-family and condominium developments, shall be governed by the following:

1. Within ten (10) feet of a street right-of-way line, an access drive or driveway may not exceed twenty (20) feet in width.

2. The number of access drives or driveways may not exceed two (2) per lot.

3. An access drive or driveway may not cross a street right-of-way line within fifty (50) feet of the right-of-way line of an intersecting street.

404 B – COMMERCIAL AND INDUSTRIAL

Access drives to any public street or highway in the case of a commercial or industrial, multi-family residential and condominiums development, shall be governed by the following:

1. All access drives to any public street or highway shall be located at least one hundred fifty (150) feet from any intersection involving an arterial or a collector street and one hundred (100) feet from the intersection of minor streets, measured from the right-of-way line of the intersecting street. Where practicable, exits shall be located on minor, rather than major streets or highways.

2. No design shall be approved which is likely to create substantial traffic hazards endangering the public safety. Safety requirements which may be imposed in such a review shall include traffic control devices, acceleration or deceleration lanes, traffic and lane markings and signs. The developer shall be responsible for the construction of any such traffic control devices which shall meet PennDOT approval.

405 – OFF STREET PARKING

The Off-Street Parking and Loading and Unloading Space standards provided herein shall be applied in conjunction with any Off-street Parking and Loading and Unloading provisions in the zoning ordinance in current use by the Township. Where there may be a conflict, the provisions set forth in the Township’s current zoning ordinance shall take precedence over the provisions herein.
405 A – STANDARDS

Off street vehicular parking facilities shall be provided in accordance with the following standards:

1. Off street parking facilities may be located on any required side, front, or rear yard, but in no case shall it be located within the right-of-way.

2. All off-street parking areas shall be surfaced in accordance with the following specifications and shall be properly graded and drained to dispose of all surface water in accordance with the approved stormwater management plan.

3. All residential parking areas providing space for four or more passenger vehicles shall be paved with asphalt, concrete or a masonry-type material. Stone or gravel is not considered a masonry-type material. Where asphalt paving is proposed the parking lot shall have a minimum of 6" PA 2A stone subbase, 3" depth 25mm base course and 1 1/2" depth 9mm wearing course.

4. Commercial and industrial parking areas shall be arranged and marked for the orderly and safe movement, loading, parking, and storage of vehicles and shall be adequately illuminated if designed for use by more than ten (10) cars after dusk. All commercial and industrial parking areas shall be paved with asphalt, concrete or a masonry-type material. Stone or gravel is not considered a masonry-type material. Where asphalt paving is proposed the parking lot shall have a minimum of 8" PA 2A stone subbase, 4" depth 25mm SUPERPAVE base course and 1½" 9mm SUPERPAVE wearing course.

5. All off-street parking facilities designed for twenty-five (25) or more vehicles shall be landscaped in accordance with Section 521 of this Ordinance.

6. Any lighting used to illuminate any residential, commercial or industrial parking area shall be so arranged as to reflect the light away from adjoining premises and public rights-of-way.

7. Each off street parking area shall be designed to provide for each usable space, dimensions in accordance with the Township’s Zoning Ordinance, and where access to such area is from a public street, adequate turnaround space shall be provided behind the right-of-way line.

8. Where a use contains more than one type of use, the number of required parking spaces will be calculated as the sum of the required parking for each separate use, minus ten percent.

405 B – LOADING AND UNLOADING SPACE

1. All commercial and industrial establishments shall provide loading and unloading and commercial vehicle storage space adequate for their needs. This required space will be provided in addition to established requirements for patron and employee parking.
2. The minimum size loading space shall be fifty feet in depth, twelve feet in width, with an overhead clearance of fourteen feet or designed in accordance with the Township’s Zoning Ordinance.

406 – BLOCKS

406 A – GENERAL

The length, width and shape of blocks shall be determined with due regard for:

1. The provision of adequate sites for buildings of the type proposed.

2. Topography.

3. Any other codes, plans, and ordinances.

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

406 B – BLOCK LENGTH

The length of blocks shall not exceed sixteen hundred (1600) feet or be less than eight hundred (800) feet. In any case blocks should be designed as close to one thousand feet (1000) in length as possible. In the design of blocks longer than one thousand (1000) feet, special consideration shall be given to the requirements of satisfactory fire protection and pedestrian connections.

406 C – PEDESTRIAN CROSSWALKS

Where blocks exceed one thousand (1000) feet in length, mid-bloc, pedestrian rights-of-way of not less than twelve (12) feet in width shall be provided where needed for adequate pedestrian circulation. Paved walks of not less than six (6) feet shall be placed within the right-of-way. All paved pedestrian areas shall be constructed in compliance with Section 504 of this Ordinance and the Germany Township Construction and Materials Specification Manual.

406 D – BLOCK DEPTH

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

1. Where reverse frontage lots are required along major streets.

2. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township may approve a single tier of lots.
406 E - COMMERCIAL AND INDUSTRIAL BLOCKS

Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases however, adequate provision shall be made for off street parking and loading areas as well as for traffic circulation and parking for employees and customers.

407 – LOTS

407 A – GENERAL

1. The size, shape, and orientation of lots shall meet all requirements as set forth in the zoning ordinance currently applied in Germany Township and be appropriate for the type of development use contemplated. Side lot lines shall be at right angles to straight street lines or radial to curved street lines.

2. Lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

3. The depth of residential lots shall be not less than one (1) nor more than two and one-half (2½) times their width.

4. Where the lots in a subdivision are large enough for resubdivision or where a portion of the tract is not developed, suitable access to these areas shall be provided.

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

6. If after subdividing, there exists remnants of land they shall either be incorporated into existing or proposed lots, or legally dedicated to public use, if acceptable to the Township.

7. No lot shall be created in any manner whatsoever which does not meet the minimum requirements of this Ordinance.

8. Where dictated by topography, location, sewage disposal requirements, or other such conditions, the Township may require that the minimum lot size be increased.

407 B – LOT FRONTAGE

1. All lots shall front on a dedicated public street (existing or proposed), or upon a fully improved private street constructed to Township specifications as set forth in this Ordinance and the Township Construction and Materials Specification Manual. Lots fronting upon unimproved private streets or not fronting upon a street shall not be approved.

2. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific
disadvantages of topography, orientation, or location. All reverse frontage lots shall provide access onto a minor street.

3. There shall be no right of access to any residential reverse frontage lots from the street opposite the minor street which carries the property address.

407 C – LOT SOILS EVALUATION TESTS

1. Soil tests shall be performed for each lot of a proposed subdivision, whether minor or major, and all land developments, wherein buildings at the time of construction will not be connected to a live public sewage disposal system. Each lot must be found satisfactory for on-site sewage disposal prior to approval of the Final Plan.

2. The soils tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer will observe the tests and certify the results.

3. A sewer planning module for any new subdivision or land development shall be prepared by the developer and approved by the Township and the Pennsylvania Department of Environmental Protection prior to approval of the Final Plan.

407 D – LOT ON SLOPES

1. The minimum lot area herein established shall be increased in accordance with the Township’s requirements, based on reports from the Pennsylvania Department of Environmental Protection and the Adams County Conservation District indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluents are likely to result in hazardous conditions.

2. All lots on slopes in excess of twenty percent (20%) shall provide the Township with an environmental assessment study in accordance to Section 409 of this Ordinance.

407 E – UNIQUE LOTS

1. In the cause of wedge-shaped lots, no lot shall be less than thirty five (35) feet in width measured along the arc at the front street right-of-way line.

2. Flag lots or Panhandle lots or lots having a narrow strip of property for the sole purpose of providing access to a public road from a lot which would not otherwise front on a public road are prohibited unless no other reasonable method of providing access is available. In no case should this be used as a method of avoiding construction of a street.

a. Minimum width of the panhandle at the street right-of-way line shall be twenty-five (25) feet. This minimum width shall be maintained for the entire length of the panhandle.
(1) In the event that a panhandle provides shared access to more than one lot, the minimum width shall be increased proportional to the number of lots accessed through the panhandle.

(2) A right-of-access easement shall be executed and recorded for all shared panhandles insuring no barriers, fences or other obstructions shall restrict the free use of said easement.

c. There shall be no sewerage disposal septic tanks or absorption field, permanent outdoor storage, parking or accessory uses or structures located within any panhandle.

3. Corner residential lots shall have enough extra width to permit appropriate setbacks from both streets.

407 F – BUILDING SETBACK AND YARD MEASUREMENT

1. Building setbacks shall be provided in accordance with the zoning ordinance currently applied in Germany Township.

407 G – LOT DIMENSIONS

1. The dimensions for lot area, lot width and setback lines shall be in accordance with the Zoning ordinance currently applied in Germany Township.

2. All lot areas shall be calculated from the street right-of-way lines. All setback lines shall be measured from the right-of-way lines. All lot widths shall be measured at the minimum setback line.

408 - EASEMENTS

1. The minimum width of easements for underground and overhead public utilities shall be twenty (20) feet.

2. Whenever possible, easements for public utilities shall be centered on side and/or rear lot lines.

3. Electric and telephone facilities shall be installed underground unless conditions require otherwise.

4. Drainage easement shall be such adequate width as to serve the purpose for which they are intended. Such easements shall preserve the unimpeded flow of natural drainage or provide for the construction of drainage facilities. In no case shall they be less than twenty (20) feet.
409 – ENVIRONMENTAL ASSESSMENT STUDY STANDARDS

Environmental assessment studies shall include statements for each of the following topics:

1. Steep Slopes. All plans involving lands that possess slopes exceeding twenty (20%) percent shall require the preparation of a statement which includes the following minimum considerations:

   a. A topographic map of the site which highlights those areas that possess slopes exceeding twenty (20%) percent. Also reflected on this map should be all existing and proposed site improvements.

   b. A detailed description of the methods proposed to do the following:

      (1) Protect and stabilize areas that have a high potential for soil erosion.

      (2) Prevent the construction of structures and other site improvements on areas with slopes exceeding twenty (20%) percent, or a description of the specific design and construction techniques used to assure structural safety and minimize harm to the environment associated with development on steep slopes.

      (3) Minimize grading throughout the site.

      (4) Protect and preserve any valuable natural wildlife and/or plant habitats that coincide with the steep-slope areas of the site.

      (5) Protect water quality on and around the site from the adverse effects of the proposed use.

      (6) Protect any steep slopes on adjoining properties.

2. Wetlands and Threatened/Endangered Species/Habitats. An assessment of wetlands and threatened or endangered species habitats shall be completed to determine presence on the site and mitigation methods.

   a. Perform wetlands delineation in accordance with methodologies outlined in the “Federal Manual for Identifying and Delineating Wetlands”. A report summarizing the findings of the delineation shall be attached to the preliminary plan.

   b. A search of the Pennsylvania Natural Diversity Inventory to identify any threatened or endangered species and their habitats or lack thereof on or near the site. If such species or areas are identified, a statement of proposed measures to protect the species or areas shall be included. This statement shall be supplemented by correspondence from appropriate state or federal agencies regarding the adequacy of the proposed protective measures.
c. A detailed description of the measures proposed to avoid, minimize or mitigate the following:

(1) Avoid the disturbance of any wetlands and/or other important wildlife habitats during and following construction on the site.

(2) Mitigate the loss of existing wetlands and habitats.

(3) Replace and/or create additional land areas that will be characterized by similar environmental traits as the site’s important wetlands and habitats.

3. Riparian Corridors and Stream Bank Restoration. All plans impacting riparian corridors shall include a site plan identifying areas for restoration and replanting of riparian habitat to re-establish wildlife migration corridors and linkages between fragmented habitats. The environmental assessment shall include:

a. A detailed description of the methods proposed, such as vegetated buffer strips, to mitigate impacts to riparian corridors and other significant habitat as a result of stormwater runoff from developed areas and construction activities.

b. A detailed description of the methods proposed for riparian habitat restoration.

c. No development shall be allowed within fifty (50) feet of the top of a stream bank.

4. Water Quality and Demand. A description of the site’s existing hydrogeologic and surface water characteristics, both quantity and quality, shall be provided in addition to the projected impact and demands of the project on these characteristics. The following additional information shall be provided:

a. In areas where protection of surface or groundwater quality is of critical concern due to soil type, near-surface groundwater, or similar factors, a description of methods to minimize or avoid potential adverse impacts to surface water or groundwater resources during and after construction.

b. If applicable, a description of methods to be used to store pesticides, herbicides and fertilizers and a letter from the appropriate Adams County agency indicating that proposed methods are in conformance with all established state and county regulations for the storage of hazardous materials.

5. Cultural Resources. Those plans involving properties of, or ones adjacent to, a site listed with the National Register of Historic Places and/or a site listed on the Pennsylvania Register of Historic Places shall require the preparation of a statement which includes the following minimum considerations:

a. A description of the site’s historic features and their historic significance at the local, state and national level.

b. A letter from the Historical Society of Adams County commenting on the proposed development’s impact on the historic sites contained on or around the site. This letter should also contain any additional design and/or use recommendations that would further protect nearby historic resources.
6. Socioeconomic and Public Service Impacts. In order for the Township to meet future demands for public services, the assessment shall include a description of the following:

   a. Estimate of the increase in population to be generated by the development.

   b. Estimate of the increase in the number of school age children (4 to 18) to be generated by the development.
ARTICLE V – IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

501 – MONUMENTS AND MARKERS

Monuments and markers shall be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They shall be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments shall be marked on top with a copper or brass plate or dowel set in the concrete.

501 A – MONUMENTS

1. Monuments shall be set:
   a. At the intersections of all right-of-way lines.
   b. At the intersection of lines forming angles in the boundaries of the development.
   c. At such intermediate points as may be required by the engineer.
   d. Within sixty (60) days of final plan approval the developer’s surveyor shall provide a letter to the Township certifying that all monuments have been set.

2. Monuments shall be six (6) inches square or four (4) inches in diameter, thirty inches long and made of concrete, stone, or by setting a four (4) inch cast iron or steel pipe filled with concrete.

501 B – MARKERS

1. Markers shall be set:
   a. At all lot corners except those monumented.
   b. Prior to the time the lot is offered for sale.

2. Markers shall be three-quarters (3/4) of an inch square or three-quarters (3/4) of an inch in diameter, fifteen (15) inches long. Markers shall be made of iron pipes or iron or steel bars.

502 - STREETS

Streets shall be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the Developer and approved by the Township. Before paving the street surface, the Developer shall install the required utilities and provide, where necessary, adequate storm water drainage for the streets, as acceptable to the Township. Following a review of the subdivision plan and consultation with the Developer and the governing body of the municipality in which the subdivision is located,
the Township shall determine the type of development and the specifications for the base and wearing surface of the streets in accordance with the following:

502 A – URBAN OR SUBURBAN DEVELOPMENTS

1. Minor Streets: Shall be constructed in accordance with the Germany Township Construction Materials and Specifications Manual.

2. Collector Streets: Shall be constructed in accordance with the Germany Township Construction Materials and Specifications Manual.

3. Arterial streets: For the construction of arterial streets, the developer shall consult with the Township and be governed by the Pennsylvania Department of Transportation specifications for the method of construction to be used. The Township shall decide if a collector or arterial street is required as a direct result of the construction of the development, in which case the developer shall be responsible for the costs of such street thereof in accordance with law.

502 B – PRIVATE STREETS

1. All private streets shall be constructed in accordance with Section 502 or bonded in accordance with Section 516 of this Ordinance prior to approval of the Final Plan.

2. Whenever a Developer proposes to establish a street which is not offered for dedication to public use, the Township shall require the Developer to submit, and also to record with the Plan, a copy of an agreement made with the Township on behalf of his heirs and assigns, and signed by the Township Supervisors, and which shall establish and stipulate certain conditions, including, but not limited to the following:

   a. That the Township has the right of inspection during construction of the proposed street, and that the cost of inspection shall be paid by Developer;

   b. Final approval of the proposed street shall be subject to any outstanding matters relating to utilities and if appropriate stormwater management and drainage;

   c. A method of assessing the cost of maintenance and repairs to the street by the abutting property owners;

   d. That all lots abutting the street shall be subjected to deed restrictions regarding the cost of repair and maintenance of said street, and Developer shall be responsible for insuring that each deed contains said restrictions;

   e. A provision whereby the Township has the continuing right to exercise its various remedies available to the Township under both the Pennsylvania Municipalities Planning Code and the Townships Subdivision and Land Development Ordinance, and specifically Section 518 thereof.
502 C – STREET LIGHTS

In any proposed subdivision or land development involving ten (10) or more lots or dwelling units with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or less, a street light meeting Township requirements shall be installed at one (1) corner of every intersection. In lieu of street lights, the Township may require the developer to install individual property lights in the ratio of one (1) to each lot regardless of lot size.

502 D- STREET SIGNS

Street name signs shall be placed at one (1) corner of every intersection. The design must be according to the Township requirements.

502 E- STREET TREES

Street trees shall be provided in the development as required in Section 521.C.2.a Landscaping.

503 – CURBS AND GUTTERS

1. Curbs shall be installed at the decision of the Supervisors on both sides of any proposed street included in a proposed subdivision and where abutting lot, lots or development have curbs and gutters. Curbs may also be required on existing streets where curbs are necessary to control the flow of surface water and regulate traffic.

2. Curbs may be required in all parking compounds located within multi-family development projects.

3. All curbs shall be constructed in accordance with the Germany Township Construction Materials and Specifications manual.


504 – SIDEWALKS

In any proposed subdivision or land development with an average lot size or area per dwelling unit of fifteen thousand (15,000) square feet or less, or where any subdivision is immediately adjacent to or within one thousand (1000) feet of, any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with Township requirements. The Township may also require installation of sidewalks in any subdivision of land development where the evidence indicates that sidewalks are necessary for the public safety.
1. Sidewalks shall be within the right-of-way of the street and shall extend to width from the right-of-way line toward the curb line.

2. Sidewalks shall be at least four (4) feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks shall be at least five (5) feet wide and located within the street right-of-way.

3. All sidewalks shall be constructed in accordance with the Germany Township Construction Materials and Specifications manual.

4. Sidewalks shall be of a uniform depth of four (4) inches, except where crossed by driveways, where the depth shall be six (6) inches for residential driveways, and eight (8) inches for commercial driveways. The width of the sidewalk shall be the width specified in the ordinance.

5. Construction joints shall be spaced no more than five (5) feet apart.

6. The forms used shall be of metal. All forms shall be smooth, straight, and free from warp.

505 – SEWER AND WATER SUPPLY SYSTEMS

All sanitary sewer and water supply systems located in any designated floodplain district shall be flood proofed up to the regulatory flood elevation.

505 A – PRIVATE AND ON-SITE SEWER SYSTEMS

1. All properties shall be connected to a public sanitary sewer system if possible.

2. Where a public sanitary sewer system is not accessible, but is proposed for extension within five (5) years to the development or to within one thousand (1000) feet of the development, the developer shall install sewer lines, including lateral connections, to provide adequate service to each lot when connection with the public system is made. The sewer lines shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided. If the available engineering and design information for the proposed public system is insufficient to insure the proper installation of capped sewer lines, the developer shall, at the Township’s discretion, provide for the eventual installation by creating an escrow account in an amount sufficient to provide for the eventual construction of said sewer lines.

3. If no public system is either proposed within five (5) years or within one thousand (1000) feet of the development, the Township Supervisors may require that a study be prepared to determine the feasibility of constructing a private sewer system or treatment facility, or connecting to any existing private or public system over one thousand (1000) feet away.

4. Upon completion of any sanitary sewer system installation, the plan for the system as built shall be filed with the Township.
5. Where none of the above alternatives are possible or feasible, an individual sewage disposal system consisting of a septic tank and absorption field or other approved sewage disposal system shall be provided for each lot at the time improvements are erected or installed thereon. All such individual sewage disposal systems shall be constructed in accordance with the Pennsylvania Department of Environmental Protection or Germany Township’s regulations.

505 B – HYDROGEOLOGIC STUDY TO EVALUATE GROUND WATER NITRATE LEVELS

1. A hydrogeologic study to evaluate ground water nitrate levels shall be required for all new subdivisions or land developments that proposes use of on-lot sewage disposal systems where:

   (a) Over three (3) lots are created from the parent tract as it existed from the date of this subdivision ordinance.

   (b) A land development which will produce sewage in excess of two (2) Equivalent Dwelling Units (EDU).

2. Hydrogeologic studies shall at a minimum contain delineations of the following:

   (a) Dispersion plume: volume of effluent and groundwater flowing away from treatment disposal site towards receiving waters.

   (b) Mixing zone: portion of dispersion plume in which groundwater quality does not meet federal drinking water standards.

   (c) Buffer zone: the groundwater surrounding the mixing zone, provided for containment and restoration activities should groundwater (which exceeds federal drinking water standards) leave the mixing zone.

   (d) An evaluation of the existing and proposed nitrate loading of the groundwater.

   (e) An estimate of the velocity and direction of groundwater movement.

   (f) A map showing all lots and parcels within at least one-quarter (1/4) mile of the proposed development.

   (g) The location of all wells and parcels within at least one-quarter (1/4) mile of the proposed development.

   (h) An estimate of the area of potential contamination (above 10 ppm) that can be anticipated in the local aquifer.

   (i) An examination of impacts on water uses in the local area. This shall include both existing and potential water uses.

   (j) A review of specific geologic characteristics of the area proposed for subsurface disposal systems.
(k) An identification of existing and potential water supplies that will be affected by excessive nitrate-nitrogen levels. In addition, the study shall contain an evaluation of methods of preventing use of affected water for drinking purposes (exceeding 10 ppm).

(l) A determination of the minimum land area required, without consideration of any specialty treatment (i.e. denitrification), to provide for adequate dilution/dispersion of nitrate-nitrogen within the groundwater system. This shall be used to determine the minimum lot size for the proposed subdivision or land development.

3. The final content of hydrogeologic studies shall be determined following initial review by the Germany Township Engineer or ground water hydrogeologist.

4. “Equivalent Dwelling Unit (EDU)” as used herein shall mean a measure of wastewater effluent equivalent to that provided to a single residential establishment, which is 262.5 gallons per home (1 EDU = 262.5 gallons per day).

505 C – PRIVATE AND ON SITE WATER SYSTEMS

1. Where a water main supply system is within one thousand (1000) feet of, or where plans approved by the Township provide for the installation of such public water facilities, the developer shall provide the development with a complete water main supply system to be connected to the existing or proposed water main supply system in accordance with the Township’s requirements.

2. If connection to a public water supply system is not possible, a report on the feasibility of constructing a private water supply system may be required by the Township and a report shall be submitted setting forth the findings.

3. The plans for installation of a private water supply system shall be prepared by the land developer, and approved by the Pennsylvania Department of Environmental Protection and the Township. Upon completion of any water supply system, the plan for the system as built shall be filed with the Township.

4. Where none of the above alternatives are possible or feasible, an individual water supply system shall be installed.

   a. The water supply yield shall be adequate for the type of development proposed.

   b. The installation of such systems shall not endanger or decrease groundwater supplies of adjacent properties.

   c. Any such individual system shall meet any applicable Pennsylvania Department of Environmental Protection regulations and/or Germany Township Regulations.
5. Water Supply Feasibility Study

a. If the water supply system proposed involves the utilization of water obtained from the tract being subdivided or developed, irrespective of whether that water is being distributed as a part of a private or individual water supply system, the Township will approve the proposed water supply system only when the Feasibility Study establishes and the engineer or geologist performing the study certifies that the groundwater recharge on the tract in question after development computed during drought conditions (periods where precipitation is forty (40%) percent below normal) will exceed the anticipated water usage figures computed by using the figures of 3.5 persons per dwelling unit and average daily usage of one-hundred (100) gallons per person per day, where residential use is contemplated and will exceed projected water usage figures, where non-residential use is contemplated, and that the installation of the proposed systems will not lower the groundwater table in the area so as to endanger or decrease groundwater supplies available to other properties in the area of the subdivision or land development and such study is approved by the Township Engineer or Geologist.

b. The Water Supply Feasibility Study shall be prepared, signed and sealed by a professional geologist or professional engineer qualified to conduct groundwater assessments in the Commonwealth of Pennsylvania.

c. Prior to the start of the Feasibility Study the scope of study must be submitted for approval to the Township’s Geologist or Engineer. If the development or subdivision of the tract, as it existed as of the dated of this ordinance, consists of over 15 residences or the development requiring over 5,000 gallon per day of water usage, test and monitoring wells will be required. The scope of study must include the location and number of test and monitoring wells.

d. The Water Supply Feasibility Study shall include at a minimum, the following:

(1) Map well driller's records for wells within ¼ mile of the proposed development, as well as all wells that withdraw over 10,000 GPD within 1 mile of the site.

(2) A geologic map of the area within a 1 mile radius of the site, at a scale of not less than 1 inch to 400 feet (1" = 400’), including the location of all faults, lineaments and fracture traces within ¼ mile of the site.

(3) The locations of all existing and proposed on-site septic systems, sewer lines and potential sources of pollution or contamination within ¼ mile of the site.

(4) Compare recharge to anticipated daily water usage for typical single family dwelling (350 gallons per day (GPD)).

(5) The study shall contain pertinent data, analysis and methods used to arrive at the study’s conclusions.
(6) The quality of the water produced by the test well(s) shall be tested to determine compliance with the water quality standards of the Pennsylvania Department of Environmental Protection.

505 D – ASSOCIATION OR OTHER ORGANIZATIONS FOR OPERATING AND MAINTAINING OF THE PRIVATE SYSTEMS

1. When private sewage treatment systems and/or water supply systems are installed by the developer an association or other organization must be established by the developer to operate and maintain the systems.

2. Any and all legal documents involving in establishing this association or other organization must be submitted and approved by Germany Township prior to approval of the final plan.

506 – FIRE HYDRANTS

Fire hydrants shall be provided as an integral part of any public or private water supply system.

1. Fire hydrants shall be installed if their water supply source is capable of serving them in accordance with the requirements of the local fire authority.

2. Fire hydrants shall be in accordance with specifications set forth by the National Fire Protection Association or as amended.

3. Fire hydrants shall be placed at intervals of not more than six hundred (600) feet or as specified by the Insurance Services Office of Pennsylvania

507 – STORMWATER DRAINAGE AND STORMWATER MANAGEMENT

507 A - GENERAL

1. A stormwater management plan shall be submitted for all subdivisions and/or land developments unless deemed not necessary by the Township. The plan shall show all drainage within the area affecting the subject property, all existing and proposed drainage facilities and all grading proposed for the subject property, as well as the additional plan information required in this section and such other stormwater management ordinances adopted by the Township, and including the Best Management Practices (BMP’s) in current use in Pennsylvania.

2. All land areas shall be graded to secure proper drainage away from buildings, on lot sewage disposal facilities, and the like, and to prevent the collection of stormwater in pools. Drainage provisions shall be of such design as to carry surface waters to the nearest practical natural drainage channel, storm sewer system detention basin or other drainage facilities. The landowner or developer shall construct and/or install such drainage structures, stormwater management facilities and/or pipes as are
determined necessary by the Township to prevent soil erosion, damage and siltation and to satisfactorily carry off surface water and provide stormwater management. In the design of storm drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. In no case may any slope exceed the normal angle of slippage of the material involved. All slopes must be protected against erosion. In no case may a change be made in the existing topography which would:

a. Result in a slope of more than ten (10%) percent within twenty (20) feet of a property line; and

b. Alter the existing drainage or topography in a way so as to adversely affect adjoining properties.

3. Storm sewers, culverts, bridges and related drainage installations shall be provided to:

a. Permit unimpeded flow of natural watercourses. Such flow may be redirected as required, subject to the approval of the Pennsylvania Department of Environmental Protection.

b. Ensure adequate drainage of all low points as may be related to streets.

c. Intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained to prevent flow of stormwater across intersections and to prevent the flooding of intersections during the design storm.

d. Ensure adequate and unimpeded flow of stormwater under driveways in, near or across natural watercourses or drainage swales. Properly sized pipes or other conduits shall be provided as necessary.

e. Prevent excessive flow on or across streets, sidewalks, drives, parking areas and any other paved surface or accessway.

f. Direct stormwater away from springs.

g. Provide adequate drainage away from on-site sewage disposal systems.

4. The storm water management plan for each subdivision and/or land development shall take into account and provide for upstream areas within the entire watershed in computing discharge quantities, sizing of pipes, inlets and other structures. The runoff from any proposed development shall be subject to evaluation which includes the anticipated runoff from other existing or proposed developments within the same watershed. Stormwater management facilities designed to serve more than one property or development in the same watershed are encouraged, in which case consultation with the Township is required prior to design.

5. All natural streams, channels, swales, drainage systems, and/or areas of concentration of surface water shall be maintained in their existing condition unless alteration is approved by the Township. In any event, all encroachment activities
shall comply with the Pennsylvania Department of Environmental Protection Rules and Regulations.

6. Man-made structures shall be kept to a minimum and bridges, culverts or rip-rap shall be constructed to maintain the natural characteristics of the stream and shall meet the approval of the Township.

7. For the purpose of this subsection, streams and intermittent streams are defined as those watercourses on the USGS Quadrangle Maps of the area, and/or as determined as such pursuant to an on-site survey by the Township.

8. Retention/detention basins shall be designed to utilize the natural contours of the land. When such design is impracticable, the construction of the basin shall utilize slopes as shallow as possible to blend the structures into the existing terrain.

9. Any subdivision and/or land development within a flood hazard district shall comply with all of the provisions of the Germany Township Floodplain Ordinance, and the rules and regulations of the Pennsylvania Department of Environmental Protection.

10. The Township may require that a landowner or developer provide reasonable corrective measures to alleviate an existing off-site drainage problem which may be affected by the proposed subdivision and/or land development. It shall be the responsibility of the landowner or developer to obtain all drainage easements in, over, or through other properties, and the Township, its agents, workmen, servants and employees shall be indemnified and held harmless from any liability.

11. Any water originating from non-natural sources such as swimming pools, air-conditioning units, sump pumps, roof drains or other similar flow shall be properly discharged into natural watercourses on the property or connected to an existing or proposed stormwater management system as approved by the Township. Polluting matter from such sources may not be deposited into natural watercourses or storm drains.

12. Any water originating from non-natural sources as referenced above shall not be discharged onto any street or other public right-of-way used for pedestrian or vehicular access.

13. All lots, tracts or parcels shall be graded to provide proper drainage away from buildings and dispose of the runoff without ponding, and all land within a development shall be graded to drain and dispose of surface water without ponding, except where other arrangements are approved by the Township. Grading shall not be done in such a way to divert water onto the property of another landowner without the expressed consent of the affected landowner.

14. In addition to any other requirement of this chapter, the landowner or developer may be required to participate in correcting improvements in the drainage basin within which the proposed development is located. The specified off-site drainage improvements required shall be those specified by the Township to mitigate off-site impacts created by the proposed development.
1. **General requirements.** If required, the stormwater management plan and report shall be submitted containing but not limited to the information below. The determination of the need for additional information shall be made by the Township after conducting a review of the following:

   a. A map depicting the total watershed. A USGS Quadrangle Map is suitable as the source for such a map. However, the watershed area must be highlighted or otherwise distinguished from other areas outside the watershed.

   b. Maps and drawings showing all existing and proposed drainage facilities affecting the subject property.

   c. A plan of the site, at a scale of no less than one (1) inch equals fifty (50) feet, prepared by a registered engineer or surveyor and including the following:
      
      (1) All existing topographic features with a contour interval of at least two (2) feet.
      
      (2) Boundary survey information.
      
      (3) Location and description of all vegetative and land cover characteristics.
      
      (4) All existing utilities including stormwater pipes showing size, material and invert elevations.
      
      (5) Soil types.
      
      (6) All existing natural or man-made features.
      
      (7) All proposed improvements, including but not limited to proposed buildings, driveways, stormwater drainage systems, sewage disposal systems, wells, stormwater management facilities, final grading contours and elevations, soil erosion and sedimentation control and procedures and the like.
      
      (8) Profiles of all proposed sewers, including elevations, sizes, slopes and materials, at a scale of no less than one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical.
      
      (9) Staging of earthmoving activities and program of operation.
      
      (10) Locations, dimensions and design details required for the construction of all facilities.
      
      (11) All soil erosion and sedimentation control measures, temporary as well as permanent, in sufficient detail in order to clearly indicate effectiveness of the plan. The Adams County Conservation District must approve this plan.
      
      (12) Project specifications relative to stormwater control.
(13) When major control facilities, such as detention/retention basins, are planned, soil structures and characteristics shall be investigated and analyzed. Plans and data shall be prepared and submitted by a licensed professional engineer or geologist with experience and education in soil mechanics. These submissions should consider and offer design solutions for frost heave potential, shrink-swell potential, soil settling characteristics, suitability of existing soils for placement of fill and backfilling procedures and soil treatment techniques as required to protect the improvements or structures.

d. The design computations for the stormwater drainage systems, including storm drain pipes and inlets, runoff control measures, and culverts and drainage channels.

e. A narrative report of the project stating the proposed engineering assumptions and calculations for control measures and facilities. The following information shall be included:

   (1) General description of the project.

   (2) General description of accelerated runoff control plan.

   (3) General description of soil erosion and sedimentation control plan.

   (4) Expected project time schedule, including anticipated start and completion dates.

   (5) The stormwater characteristics of the project as related to its location within the watershed(s).

   (6) On-site detention methods.

   (7) Methodology and basis of design computations.

   (8) Brief description of soils and their characteristics.

   (9) The stormwater management plan shall comply with all other applicable sections of this chapter, the Township’s Stormwater Management Ordinance and any other Township Ordinance.

507 C - STORMWATER DRAINAGE PLAN

1. A plan showing all predevelopment and post-development stormwater flow to and from basins. A plan showing all post-development flows to all inlets, headwalls, swales, channels and the like. The drainage areas and the design flow to each inlet or structure shall be delineated on a copy of the stormwater management plan where applicable.

2. The following stormwater related items shall be included as part of the plan submission:
a. Preliminary plan contents:

(1) The watershed and subarea in which the site is located as well as the corresponding release rate percentage, where applicable.

(2) Existing ground cover conditions.

(3) Definition of the existing drainage paths and drainage area boundaries.

(4) Definition of existing on or off-site drainage problems.

(5) Appropriate stormwater management criteria such as release rate percentage, direct discharge and downstream impact elevation.

(6) Layout of existing and proposed streets, buildings, approximate building dimensions, parking areas, walkways and other impervious areas.

(7) Configuration of the storm sewer and sanitary sewer system layouts, including Plan and profile drawings.

(8) Location and layout of the stormwater management system with a description of its proposed design and operation.

(9) Existing and proposed drainage easements.

(10) Runoff calculations as set forth in the stormwater management plan. A minimum of five thousand (5,000) square feet of impervious area, for each individual residential lot, shall be used in calculation of the proposed stormwater, post development runoff.

(11) Ownership and maintenance provisions for all stormwater related facilities.

b. Final plan contents:

(1) Data requirements as set forth for the preliminary plan.

(2) Final layout of existing and proposed streets and buildings, actual building dimensions, parking areas and other impervious areas.

(3) Exact location and layout of the stormwater management system with a detailed description of its proposed design and operation.

(4) Detailed surface water runoff calculations as set forth in this section.

507 D - STANDARDS AND CRITERIA

1. Storm drainage system.

   a. Design flow rate.
(1) The storm sewer system shall be designed to carry a twenty-five (25) year peak flow rate without surcharging inlets. The peak flow rate into each inlet shall be indicated on the stormwater drainage plan. The design flow rate shall be determined by the rational formula, \( Q = CIA \).

Where:

- \( Q \) = Peak runoff rate, cubic feet per second (CFS)
- \( C \) = Runoff coefficient equal to the ratio of the peak runoff rate to the average rate of rainfall over a time period equal to the time of concentration.
- \( I \) = Average rainfall intensity in inches per hour for a time equal to the time of concentration.
- \( A \) = Drainage area in acres.

(2) Appropriate values for the runoff coefficient and rainfall intensity shall be taken from the following source:

- Commonwealth of Pennsylvania Department of Transportation Publication 584 PennDOT Drainage Manual 2010 Edition or the latest revision

2. Storm sewer system design.

   a. The storm sewer system shall be designed to the more restrictive of the following: to collect stormwater at any point where three (3) to five (5) cubic feet per second is accumulated during the design storm; and/or inlets/manholes shall not be spaced more than three hundred (300) feet apart on pipe sizes up to twenty-four (24) inches in diameter and not more than four hundred (400) feet apart on greater sizes.

   b. Inlets, manholes, grates, covers, frames, and the like shall conform to the Pennsylvania Department of Transportation Roadway Construction Standards and Form No. 408 specifications and all amendments, revisions or updates thereto.

      (1) All inlets and manholes shall be precast concrete, unless approved otherwise by the Township.

      (2) Catch basins or sump areas below inlet piping shall not be permitted.

3. Bridge/culvert/channel design.

   a. Bridges and culverts shall have ample waterway to carry expected flows, based on a minimum storm frequency of one hundred (100) years or as required by the Pennsylvania Department of Environmental Protection (PADEP). Bridge and/or
culvert design shall be in accordance with the Pennsylvania Department of Transportation and/or the Pennsylvania Department of Environmental Protection requirements. All culverts shall be provided with concrete end walls.

b. All drainage channels shall be designed to carry a flow rate equal to a one-hundred (100) year, twenty-four (24) hour storm.

c. All drainage channels shall be designed to prevent the erosion of the stream bed and stream bank areas. The flow velocity in all vegetated drainage channels shall not exceed the maximum permissible velocity to prevent soil erosion. Suitable bank stabilization shall be provided where required to prevent soil erosion of the drainage channels. Where storm sewers discharge into existing drainage channels at an angle greater than thirty degrees (30°) from parallel with the downstream channel flow, the far side bank shall be stabilized by the use of riprap and masonry and/or concrete walls. The stabilization shall be designed to prevent soil erosion and frost heave under and behind the stabilizing media.

d. Any vegetated drainage channel requiring mowing of the vegetation shall have a maximum slope of four (4) horizontal to one (1) vertical on those areas to be mowed.

e. The design of all channels shall, as a minimum, conform to the design procedures outlined with the Pennsylvania Department of Transportation standards, Pennsylvania Best Management Practices Manual, and Pennsylvania Department of Environmental Protection Erosion and Sediment Pollution Control Program Manual.

4. Overflow system. An overflow system shall be provided to carry flow to the detention basin when the capacity of the storm drain pipe system is exceeded. The overflow system shall have sufficient capacity to carry the difference between the one-hundred (100) year and the twenty-five (25) year peak flow rates.

5. Inlet capacity.

a. All inlets must be designed to accommodate the twenty-five (25) year peak flow rate. The capacity of Type C, M or S inlets shall be determined from the following source:

Commonwealth of Pennsylvania
Department of Transportation
Publication 584
PennDOT Drainage Manual
2010 Edition or the latest revision

b. The capacity of each inlet shall be indicated on the Stormwater Management site plan narrative. All stormwater management plans shall indicate that inlet grates be installed in such a manner that the roadway stormwater will be directed into the inlet and away from the roadway. All inlets shall be designed to create a one (1) inch sump condition below finished road surface unless approved otherwise by the Township. At curbed street/driveway intersections, inlets shall be placed on the tangent section and not in the curved portion of the curbing.
6. Straight pipe sections. All storm sewers shall be designed to follow straight courses. No angular deflections of storm sewer pipe sections in excess of five (5°) degrees shall be permitted. No vertical curves shall be permitted in the storm sewer system.

7. Minimum grade and size. All storm sewer pipes shall be designed to maintain a minimum grade that will result in a full flow velocity of at least two (2) feet per second. All storm sewer pipes shall have a minimum inside diameter of fifteen (15) inches.

8. Pipe capacity. The capacity of all pipe culverts shall, as a minimum, provide the required carrying capacity to meet current Pennsylvania Department of Transportation standards and criteria. A fifteen (15) inch diameter pipe, or greater, shall be used where a driveway crosses a stormwater management facility.

9. Pipe arches. Where headroom is restricted, equivalent pipe arches may be used in lieu of circular pipes.

10. Pipe material and gauge thickness. All storm sewers shall be reinforced cement concrete, corrugated aluminum, corrugated galvanized steel pipe or smooth-wall corrugated polyethylene pipe. Storm sewers shall be of the proper class and thickness to support the above fill material. Pipe class and gauge or thickness shall be noted on the plans. All pipes shall conform to Pennsylvania Department of Transportation specifications.

11. Allowable headwater depth. At all inlets or manholes, the maximum allowable headwater depth shall be one foot (1) below the top of the inlet grate or the manhole.

12. Horizontal pipe deflections. A manhole or inlet shall be provided at all horizontal deflections in the storm pipe system exceeding five degrees (5°).

13. Minimum and maximum cover. In lawn areas, a minimum of twelve (12) inches of cover shall be maintained over all storm drain pipes. Under streets, the top of storm drain pipes shall be a minimum of six (6) inches below subgrade elevation. The maximum cover over storm drainpipes shall be ten (10) feet unless otherwise approved by the Township.

14. Storm sewer system outlets. Storm sewer system outlet pipes shall extend to proposed stormwater management facilities, natural watercourses and the like. A concrete end wall shall be required on all storm sewer system inlet and outlet pipes. All storm/sewer outlets twenty-four (24) inches in diameter or greater shall be equipped with a galvanized child-proof horizontal bar rack, bolted to the end wall.

15. Roof drains. Stormwater roof drains shall not discharge water directly over a sidewalk, into any sanitary sewer line, or into a street or paved area.

16. Drainage easements:

   a. All storm sewer easements through undedicated land shall be a minimum of twenty (20) feet in width.
b. Where a site is traversed by a watercourse, a drainage easement or right-of-way conforming substantially to the line of such watercourse and of such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance shall be created, as determined by the Township.

c. Diversion of surface water runoff. All storm sewers and/or drainage swales shall be designed to carry such runoff into a detention basin or similar facility utilized to control the rate of runoff, unless approved otherwise by the Township.

17. Runoff control measures.

a. Runoff control. The rate and quantity of stormwater runoff from any proposed subdivision and/or land development shall not exceed the rate and quantity of runoff prior to development (i.e., zero increase runoff). This standard shall be maintained for all storms (i.e., both high-frequency and low-frequency).

b. Runoff control devices. The increased runoff which may result from subdivisions and/or land developments shall be controlled by permanent runoff control measures that will provide the required runoff control specified above. All runoff control devices will be evaluated for their effectiveness to maintain the above mentioned standard for all storms with a return period of up to one hundred (100) years.

c. Runoff capture volume requirements of the Township Stormwater Management Ordinance must be met. All runoff control measures will be designed to provide groundwater recharge when suitable subsurface conditions are present. Soils testing and certification by a registered professional engineer, geologist, soils scientist or the like shall be required when groundwater recharge systems are proposed.

d. Water quality requirements of the Township Stormwater Management Ordinance must be met.

e. Detention basin versus other available methods. Detention basins are an acceptable technique for controlling the rate of runoff from a subdivision and/or land development. However, the use of other available runoff control measures can be employed as approved by the Township. Runoff control measures other than detention basins may include on-lot berms, on-lot or centralized seepage beds. All pertinent detention basin design standards shall be applicable to any such on-lot facilities.

f. Regional detention basins. The use of regional detention basins to combine and eliminate numerous smaller basins is encouraged. Consultation with the Township is required prior to design of a regional detention basin.

507 E - DETENTION/RETENTION BASINS

1. Detention basins shall be designed in accordance with the Soil Cover Complex Method and the procedures developed by the United States Department of Agriculture, Soil Conservation Service, as outlined in their Technical Release No. 55,
Urban Hydrology for Small Watersheds, with specific attention given to antecedent moisture conditions, flood routing and peak discharge and Hydrology National Engineering Handbook Section 4, or other methods as approved by the Township Engineer.

2. Basin design criteria (SCS).
   a. Basins shall be designed to safely convey the quantity of water resulting from a one-hundred (100) year, twenty-four (24) hour storm under full development conditions. Stormwater management calculations shall ensure that the predevelopment discharge from the site is as follows:
      
      (1) The emergency spillways from such facilities shall be designed based on a one-hundred (100) year storm. The time of concentration method shall be utilized in the development of the runoff hydrography and peak discharges. Storage-discharge curves shall be provided for all basins.
      
      (2) All requirements of the Stormwater Management Ordinance are met.
   
   b. The following criteria shall apply in the calculation of stormwater runoff values:
      
      (1) Meadow conditions shall be used as the basis for establishing the predevelopment runoff values for all areas other than woodland, including areas which are presently covered by impervious surfaces, except as stated below.
      
      (2) In the case of an expansion of an existing development, allow the exclusion of only existing impervious areas from the requirements of Section 507-E.2.b(1) above, provided that the existing development does not presently contribute to an existing drainage problem downstream upon the approval of the Township.
      
      (3) A Type II distribution storm.

3. Outlet control structures.
   a. All outlet control structures shall be constructed of concrete, properly anchored to prevent flotation and equipped with child-proof, nonclogging removable trash racks overall design openings twelve (12) inches or greater in diameter, except those openings designed to carry perennial stream flows.
   
   b. Temporary sedimentation controls shall be provided during construction to prevent the flow of sediment through the basin outlet pipe. Such measures may include temporary riser pipes, rock-filled gabions, plywood standboxes, silt fences and the like.

4. Emergency spillways. Whenever possible, the emergency spillway for basins shall be constructed on undisturbed ground. Emergency spillways shall be constructed of reinforced concrete, concrete moundslabs or vegetated earth. All emergency spillways shall be constructed so that the basin berm is protected against soil erosion. The minimum capacity of the emergency spillway shall be designed to pass
the one-hundred (100) year post-development flow. Emergency spillways shall extend along the upstream and downstream berm embankment slopes. The emergency spillway shall not discharge stormwater over earthen fill and/or easily erodible material without adequate protection against soil erosion.

5. Freeboard. The minimum freeboard shall be one (1) foot. (Freeboard is the difference between the design flow elevations in the emergency spillway and the top of the settled basin embankment.)


7. Anti-seep collars. Anti-seep collars shall be installed around the principal pipe barrel within the normal saturation zone of the basin berms. The anti-seep collars and their connections to the pipe barrel shall be watertight. The anti-seep collars shall be designed in accordance with USDA SCS criteria. Design calculations for anti-seep collars must be submitted with the basin calculations.

8. Basin outlets. Energy dissipating devices (concrete aprons and the like) shall be placed at all basin outlets. Concrete end walls shall be placed at all basin outlets. All basin outlet pipes twelve (12) inches in diameter or greater shall be equipped with child-proof devices to deter entry by pedestrians or animals. Design calculations for proposed energy dissipaters must be submitted with basin calculations.

9. If the flow from a detention facility would otherwise damage or interfere with the agricultural or residential use of a property over which it would flow, it shall be piped to a stream; provided, however, this provision shall not apply if the owner of the property which would be adversely affected by the flow refuses to grant the Developer a right-of-way to pipe the flow from the detention facility underground at a sufficient depth so as not to interfere with agricultural use without damage to growing crops and trees and provided further the pipeline shall be located so as to minimize such surface damage.

10. Slope of detention basin embankment.
   a. The maximum slope of earthen basin embankments shall be four (4) to one (1). The top or toe of any slope shall be located a minimum of fifteen (15) feet from adjacent property lines with the exception of the downstream property line where the toe of the embankment shall be placed a sufficient distance to allow for energy dissipating devices but in no case less than forty (40) feet unless approved otherwise by the Township.
   b. Whenever possible, the side slopes and basin shape shall blend with the natural topography. Straight side slopes and rectangular basins shall be avoided whenever possible.

11. Width of berm. The minimum top width of detention basin berms shall be six (6) feet.

12. Construction specifications. The plans shall indicate the construction specifications and compaction requirements for all detention/retention basins.
13. Slope of basin bottom. In order to ensure proper drainage of detention basins, a minimum grade of two (2%) percent shall be maintained for all basins.

14. Cut-off trench. A cut-off trench shall be excavated along the center line of dam on earth fill embankments. The minimum depth shall be three (3) feet. The minimum bottom width shall be ten (10) feet or wide enough to permit operation of compaction equipment. The side slopes shall be no steeper than 1:1. The trench shall be kept free from standing water during the backfilling operations.

15. Grading and landscaping of basins, cuts and fills. No excavation or fill shall be made with a cut and fill slope steeper than four (4) feet horizontal to one (1) foot vertical. A written statement shall be required from a civil engineer licensed by the Commonwealth of Pennsylvania having experience in soils engineering certifying that the site has been inspected and that any proposed deviation from the slope specified above should not endanger any property or result in personal injury. Retaining walls will be required if a stable slope cannot be maintained. Any retaining wall design must be designed by an experienced structural engineer licensed by the Commonwealth of Pennsylvania. The toe of any cut or fill slope must be located a minimum of fifteen (15) feet from adjacent property lines with the exception stated in Section 507-E.10a above.

16. Landscaping.
   a. A minimum of four (4) inches of topsoil shall be placed on all areas affected by the basin construction (bottom of basin, side slopes, top of berm and the like).
   b. All earthen basins shall be seeded with a standard seed mix containing temporary and permanent grasses capable of providing a minimum uniform seventy percent (70%) perennial ground cover or other approved ground covers within seven (7) days after final grading. Application rate shall be in accordance with the seed supplier’s guidelines and recommendations.
   c. Fencing may be required around detention/retention basins where the Township determines that circumstances warrant the fencing.
   d. All detention/retention basins shall be landscaped.

17. Permanent pond.
   a. A five (5) foot wide bench sloping at four (4%) percent shall be provided for all detention/retention basins designed to contain a permanent pond of water. The toe of the bench shall begin at the permanent water surface elevation. Alternate designs may be submitted for review by the Township.
   b. When a permanent pond is proposed, a report of a certified geotechnical specialist must be provided certifying that the water will not become stagnant. The basin side slopes below the water line must not exceed 4:1.

18. Positive drainage. Detention basins, not intended as permanent facilities, must be designed to eliminate standing water or swampy conditions after the basin has drained. This must be accomplished either by the installation of stone-trenched
underdrains or by providing a minimum basin bottom slope of two (2%) percent to the basin outlet. Other arrangements may be presented for review and approval by the Township. Normally dry, open-top storage facilities, designed as such, shall completely drain both the volume control and rate control capacities over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. However, any designed infiltration volume at such facilities is exempt from the minimum 24-hour standard, i.e., may infiltrate in a shorter period of times, so long as none of the stormwater intended for infiltration is discharged into the surface waters of the Commonwealth.

19. Subsurface Infiltration/Disposal/Retention Basin Systems – The following procedures and materials shall be required for all subsurface stormwater management facilities:

a. Prior to starting any excavation for subsurface facilities, the contractor must notify the Township’s Engineer forty-eight (48) hours in advance for inspection of said facilities. Inspection is required for all subsurface stormwater management facilities at time of installation and prior to backfilling.

b. Excavation for all subsurface facilities shall be performed in a manner that will minimize compaction of the subsurface facility floor and surrounding areas as well as minimize smearing of the sidewalls of the subsurface facility.

c. The floor and sidewalls of the subsurface stormwater management facility shall be roughened prior to placement of the geofabric and aggregate.

d. Only clean, open graded aggregate, free of fines, shall be used in subsurface stormwater management facilities.

e. The top, sides, and floor of all subsurface stormwater management facilities shall be covered with a drainage filtration fabric which meets the requirements of the Pennsylvania Department of Transportation Publication 408 for Class I Geofabrics.

f. All pipes leading into subsurface stormwater management facilities shall be equipped with screening or water quality devices to prevent debris from entering the system.

g. The floor of all subsurface stormwater management facilities shall be located a minimum of twelve (12) inches above the seasonal high water table or bedrock limiting zone as established by a soil test pit and site specific soil profile. Depths of less than twelve (12) inches above the limit zone will only be allowed where it is certified by a registered professional engineer, geologist, or hydrogeologist that the proposed facility will not create an environmental hazard.

h. For all subsurface stormwater management facilities that propose to use infiltration as a means to manage stormwater runoff, infiltration testing must be performed at the same elevation of the invert of the proposed facility to determine a design infiltration rate and dewatering time for the proposed facility. The proposed facility dewatering time must be in accordance with Section 507.E.18.
i. Inspection points, cleanouts, and overflow facilities shall be provided for all subsurface stormwater management facilities. All inspection points and cleanouts must be located in a configuration that will allow for cleaning and maintenance of the entire subsurface facility.

j. Detailed maintenance instructions and instructions and a proposed maintenance schedule must be provided on the plan drawings and provided to the property owner prior to plan approval.

k. All subsurface stormwater management facilities must be locate a minimum of one hundred (100) feet from any water well, fifty (50) feet from any septic system absorption area, 15 feet from any building foundation, 15 feet from any property line providing that documentation is provided to show that all setbacks from wells, foundations and septic absorption areas on neighboring properties will be met.

507 F - APPROVALS FROM REGULATING AGENCIES

1. All requirements of the Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Protection and/or the Adams County Conservation District, with regard to storm drainage and stormwater management, shall be followed, and evidence of approvals by those agencies shall be submitted to the Township if required.

507 G - INSPECTIONS

1. All earthwork and material shall be subject to inspection for conformity with the terms of this section.

2. During inspections, if it is found that the soil or other conditions are not as stated or shown in the application and approved plans, the Township may refuse to approve further work and revoke any or all permits and/or agreements until approval is obtained for a revised plan conforming to existing conditions.

3. If, at any stage of the work, the Township shall determine by inspection that the nature of the work is such that further work as authorized by an existing permit is likely to endanger property or streets or create hazardous conditions, the Township may require as a condition to allowing the work to be done that such reasonable safety precautions be taken as the Township considers advisable to avoid such likelihood of danger.

4. No person shall interfere with or obstruct the ingress or egress to or from any such site or premises by an authorized representative or agent of the Township of Germany engaged in the inspection of work for compliance with the approved plans.

5. An as-built Stormwater Management Facilities Plan must be provided to the Township.
507 H - MAINTENANCE AND RESPONSIBILITIES

1. Stormwater management facilities.
   a. Developer responsibilities.
      (1) All stormwater management facilities, including detention and retention basins designed and constructed for the purposes specified under this chapter, shall be maintained in proper working order in accordance with the plans filed and approved by the Township and in accordance with any deed restrictions, agreements or notes on the plans. The Developer must make adequate provisions for the perpetual maintenance of all stormwater management facilities proposed by the subdivision or land development plan.
      (2) The Developer shall, in addition, provide for an easement enabling the Township to perform emergency maintenance in the event that the property owner should fail to do so and shall establish a procedure whereby the Township shall be able to assess the cost of such emergency maintenance upon the owner of the land where the detention basin or other stormwater management facility is located by the filing of a municipal lien.
   b. In order to ensure proper maintenance and function of stormwater management facilities, the Township or its designee may perform inspections.
   c. If, at any time, the Township or its designee discovers any violation or condition not conforming with the designs and plans filed with the Township in regard to the operation of a stormwater management facility, it shall notify the responsible owners of the violation, informing them of the nature of such violation and the manner in which it can be corrected.
   d. Under no circumstances shall any person be allowed to remove any previously approved stormwater management facility unless an approved alternate facility is approved by the Township.
   e. Under no circumstances shall any person be allowed to modify, alter or change a previously approved stormwater management facility unless approved by the Township.
   f. In the event that the landowner, developer or homeowners' association, as the case may be, shall refuse or neglect to comply with the provisions of this section as interpreted by the Township, the Township may direct the work to correct any violation or noncompliance with the terms of this chapter and all other ordinances and codes of the Township of Germany and institute action for payment of costs incurred.

2. Storm drainage system and watercourses.
   a. Maintenance of all drainage facilities and watercourses within any subdivision and/or land development is the responsibility of the landowner or developer until and unless they are accepted by the Township.
b. It is the responsibility of any landowner or developer doing any act on or across a watercourse or swale or upon the flood plain or right-of-way thereof to maintain as nearly as possible in its present state, the stream, watercourse, swale, floodplain or right-of-way for the duration of the construction activity and to return it to its original or equal condition after such activity is completed.

c. Maintenance of drainage facilities or watercourses originating on private property is the responsibility of the owner to their point of open discharge at the property line or at a watercourse within the property.

d. No landowner or developer shall block, impede the flow of, alter, construct any structure, or deposit any material or commit any act which will affect normal or flood flow in any watercourse without having obtained prior approval from the Township and the Pennsylvania Department of Environmental Protection.

508 – EROSION AND SEDIMENTATION
All development applications which involve grading or excavation shall conform to the requirements of the rules and regulations of the Pennsylvania Department of Environmental Protection and/or the Adams County Conservation District pertaining to erosion and sedimentation. It shall be the responsibility of the applicant to secure approval of the Department of Environmental Protection and/or the Adams County Conservation District. Approval of plans by the Township shall not be construed as approval under such regulations.

509 – FLOODPLAIN
All land development within identified floodplain areas in Germany Township shall comply with the Germany Township Floodplain Ordinance, Ordinance No. 42, adopted December 8, 2008.

510 – UNDERGROUND UTILITY LINES
Electric, telephone, and all other utility facilities shall be installed underground and shall be floodproofed up to the regulatory flood elevation. The developer shall be required to obtain a letter from the appropriate utility company confirming that the developer has entered into an agreement to provide for an underground electric and telephone system in accordance with the Pennsylvania Public Utility Commission, or has obtained a waiver from said Pennsylvania Public Utility Commission to allow overhead electric and telephone facilities.

511 – PETROLEUM LINES
When any petroleum or petroleum products transmission line traverses a land development, the developer shall confer with the applicable transmission or distributing company to determine the minimum distance which shall be required between each dwelling unit and the centerline of such petroleum or petroleum products transmission line.
512 – NATURAL GAS LINES
The minimum distance from a natural gas line to a dwelling unit shall be as required by
the applicable transmission or distributing company, or as shall be required by the
Department of Transportation under the Natural Gas Pipeline Safety Act of 1968, as
amended whichever is greater.

513 – DEDICATION OF LAND, OR PAYMENT OF FEES (Amended
January 3, 2017)

A. Purpose: The purpose of this section is to implement the Germany Township
Comprehensive Outdoor Recreation Plan of 2016, as specifically enabled by
Section 503(11) of the Pennsylvania Municipalities Planning Code, Act 247 of
1968, as amended.

B. General Requirement: This section applies to residential subdivision and / or land
development proposals that would result in the development of one (1) or more
dwelling units. The provisions of Section 513 shall not apply to any plan
application, whether preliminary or final, pending at the time of enactment of
Section 513.

C. Land Dedication: Applicants subject to the requirements of this section shall
dedicate to the Township land suitable for park and recreation use. The amount
of land to be dedicated shall be 0.028 acres for every dwelling unit, as may be
amended by resolution of the Board of Supervisors from time to time. Land to be
dedicated shall be identified on the Preliminary Plan and Final Plan submission
where both Preliminary Plan and Final Plan submission is required. Where only
Final Plan submission is required, the land to be dedicated shall be depicted on
the Final Plan submission.

D. Quality of Land to Be Dedicated: The land to be dedicated to the Township for
parks and recreation purposes shall be suitable for the provision of parks and
recreation facilities. The dedicated land shall comply with the following
requirements.

1. The dedicated land shall not be located within any floodway.

2. No more than ten percent (10%) of the dedicated land may include
designated wetlands or hydric soils.

3. No more than twenty percent (20%) of the dedicated land may include
slopes exceeding eight percent (8%).

4. The dedicated land shall not include any existing or proposed
infrastructure facilities including, but not limited to, stormwater
management facilities, pump stations, utility or transmission line rights-of-way, or roads.

5. The dedicated land shall not include any area with confirmed or suspected environmental hazards, or other areas that may pose a health or safety concern.

6. The dedicated land shall not include land that contributes to any required setback, buffer, or other protection area that may be required by this Ordinance or any other Township ordinance.

7. The dedicated land shall meet the lot requirements of Section 407 of this Ordinance. However, the dedication of land oriented in a flag or panhandle lot configuration shall not be authorized.

8. The dedicated land shall be located in a manner that furthers goals and objectives found in applicable state, county, regional, and adjoining municipal parks and open space planning, specifically to encourage the development of a regional parks, recreation, and open space network.

E. Quantity of Land to Be Dedicated: Any land to be dedicated to the Township for parks and recreation purposes shall be a minimum of one (1) acre in size, not including any designated wetlands, hydric soils, or slopes exceeding eight percent (8%).

F. Improvement of Land to Be Dedicated: Where parks and recreation land dedication is proposed, the land to be dedicated shall be improved in accordance with the following.

1. Recreation facilities shall address recreation facility deficits as identified in the Germany Township Comprehensive Outdoor Recreation Plan, as adopted or amended. The applicant shall provide recreation facilities in accordance with the following table

<table>
<thead>
<tr>
<th>Dwelling Units</th>
<th>Total Number of Recreation Facilities</th>
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<tr>
<td>24 or fewer</td>
<td>1</td>
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<tr>
<td>25 to 49</td>
<td>2</td>
</tr>
<tr>
<td>50 to 75</td>
<td>3</td>
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<tr>
<td>76 to 99</td>
<td>4</td>
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<tr>
<td>100 to 199</td>
<td>5</td>
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<tr>
<td>200 to 299</td>
<td>6</td>
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<tr>
<td>300 to 399</td>
<td>7</td>
</tr>
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| 400 or more    | 8, plus 1 additional facility for every 150 additional dwelling units beyond 400.
Recreation facilities shall include, but are not limited to, trails, playground areas, basketball courts, volleyball courts, tennis courts, softball and / or baseball fields, soccer and / or football fields, and pavilions. The mix of recreation facilities shall be determined and approved by the Township Supervisors.

2. Recreation facilities shall be provided with safe and convenient access by pedestrian, bicycle, and automobile modes of transportation. The site shall be provided with appropriate means to allow for maintenance and / or emergency vehicle access. Where new recreation facilities are located adjacent to existing recreation facilities or other sites where the provision of recreation or open space facilities is likely in the future, a system of pedestrian / bicycle trails shall be provided to allow safe and convenient movement from one site to another.

3. Recreation facilities shall not be divided by either public or private streets.

4. Recreation facilities shall be suitably landscaped either by retaining existing vegetation and wooded areas and / or by a landscaping plan designed to enhance the facilities through the installation of plantings which are consistent with the purposes of this section.

5. Recreation facilities shall be conveniently accessible to the general public to improve the utility of the facilities and to promote use of the facilities by the residents. The recreation facilities shall also be located in a manner that respects the privacy needs of those existing or future residents who adjoin the site.

6. The construction of required recreation facilities shall be bonded in accordance with applicable posting of financial security requirements of this Ordinance.

G. Payment of Recreation Fee in Lieu of Land Dedication: In lieu of dedicating park and recreation land to the Township, an applicant may choose to pay a recreation fee to the Township. The amount of the recreation fee shall be $3,153.02 for every dwelling unit, as may be amended by resolution of the Board of Supervisors from time to time. The payment of recreation fees in lieu of land dedication shall meet the following requirements.

1. The Township shall administer the collected fees in accordance with the requirements set forth in Section 503(11) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

2. The applicant shall pay the required recreation fees prior to the approval and signature by the Township Supervisors of the Final Plan. Where a residential subdivision or land development plan is approved in phases,
the applicant shall pay the required recreation fees prior to the approval and signature of each phase.

H. **Combination of Land Dedication and Payment of Recreation Fees:** Nothing herein shall prevent an applicant from proposing a combination of park and recreation land dedication and payment of recreation fees to satisfy the requirements of this Section. Where proposed, the combination of land dedication and payment of recreation fees shall meet the following requirements.

1. The combination of land dedication and payment of recreation fees shall result in an equivalent amount of park and recreation land provided for Township residents when compared to the amount of park and recreation land provided by the utilization of either the land dedication or the payment of recreation fees provision.

2. The amount of land to be dedicated shall continue to be of sufficient size to provide for necessary parks and recreation facilities or shall be combined with land already dedicated to the Township for parks and recreation use on an adjoining parcel.

3. The Township Supervisors shall determine, at their discretion, whether a proposed combination of land dedication and payment of recreation fees shall be approved.”

**514 – WATER AREAS**

In a development abutting a lake, river, or other significant water body, the Board of Supervisors, upon consultation with the Planning Commission, may request the dedication or reservation of:

1. Any title to the water body the developer may possess beyond the wharf or dock line for public use.

2. Up to twenty percent (20%) of the land abutting the shore for public use.

3. Irrespective of 1 and 2 above, the township is in no way obligated to accept such dedication.

**515 – RESERVATIONS**

On sites reserved for eventual public acquisition as shown on the Township’s Official Map, no building development is permitted during the period of reservation. Said period of time not to extend more than twelve (12) months without consent of the developer. Such reservations shall be noted on the Final Plan.
516 – COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF; PREREQUISITE TO FINAL PLAN APPROVAL

1. No plan shall be finally approved unless the streets shown on such plan 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 required by this Ordinance have been installed in accordance herewith, In lieu of the completion of any improvements required as a condition for the final approval of a plan, the Supervisors shall require, for deposit with the Township, financial security acceptable to the Supervisors in an amount sufficient to cover the costs of any improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related stormwater management and drainage facilities, recreational facilities, open space improvements, or buffer or landscaping plantings which may be required.

2. Without limitation as to other types of financial security which the Township may approve, 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 purposes of this subsection. 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. Such bond, or other security shall provide for, and secure to the public, the completion of the improvements. In the case where the development is projected over a period of years, the Supervisors may authorize submission of the final plans by section or phase of the development subject to such requirements of guarantees as it finds essential for the protection of the final approved section of the development.

3. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township 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 or the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township 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 the subsection.

4. The amount of financial security required shall be based upon an estimate of the cost of the 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 Township, upon recommendation of the Township engineer may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this
Commonwealth and chosen mutually by the Township 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 service of such engineer shall be paid equally by the municipality and the applicant or developer.

5. In the event a corporate bond or other financial security has been offered in lieu of completion of improvements for final plan approval, the developer shall construct and maintain a passable roadway, along with any other improvements required for lots which are occupied prior to acceptance of the roadway and/or other improvements by the Township. Such maintenance shall continue for the entire bonded period.

6. 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 be increased by an additional ten percent (10%) for each one year period beyond the first anniversary date from posting the financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as re-established on or about the expiration of the preceding one year period by using the above bidding procedure.

7. As the work of installing required improvements proceeds, the developer who has posted the financial security may request the governing body 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 request shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have 45 days from receipt of such request within which to allow the Township engineer or other designated inspector to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township engineer or inspector fairly representing the value of the improvements completed. The Township may, prior to final release at the time of completion of said improvements and certification by its engineer or inspector, require the retention of 10% of the estimated cost of said improvements.

8. Where the Board of Supervisors accepts the dedication of all or some of the required improvements following completion, the Supervisors 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 plan and in any related agreements for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required above with regard to installation of said improvements and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

517 – RELEASE FROM IMPROVEMENT BOND

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Supervisors in writing, by certified mail,
of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Supervisors, 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 the receipt by the Township Engineer of the aforesaid authorization by the Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection.

2. The Supervisors shall notify the developer, within 15 days of receipt of the Township Engineer’s report, in writing by certified or registered mail of the action of the Supervisors with relation thereto.

3. If the Supervisors or Township Engineer fails to comply with the time limit contained herein, all improvements shall 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.

4. If any portion of the said improvements shall not be approved or shall be rejected by the Supervisors, the developer shall proceed to complete the same and upon completion, the same procedure of notification, as outlined in this Ordinance, shall be followed.

5. Nothing in this Ordinance, however, shall be construed in limitation of the developer’s right to contest or question by legal proceedings or otherwise, any determination of the Supervisors or the Township Engineer.

6. Where reference it made in this Ordinance to Township Engineer, he shall be a duly registered professional engineer employed by the Township or engaged as a consultant to the Township.

518 – REMEDIES TO EFFECT COMPLETION

In the event that any improvements which are required have not been installed as provided in this Ordinance or in accord with the approved final plan, the Township is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by such security, the Township may, as its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.
519 – DEDICATION OF IMPROVEMENTS

Upon installation by the developer and subsequent inspection by the Township Engineer, the developer shall take final steps to dedicate the improvements and have them accepted by the Township. The recording of the Final Plan, following approval by the Board of Supervisors, has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty whatsoever on the Township to accept dedication of any improvements to the Township concerning maintenance or improvements until the proper authorities of the Township have made actual acceptance, either by Ordinance or resolution.

520 – DEVELOPMENT IMPROVEMENTS AGREEMENT

All applicants proposing any subdivision and/or land development requiring the installation of improvements as required by this Ordinance shall, prior to final plan approval by the Board of Supervisors, and if so directed, enter into a legally binding development agreement with the Township whereby the developer guarantees the installation of the required improvements in accord with the approved plan and all applicable Township requirements.

1. Contents.

The development agreement shall be in a form acceptable to the Board of Supervisors. It shall provide for all matters determined necessary by the Board of Supervisors including but shall not be limited to the following, as applicable:

a. The construction of all facilities authorized by the approved plans (streets, drainage, etc.) in itemized format.

b. Installation of markers and monuments.

c. Installation of all public utility lines.

d. Prevention of erosion, sedimentation and water damage to the subject, adjacent and downstream properties.

e. Developer’s responsibility for any damages to adjacent or neighboring properties.

f. A work schedule setting forth the beginning and ending dates and such other details as the Township deems fit and appropriate, for improvements contained herein, including the timing of the development of any proposed sections.

h. Security as set forth in Section 516 herein to insure the installation of the required improvements, and provisions for the administration of the same.

i. Security in the form of a maintenance guarantee approved by the Board of Supervisors for the repair or reconstruction of improvements which are found by
the Township Engineer to be defective within eighteen (18) months from the date formal acceptance of any dedication of the said improvements, together with provisions for disbursement thereof.

j. A set of reproducible AS BUILT plans prepared by and certified to by a Registered Professional Engineer, Registered Landscape Architect or Registered Professional Surveyor of all roadways and streets, bridges, drainage systems, sewage collection and treatment systems and water distribution systems and all other improvements.

k. A clear statement of when the Developer responsibility for any development open space, improvements and facilities ends, and the succession of ownership, operation and maintenance of all open space, improvements and facilities, and the transfer of any operation and maintenance funds required by this Ordinance to homeowner’s association or other successors of ownership.

l. Public liability insurance for the duration of improvements construction. A copy of the said policy or other evidence of coverage shall be submitted to the Board of Supervisors.

m. An indemnification and hold harmless clause to protect the Township from any and all liability.

n. The Developer’s responsibility for all reasonable engineering and consulting costs and expenses for inspection, consultations and preparation of agreements, to the extent such costs and expenses exceed the monies paid by the Developer in accordance with the standard fee schedules.

o. Provisions for changing the approved final plan, supporting plans, profiles, data, specifications and related documents.

p. Provisions for violations of the development agreement and enforcement remedies.

q. Provisions for severability of any article.

r. Provisions for any additional agreements deemed necessary.

2. Execution.

The final plan shall not be approved by the Board of Supervisors prior to the execution of this agreement, if so required.

521 – LANDSCAPING
521-A - DEFINITIONS

DECIDUOUS PLANT- A woody perennial which loses its foliage at the end of each growing season.
DENSE SCREEN - A series of vegetative plantings which provides essentially an opaque screen.

DRIP LINE – An imaginary ground line around a tree that defines the limits of the tree canopy.

FOUNDATION AREA – The ground area immediately adjacent to a building on all sides thereof. Foundation areas extend a minimum of four (4) feet in all directions from the foundation of the building.

GROUNDCOVER - A low perennial, can be flowering, (excluding annuals and turf grasses) with a mature height of between three (3) and eighteen (18) inches.

LANDSCAPING – Defined as any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, bark chips, or shavings; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences, or benches.

LANDSCAPE PLAN – The preparation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground, and water forms, circulation, walks, and other structural features.

ISLAND – In parking area design, a raised planting area, either terminal or landscape divider strip, usually curbed, and placed to guide traffic, separate lanes, limit paving (impervious surface), preserve existing vegetation, and provide space for landscaping which helps to screen and shade parking lots for the purpose of minimizing heat gain.

PARKING AREA - That area within an off-street parking lot which includes any paved surface within ten (10) feet of a parking space.

PLANTING UNIT (PU) - A unit of measure used to determine the quantity of plantings required in a residential, commercial, industrial, or other development project. For the purposes of this chapter, one planting unit (PU) equals one (1) major deciduous tree, two (2) minor deciduous trees, two (2) evergreen trees, five (5) shrubs, or 500 square feet of ground cover.

REGISTERED LANDSCAPE ARCHITECT – A person who holds a license to practice landscape architecture as defined in and in accordance with Pennsylvania and/or Maryland state law.

SCREENING – A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation or a combination thereof.

SHRUB - A multi-stemmed woody plant differing from a tree by its low stature and habit in branching from the base.

TREE CALIPER – The thickness of a tree trunk as measured six inches (6") above the natural ground level at the base of the trunk, for trees up to four inches (4") in caliper. For trees above four inches (4") in caliper, the thickness of the trunk should be measured twelve inches (12") above the natural ground level at the base of the trunk.
TREE, EVERGREEN – Any self-supporting woody plant with one (1) well-defined trunk, a conical shape and needle-like or scale-like foliage retained year-round which attains a height of at least twenty-five (25) feet at maturity, with a 5’ minimum height at time of planting. See Section F & G for recommended trees and trees not recommended or allowed.

TREE, MAJOR DECIDUOUS - An overstory/ canopy tree with a minimum mature height of over thirty (30) feet and a minimum caliper at the time of planting of one and one-half (1 ½") inches caliper and minimum 5’ height. See Section F & G for the type of trees considered major deciduous trees and those recommended for use and those not recommended or allowed.

TREE, MINOR DECIDUOUS – An understory or small tree type that typically will attain a mature height of at least ten (10') feet but generally not over thirty (30’) feet and a minimum caliper at the time of planting of one (1") inch. See Section F & G for the type of trees considered minor deciduous trees and those recommended for use and those not recommended or allowed.

TREE PROTECTION ZONE – The area around a tree corresponding to the drip line of the tree canopy or ten (10) feet in all directions from the trunk.

521 B - LANDSCAPE PLANS

1. Purpose. It is the purpose of this section to establish minimum standards for the provision, installation and maintenance of landscape plantings in order to protect the health, safety and welfare of the community. Furthermore, it is the intent of this section to:

   a. Improve environmental quality by recognizing the numerous beneficial effects of landscaping upon the environment, including but not limited to the improvement of air quality, the maintenance of areas essential for storm water management and aquifer recharge and reducing air, noise, heat and chemical pollution.

   b. Provide direct and important physical and psychological benefits through the use of landscaping to reduce noise and glare and to soften the harsher aspects of development.

   c. Preserve existing natural vegetation and incorporate native plants and plant communities into landscape design.

   d. Establish procedures and standards for the administration and enforcement of the landscaping requirements of this chapter.

2. Content. When a landscape plan is required as part of the subdivision and land development process, the landscape plan shall provide the following:

   a. Be prepared and stamped by a Landscape Architect registered in the state of Pennsylvania or Maryland or someone who can demonstrate a knowledge of landscape design and horticulture which is adequate for the project’s size and scope as determined by the Township.
b. Be drawn at a minimum scale of one (1) inch to fifty (50) feet and include appropriate dimensions and distances. The Township may require larger scale plans if needed to adequately show landscape detail.

c. Show the location of existing boundary lines and dimensions of the tract, existing and proposed streets, access drives and parking areas, and proposed land usage.

d. The location of existing and proposed utility easements on or adjacent to the tract, including the location of overhead power lines.

e. The location and species of existing trees having a minimum caliper of four (4) inches. Designate trees with a graphic symbol depicting the trunk caliper and current plant spread. Large grouping of trees can be designated showing the tree grouping outer edge of tree trunks and the outer edge of the canopy or drip line, with a general description of predominant tree types, size, quantity and health.

f. The location, sizes and type of proposed and preserved landscaping and the size of the proposed landscape area. Botanical nomenclature as well as common names must be included. Groundcover types and shrub masses shown using limits of the planting mass. Designate location of proposed trees with a graphic symbol depicting mature plant spread.

g. The description of the methods that shall be used to protect existing trees from damage during construction.

h. Show all required clear sight triangles for road and driveway intersections.

i. Provide planting specifications that include the Section 521-D installation standards and Section 521-E maintenance requirements that are applicable to the landscaping proposals shown on the plan. Additional applicable standards and requirements should be included where needed and not conflicting with SALDO requirements.

j. Include a table clearly displaying the relevant information necessary for the Board of Supervisors to evaluate compliance with the provisions of this chapter. Such a table shall include gross acreage, acreage of preservation areas, quantity and size of proposed and preserved plant materials, calculation showing plant units required and plant units provided, and other such information as the Board of Supervisors may require.

521 C - REQUIREMENTS FOR LAND DEVELOPMENTS

All subdivisions and land developments shall adhere to the following landscaping standards.

1. Quantity of Landscaping: The following quantities of landscaping shall be provided.

(1) For developments with an average lot width of one hundred fifty (150) feet or greater, one (1) major deciduous tree shall be required for every eighty (80) feet of road frontage along both sides of all streets within the development.

(2) For developments with an average lot width of less than one hundred fifty (150) feet, one major deciduous tree shall be required for every fifty (50) feet of road frontage along both sides of all streets within the development.

b. Attached Residential Development: Single-Family Attached (Townhouse), Multifamily developments and Mobile Home Parks as well as developments with a mixture of dwelling unit types, shall comply with the following quantity requirements.

(1) General Standard: A minimum of two (2) planting units for every dwelling unit shall be provided.

(2) Street Trees: In addition to the general standard, the following quantity of street trees shall be provided.

(a) One (1) major deciduous tree shall be required for every twenty (20) feet of street centerline of streets interior to the development.

(b) One (1) major deciduous tree shall be required for every forty (40) feet of street centerline of streets adjacent to the development.

c. Nonresidential Development: Nonresidential developments shall comply with the following quantity requirements.

(1) General Standard: A minimum of two (2) planting units for every one thousand (1000) square feet, or fraction thereof, of building coverage shall be provided.

(2) Street Trees: In addition to the general standard, the following quantity of street trees shall be provided.

(a) One (1) major deciduous tree shall be required for every twenty (20) feet of street centerline of streets interior to the development.

(b) One (1) major deciduous tree shall be required for every forty (40) feet of street centerline of streets adjacent to the development.

d. Parking Lots Planting: In addition to the above quantity standards, the following quantities of landscaping are required for off-street parking lots associated with any type of development.

(1) Terminal Islands: One (1) major deciduous tree shall be provided in every terminal island.

(2) Divider Strips: One (1) major deciduous tree and four (4) shrubs shall be provided in every forty (40) foot interval within the landscaped divider strip.
(3) Parking Lot Perimeter: One (1) major deciduous tree shall be provided for every forty (40) foot interval around the perimeter of a parking lot, except where the parking lot is bounded by a principal structure. Where the parking lot perimeter planting can also serve as the required Section C-2.c “Buffering and Screening” along the site boundary, the (c) “Evergreen Option” and (e) “Shrubs Option” can be utilized in addition to this requirement of one major tree every 40 feet.

(4) See Section 521-C-1-c “Buffering and Screening” for additional buffering requirements.

e. Credit for Existing Vegetation: Within any development type, credit for up to fifty percent (50%) of the minimum landscaping quantity requirements of Sections 521-C-1(a) through 521-C-1(d) may be applied in return for retaining existing major deciduous trees on the development site, provided that the following conditions apply. 

(1) The major deciduous trees are in good health.

(2) The major deciduous trees are located within twenty-five (25’) feet of at least one (1) dwelling unit or a nonresidential use (as may be applicable) or are located where planting units are required in accordance with Section 521-C.2 below.

(3) The applicant agrees to replace any major deciduous tree which contributed to the minimum quantity of landscaping required by Sections 521-C1(a) through 521-C1(d) with another major deciduous tree if it should die or become significantly unhealthy, in the opinion of a horticulturist or comparable landscaping professional, within two (2) years of the completion of the development.

f. Additional Plantings to Meet Design Requirements: The planting quantity requirements of Sections 521-C.1(a) through 521-C.1(e) shall be considered as minimum planting requirements for proposed development. Where additional plantings are required to meet specific planting placement or arrangement requirements of Section 521-C.2 below, such additional plantings shall be provided.

2. Additional Landscape Design and Planting Quantity Requirements: All landscaping plans shall comply with the following design requirements.

a. Street Trees: Where street trees are required, said street trees shall be located in accordance with the following requirements.

(1) For all streets with curbs and sidewalks, street trees shall be placed between the curb and the sidewalk. A planting strip of no less than six (6) feet shall be provided between the curb and the sidewalk, and the required street trees shall be placed in the middle of the planting strip.

(2) For all streets with curbs but no sidewalks, street trees shall be placed a minimum of three (3) feet from the curb. However, the street trees shall be
located in a manner that will allow the installation of sidewalk in the future in a manner consistent with the sidewalk requirements of Section 521-C.2a(1) above.

(3) For streets without curbs and sidewalks, street trees shall be placed outside of the street right-of-way line, but no further than ten (10) feet from the right-of-way line.

b. Parking Lots Design: All parking lots shall comply with the following parking lot design requirements.

(1) Parking lots with twenty-five (25) or more parking spaces shall be designed in accordance with the following standards.

(a) Terminal islands shall be provided at both ends of all rows of parking spaces. Terminal islands shall be designed to protect parked vehicles and to help define the traffic circulation pattern of the parking lot.

(b) All terminal islands shall be a minimum of five (5) feet in width and fifteen (15) feet in length.

(c) Divider strips shall be provided between abutting rows of parking. Divider strips shall be designed to define the traffic circulation pattern of the parking lot and to help separate pedestrian and vehicle traffic.

(d) Divider strips shall be a minimum of five (5) feet in width.

(e) Curbing or wheel stops shall be provided around all terminal islands and divider strips to prevent vehicular encroachment.

(f) The parking lots need to be surrounded with a perimeter landscaping strip with a minimum width of ten feet measured outward from the edge of the parking lot except where one side of the parking lot is bounded by a principal structure. This perimeter landscaping strip shall be planted as required in Section 521-C.d-(3) and landscaped with appropriate ground cover, shrubs or grass.

(2) Parking lots with fewer than twenty-five (25) parking spaces are not required to be designed to include terminal islands and / or divider strips. However, the plantings required around the perimeter of parking lots, as required in Section 521-C.1.d (3) above shall be arranged to provide for visual buffering of the parking lot from public streets and adjoining properties and to provide shade within the parking lot itself.

c. Buffering and Screening: The landscaping plan for all manufacturing/industrial uses and for all commercial/business uses with a building footprint exceeding two thousand (2,000) square feet shall provide for buffering and screening along the boundary between the use and any adjoining residential property. Buffering and screening from any use shall be required around the perimeter of a mobile home park and the perimeter of the required mobile home park recreation area. Buffering and screening plantings shall be required in accordance with the
following requirements, and shall lessen the visibility, glare, and noise from the use when viewed from the adjacent property.

(1) Buffer /Screen Planting Options: Buffer/screen plantings shall be provided in accordance with one of the following options (See C-2 for utilizing a combination of options.):

(a) Canopy Tree Option: One (1) major deciduous tree for every forty (40) linear feet.

(b) Reforestation Option: Three (3) major deciduous trees (minimum ½" caliper, 4’ to 5’ high) for every forty (40) linear feet.

(c) Evergreen Option: One (1) evergreen tree for every fifteen (15) linear feet.

(d) Flowering Tree Option: One (1) minor deciduous tree of a flowering variety for every twenty-five (25) feet.

(e) Shrubs Option: One (1) evergreen or deciduous shrub for every six (6) feet.

(2) Buffer/screening designs that incorporate a variety of the options listed in Section 521-C.2.c (1) are strongly encouraged, provided

Example: For a two hundred (200) foot boundary, the following combination of options could be used.

- Canopy Tree: Provide three (3) major deciduous trees. Accounts for one hundred twenty (120) feet of the buffer/screen.

- Flowering Tree: Provide three (3) minor deciduous flowering trees. Accounts for seventy-five (75) feet of the buffer/screen.

- Shrub: Provide one (1) shrub. Accounts for six (6) feet of the buffer/screen.

Total Buffer/Screen: The plant combination above provides a two-hundred one (201) foot buffer/screen.

(3) In addition, the Township may require this buffering and screening for sites with less than 2,000 s.f. and also require additional or other forms of buffering where determined necessary to further lessen negative impact on adjacent residential property and use.

Additional plantings, earth berms, buildings, or a solid fence or wall high enough to provide adequate buffering and screening could be required instead of, in combination with, or in addition to the requirements outlined in this section and Section 502-C-1-d-(3) "Parking Lot Perimeter."
(4) Credit for Existing Vegetation: Existing Plants within the buffer/screening area that meet the criteria of one of the options listed in Section 521-C.2.c (1) may be applied toward meeting the minimum required buffer/screen planting requirements. Where existing vegetation is applied toward meeting the required buffer/screen planting requirements, the landscaping plan shall identify each specific plant by species and indicate the planting option from Section 521-C.2.c (1) to which the specific plant is applied. Where an existing plant is a species listed in Section 521-G, such plant shall not be permitted to be applied toward meeting the buffer/screen planting requirements.

521 D - INSTALLATION STANDARDS

1. The landscape contractor shall furnish and install and/or dig, ball, burlap or transplant all plant materials listed on the landscape plan. Bare root is not permitted for any tree.

2. All plants shall be nursery grown. Plants taken from cold storage shall not be acceptable.

3. A professional horticulturist/nurseryman shall be consulted to determine proper time to move and install plant material so that stress to the plant is minimized. Planting of deciduous material may occur during winter months, provided that there is no frost in the ground and frost-free topsoil planting mixtures are used.

4. The landscape contractor shall excavate all plant pits, hedge trenches and/or shrub beds as follows:

   a. All pits shall be generally circular in outline, with vertical sides. Tree pits shall be deep enough to allow 1/8 of the ball to be above the existing grade. Tree pits must be a minimum of ten (10) inches larger on every side than the ball of the tree.

   b. If areas are designated as shrub beds or hedge trenches, they shall be cultivated to at least eighteen (18) inches in depth. Areas designated for ground cover shall be cultivated to at least twelve (12) inches in depth.

5. After cultivation, all plantings shall be mulched with a minimum three (3) inch layer of organic mulch or another similar material, approved by the Township Supervisors, over the area of the planting.

521 E - MAINTENANCE REQUIREMENTS

1. General. The owner of land subject to this chapter shall be responsible for the maintenance of landscaping in good condition so as to present a healthy, neat and orderly landscape area.

2. Pruning. All pruning should be accomplished according to good horticultural standards. Plants shall be pruned only as necessary to promote healthy plant growth. Unless approval is provided by the Board of Supervisors, plants shall be allowed to attain their normal size and shall not be severely pruned in order to permanently maintain growth at a reduced height.
3. Mowing. Grass shall be mowed as required to encourage deep root growth. Ideal recommended mowing height is three (3) inches.

4. Edging. All roadway, curb and sidewalk components included in such landscape plans shall be edged and pruned as needed to prevent encroachment from adjacent landscaped areas.

5. Watering.
   a. General. All watering of planted areas shall be managed so as to:
      (1) Maintain healthy flora;
      (2) Make plant material more drought tolerant;
      (3) Avoid excessive turf growth;
      (4) Minimize fungus growth;
      (5) Stimulate deep root growth;
      (6) Minimize leaching of fertilizer; and
      (7) Minimize cold damage.
   b. Promote vegetation growth. Watering of vegetation should always be in a sufficient amount to thoroughly soak the root ball of the plant and surrounding area, thereby promoting deep root growth and drought tolerance.

6. Safety. All sight triangles shall remain clear, and any plant which could endanger safety such as unstable limbs shall be removed and the plant material replaced. It shall be the responsibility of the property owner to ensure all plantings and architectural elements are maintained to provide a safe environment.

7. Landscape guarantees. All landscaping required by this chapter shall conform to the following guarantees:
   a. The installation of required landscaping, in accordance with the approved landscape plan, shall be guaranteed in accordance with the requirements of Section 516 of this chapter.
   b. In addition, any required vegetative element, which dies within eighteen (18) months of planting, shall be replaced by the developer. Any vegetative element which, within eighteen (18) months of planting or replanting, is deemed, in the opinion of the Building Permit Officer, not to have survived or to have grown in a manner uncharacteristic of its type shall be replaced. Substitutions for certain species of plants may be made only when approved by the Board of Supervisors.
   c. Bonding. The applicant shall provide the township a bond equal to one hundred and ten (110%) percent of the estimated cost of plants, plant installation and 18 month plant guarantee.
521 F - RECOMMENDED TREE PLANTING LIST:

List of trees suitable to the area climate and soil conditions. Other plants can be allowed if requested and found acceptable to the Township. Tree plantings should include a mixture of tree species to avoid losing all the trees due to a problem with one species.

Major Deciduous and Canopy Trees

Trees suitable for street tree and other tree planting in open, unobstructed areas:

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hedge Maple</td>
<td>Acer Compestre</td>
</tr>
<tr>
<td>Swamp Red Maple</td>
<td>Acer Rubrum</td>
</tr>
<tr>
<td>Sugar Maple</td>
<td>Acer Saccarum</td>
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<tr>
<td>Common Hackberry</td>
<td>Celtis Occidentalis</td>
</tr>
<tr>
<td>Thornless Honeylocust</td>
<td>Gleditsia Triacanthos</td>
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<tr>
<td>Steril American Sweetgum</td>
<td>Liquidambar Styraciflua Rotundiloba</td>
</tr>
<tr>
<td>Black Gum</td>
<td>Nyssa Sylvatica</td>
</tr>
<tr>
<td>Pin Oak</td>
<td>Quercus Palustris</td>
</tr>
<tr>
<td>Red Oak</td>
<td>Quercus Rubra</td>
</tr>
<tr>
<td>American Linden</td>
<td>Tilia America</td>
</tr>
<tr>
<td>American Liberty Elm</td>
<td>Ulamus Americana “America Liberty Elm”</td>
</tr>
<tr>
<td>Shumard Oak</td>
<td>Quercus Shumardii</td>
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<tr>
<td>Swamp White Oak</td>
<td>Quercus Bicolor</td>
</tr>
<tr>
<td>London Plain Tree</td>
<td>Platanus Acerifolia</td>
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<tr>
<td>Sycamore</td>
<td>Platanus Occidentalis</td>
</tr>
<tr>
<td>White Oak</td>
<td>Quercus Alba</td>
</tr>
</tbody>
</table>

Minor Deciduous Trees

Trees suitable for street tree and other tree planting under low power lines and space restricted locations.(use tree form for street trees)

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juneberry</td>
<td>Amelanchier Grandiflora</td>
</tr>
<tr>
<td>Eastern Redbud</td>
<td>Cercis Canadensis</td>
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<tr>
<td>White Fringetree</td>
<td>Chionanthus Virginicus</td>
</tr>
<tr>
<td>Flowering Dogwood</td>
<td>Cronus Florida</td>
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<tr>
<td>Kousa Dogwood</td>
<td>Cornus Kousa</td>
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<tr>
<td>Carolina Silverbell</td>
<td>Halesis Carolina</td>
</tr>
<tr>
<td>Hawthorne</td>
<td>Species Crataegus</td>
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<tr>
<td>American Hornbeam</td>
<td>Carpinus Caroliniana</td>
</tr>
<tr>
<td>American Yellowwood</td>
<td>Cladrastis Kentukea</td>
</tr>
</tbody>
</table>

Evergreen Trees

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
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</thead>
<tbody>
<tr>
<td>White Fir</td>
<td>Abies Concolor</td>
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<tr>
<td>Leyland Cypress</td>
<td>Cupressocyparis Leylandii</td>
</tr>
<tr>
<td>Eastern Red Cedar</td>
<td>Juniperus Virginiana</td>
</tr>
<tr>
<td>Norway Spruce</td>
<td>Picea Abies</td>
</tr>
<tr>
<td>Pitch Pine</td>
<td>Pinus Rigida</td>
</tr>
</tbody>
</table>
Pinus Strobus  Eastern White Pine
Virginia Pine  Pinus Virginiana
Eastern Arborvitae  Thuja Occidentalis

521 G - TREES NOT PERMITTED

The following trees are not recommended for new plantings and under no circumstances shall they be planted as street trees:

Varieties of Poplars
Varieties of Willows
White or Silver Maple - Acer Saccarinum
Varieties of Aspen
Common Black Locust
Norway Maple
Bradford Pear
Tree of Heaven—Alanthus Altissima
Black Walnut- Juglans Nigra
Horse Chestnut – Aesculus Hippocastanum
ARTICLE VI – FEES

The review of all subdivision and land development plans shall include application fees shown in the SUBDIVISION AND LAND DEVELOPMENT APPLICATION FEE SCHEDULE as established by resolution of the Germany Township Board of Supervisors. At the time of filing, the Sketch, Preliminary or Final Plan shall be accompanied by a check, payable to Germany Township, in an amount equal to the fee required for consideration of Plan(s) as set forth in the fee schedule currently in force in the Township.

In addition to the application fee, all costs over and above the Township Planning Commission review of the sketch, preliminary and/or final plan, including but not limited to, special township meetings, advertising costs, engineering review fees, legal fees, sewer planning module review and plan recording costs shall be paid by the developer. Prior to Township acceptance of the Subdivision/Land Development Application, the applicant shall execute a Developers Agreement as set forth in Section 605 herein.

601 – SKETCH PLAN

There shall be no fee for a Sketch or Concept Plan, unless review and comment is requested above and beyond that by the Germany Township Planning Commission. Sketch Plan review fees, if any, shall be determined as follows:

1. Subdivision
   a. Three (3) or fewer lots or dwelling units shall be charged a flat rate.
   b. Four (4) to nine (9) lots or dwelling units shall be charged a flat rate plus an additional amount per lot or dwelling unit.
   c. Ten (10) or more lots or dwellings shall be charged a flat rate plus an additional amount per lot or dwelling unit.

2. Land Development
   a. Commercial land development shall be charged a flat rate plus an additional rate per each 1,000 square feet, or part thereof, ground floor area as well as an amount per acre (rounded to the nearest acre) for each acre of the total Land Development Plan
   b. Residential land development shall be charged a flat rate plus an additional amount per lot or dwelling unit.
   c. Mobile Home Park shall be charged a flat rate plus an additional amount per lot
602 – PRELIMINARY PLAN
The application fee for submission of Preliminary Plans shall be determined as follows:

1. Subdivision
   a. Three (3) or fewer lots or dwelling units shall be charged a flat rate.
   b. Four (4) to nine (9) lots or dwelling units shall be charged a flat rate plus an additional amount per lot or dwelling unit.
   c. Ten (10) or more lots or dwellings shall be charged a flat rate plus an additional amount per lot or dwelling unit.

2. Land Development
   a. Commercial land development shall be charged a flat rate plus an additional rate per each 1,000 square feet, or part thereof, ground floor area as well as an amount per acre (rounded to the nearest acre) for each acre of the total Land Development Plan.
   b. Residential land development shall be charged a flat rate plus an additional amount per lot or dwelling unit.
   c. Mobile Home Park shall be charged a flat rate plus an additional amount per lot.

603 – FINAL PLAN
The application fee for submission of Preliminary Plans shall be determined as follows:

1. Subdivision
   a. Three (3) or fewer lots or dwelling units shall be charged a flat rate.
   b. Four (4) to nine (9) lots or dwelling units shall be charged a flat rate plus an additional amount per lot or dwelling unit.
   c. Ten (10) or more lots or dwellings shall be charged a flat rate plus an additional amount per lot or dwelling unit.

2. Land Development
   a. Commercial land development shall be charged a flat rate plus an additional rate per each 1,000 square feet, or part thereof, ground floor area as well as an amount per acre (rounded to the nearest acre) for each acre of the total Land Development Plan.
   b. Residential land development shall be charged a flat rate plus an additional amount per lot or dwelling unit.
   c. Mobile Home Park shall be charged a flat rate plus an additional amount per lot.
3. All Subdivision and/or Land Development plans submitted as a final plan, where submission of a preliminary plan had been waived, shall pay the application fee for both preliminary plan and final plan.

604 - ADDITIONAL FEES
The following additional fees as established by ordinance of the Germany Township Board of Supervisors shall be charged where applicable:

1. Waiver Request - for each waiver requested
2. Developer requested extensions - for each request
3. Driveway Permits

4. The Germany Township Subdivision and Land Development Ordinance (SALDO) shall be available for purchase as paper copies or on compact disk or other electronic media. Addition costs for shipping and handling shall be applied for copies mailed.

5. The Germany Township Construction and Materials Specifications Manual shall be available for purchase as paper copies or on compact disk or other electronic media. Addition costs for shipping and handling shall be applied for copies mailed.

605 APPLICATION AND REVIEW FEE AGREEMENT
Prior to Township acceptance of the Subdivision/Land Development Application, the application fee(s) shall be paid in full and the applicant shall execute a Application and Review Fee Agreement in which they agree to the following:

1. To reimburse the Township for any and all inspection fees incurred by the Township for any inspections of work the Township deems necessary in connection with the above referenced project.

2. To reimburse the Township for expenses involved with the review of all plans including, but not limited to, Stormwater Management Design, Erosion Control Report, Hydro-geologic Report, and any other reports and studies submitted and required.

3. To reimburse the Township for any special meetings, including but not limited to, Township Planning Commission Meetings, Special Supervisors Meetings, (Meetings that are requested by the developer, as well as Engineering Fees, Legal Fees, consultant fees, and any additional fees charged to the Township in connection with the above referenced project.

4. The Township agrees to send the developer copies of any bills for which the Township requests reimbursement.

5. To reimburse the Township within 45 days from the date of the bill. If there is a disagreement with a portion of a bill, the developer must do so in writing, within 20
days of receipt of the bill at which time the developer will pay the undisputed portion of the bill. The disputed portion of the bill will be reviewed with the developer at the next regularly scheduled meeting date of the Supervisors. Once agreement is reached regarding the bill developer will pay the agreed upon amount within 20 days of the date of the agreement.
ARTICLE VII – WAIVERS AND MODIFICATIONS

701 – GENERAL
If any provision of this Ordinance is shown by the developer to be unreasonable of application, or such as to cause undue hardship not of his own marking, in the special conditions of his proposed subdivision or land development, the Township may grant a waiver or modification from the literal requirements of such provision, provided:

1. That such waiver or modification will not be contrary to the public interest.
2. That justice will be done.
3. That the purpose and intent of this Ordinance is observed.

702 – PROCEDURE
1. Any request for a waiver or modification shall be in writing and shall accompany and be a part of the submission of the Plan, Preliminary and/or Final, to which it refers. The request shall state in full the ground and facts of unreasonableness or hardship on which the request is based, the provision(s) of this Ordinance involved, and the minimum waiver or modification therefrom which is requested.

2. All proposals for waiver or modification from the provisions of this Ordinance shall be reviewed and a recommendation made by the Township, whether requested by the developer or deemed necessary by the Board of Supervisors.

3. All proposals for waiver or modification from the provisions of this Ordinance shall be reviewed by and shall have effect only, when approved by the Board of Supervisors, following recommendation by the Planning Commission.

4. A written record of the action on all waivers or modifications from the provisions of this Ordinance shall appear in the official minutes of the Planning Commission and of the Board of Supervisors.
ARTICLE VIII – ADMINISTRATION, ENFORCEMENT AND PENALTIES

801 – ADMINISTRATION AND ENFORCEMENT

1. The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.

2. Permits required by the Township for the erection or alteration of buildings, the installation of sewers or sewage disposal systems; or for other appertinent improvements to, or use of, the land, shall not be issued by any Township official until he has ascertained that the site for such building, alteration, improvement or use is located in a development approved and publicly recorded in accordance with the provisions of this Ordinance.

Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded Final Plan or other land description acceptable in accordance with the provision of this Ordinance, and that it is in compliance with all applicable provisions of this Ordinance.

3. The Township Building Permit Officer shall require that applications for building permits contain all the information necessary for him to ascertain that, and he shall not issue any building permit until he determines that, the site and plan for the proposed building, alteration, or other improvement is acceptable in accordance with the provisions of this Ordinance.

The Township Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information for him to ascertain that, and he shall not issue any sewage disposal permits until he determines that, the site for the proposed system is acceptable in accordance with the provisions of this Ordinance.

802 – PENALTIES

1. Any person, partnership, corporation, or other legal entity, who or which has violated the provisions of any subdivision or land development ordinance enacted under this act or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by the municipality 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 municipality 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 have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth 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.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

3. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

803 – PREVENTIVE REMEDIES

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of the ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

   a. The owner of record at the time of such violation.

   b. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

   c. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

   d. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the municipality may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

3. Nothing herein shall prevent the Board of Supervisors from taking such other action necessary to prevent or remedy any violation.
804 – APPEALS
The decision of the Planning Commission or Board of Supervisors with respect to the
approval or disapproval of plans may be appealed directly to court by any party or officer
or agency of the developer. Such appeal shall be filed not later than thirty (30) days
following the date of the decision being appealed. All appeals shall be in accordance
with Article X-A of the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805,
No. 247, as reenacted and amended.

805 – SEVERABILITY CLAUSE
If any provisions of this Ordinance shall be determined to be invalid or unconstitutional
by a recognized court of the Commonwealth, such determination shall not affect the
legality of the remaining provisions of this Ordinance.
ARTICLE IX – MOBILE HOMES AND MOBILE HOME PARKS

This article contains provisions setting forth minimum standards for the design, construction, alteration, extension, and maintenance of mobile home parks and related utilities and facilities. Included also, are regulations for the erection of single mobile homes. Finally, also, provisions are included authorizing the issuance of permits for construction, alteration and/or extension of mobile home parks, the licensing of those who operate mobile home parks, the inspection of mobile home parks by authorized township officials, and the fixing of penalties for any violation of any provision of this article.

901 – DEFINITIONS

LICENSE – WRITTEN ANNUAL APPROVAL, IN WHATEVER FORM, AS ISSUED BY THE Township, authorizing a person to operate and maintain a mobile home park.

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

MOBILE HOME LOT – a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK – a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

PERSON – any individual, firm, trust, partnership, public or private association or corporation, or other entity.

RECREATIONAL VEHICLE – a vehicle which is designed for human occupancy under transient circumstances, such as camping, travel or other recreation, sometimes variously known as a “travel trailer” or a “camping trailer”.

SERVICE OR RECREATIONAL BUILDING – a structure housing operational office, recreational, park maintenance and other facilities built to conform to required local standards.
902 – PERMITS FOR MOBILE HOME PARK CONSTRUCTION, ALTERATION OR EXTENSION

902 A – PERMITS REQUIRED

It shall be unlawful for any person to construct, alter, or extend any mobile home park within the limits of Germany Township unless a valid permit has been issued.

902 B – APPLICATION TO TOWNSHIP

Copies of the application to Germany Township for a mobile home park permit, shall be accompanied by a plan drawn at a scale not smaller than one (1) inch equals fifty (50) feet and containing the following information:

1. Name of Mobile Home Park

2. Name and address of owner of record and/or applicant.

3. Name, address, license number, and seal of the surveyor, professional engineer or landscape architect, registered and licensed in the Commonwealth of Pennsylvania, who prepared the drawings.

4. North arrow, scale and date of plan preparation.

5. Location Map drawn at a scale of one (1) inch equals one thousand (1000) feet and showing the relation of the property to adjoining property and to all streets, roads, municipal boundaries.

6. Site data:
   a. Number of mobile home lots.
   b. Total number of acres.
   c. Number of lots per acre.
   d. Number of off street parking spaces.

7. Topography showing existing and proposed contours at intervals of two (2) feet.

8. The location of any existing bodies of water or water courses, floodplain areas, tree masses, buildings or structures, public facilities, and any other man made or natural features within or near the proposed mobile home park area.

9. A storm drainage plan, and storm drainage calculations pursuant to Section 507 of this Ordinance).

10. Existing and proposed property, lot and boundary lines including building setback lines, and information concerning lot dimensions, lot areas, and the location of all utilities.
11. Location and dimensions of all mobile home stands.

12. The location of all existing and proposed streets with information concerning pavement widths, types of paving and street names.

13. Typical cross-section of all streets.


15. Location of all off street parking areas.

16. Location and dimension of all pedestrian walkways and sidewalks.

17. Location of proposed recreation areas.

18. Location of all plantings and landscaping.

19. Location, dimensions and proposed use of all service and accessory structures.

20. Location and type of waste containers.

21. Location of all fire extinguishers.

22. Block for approval by Planning Commission.

23. Block for approval by the Board of Supervisors.

902 C – REVIEW OF PLANS AND ISSUANCE OF PERMIT

1. Upon receipt of the application, the Township Planning Commission shall inspect the application and plans to determine compliance with the provisions of this Ordinance at the next regularly scheduled meeting of the Planning Commission.

2. Within fifty (50) days of its being received by the Township Planning Commission, they shall determine whether the application and plan shall be approved, approved with modification, or disapproved, and shall notify the Board of Supervisors of their decision in writing including a statement of reasons if the plan is approved with modification or disapproved. If the plan is approved the Planning Commission Chairman shall sign the plan and all prints and forward all but one (1) copy to the Board of Supervisors.

3. Action on the application and plan shall be taken by the Board of Supervisors and communicated to the owner or developer not later than ninety (90) days following receipt of the application and plans by the Township Planning Commission. If approved, the Chairman and Secretary of the Board of Supervisors shall sign the plan and issue a permit. If the application and plan is disapproved the Board of Supervisors shall notify the developer or owner in writing including a statement of reason for their decision.
903 – REGISTRATION AND LICENSING FOR MOBILE HOME PARK OPERATION

903 A – LICENSE REQUIRED

It shall be unlawful for any person to operate any mobile home park within the limits of the Township unless he holds a license issued annually by the Township.

903 B – RENEWAL LICENSES

Annual licenses shall be issued by the Township Supervisors upon the furnishing of proof by the applicant that his park meets the standards prescribed by this Ordinance.

903 C – APPLICATION TO TOWNSHIP FOR LICENSE

Application for initial or renewal licenses to operate a mobile home park shall be made, in writing, to the Township Supervisors using a form furnished by the Township. All such applications shall be accompanied by a check, payable to the Township, in an amount equal to the fee required for license to operate a mobile home park as set forth in the fee schedule currently in force in the Township. All such applications shall contain any change in the information submitted since the original license was issued or latest renewal was issued. The Township may also require additional payment in an amount sufficient to cover any engineering fees incurred as a result of the licensing process.

903 D – TRANSFER OF OWNERSHIP

Every person holding a license shall file a written notice to the Township Supervisors within ten (10) days after having sold, transferred, given away, or otherwise disposed of interest in, or control of any mobile home park. Proof of such transfer shall be furnished to the Township Supervisors accompanied by a fee as set forth in the fee schedule currently in force in the Township.

903 E – SUSPENSION

Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Township Supervisors shall give written notice to the person to whom the License was issued advising him that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license to operate in the Township shall be suspended. At the end of such period, such mobile home park shall be inspected and if such conditions or practices have not been corrected, and the license has not requested a hearing, the Township Supervisors shall suspend the license and give notice, in writing, of such suspension to the person to whom the license is issued.
903 F – COMPLIANCE OF EXISTING MOBILE HOME PARKS

1. Mobile home parks in existence at the date of adoption of this Ordinance may be continued so long as they otherwise remain lawful.

2. Existing mobile home parks shall be required to submit an existing plot plan, drawn to scale, when applying for a Mobile Home Park License as required under Section 903-B of this Ordinance.

3. Any subsequent new construction, alteration, or extension of any existing mobile home park shall comply with the provisions of this Ordinance.

4. Any existing mobile home park which, in the opinion of the Board of Supervisors creates a fire hazard or health hazard shall be required to comply with this Ordinance within a reasonable period of time as determined by the Board of Supervisors.

904 – INSPECTIONS OF MOBILE HOME PARKS

The Township Supervisors or other authorized Township representative may inspect a mobile home park periodically to determine compliance with this Ordinance. As a result of such inspection, the Township Supervisors may give notice for any violations of this Ordinance.

905 – PARK CONSTRUCTION REQUIREMENTS

905 A – SITE LOCATION

The location of all mobile home parks shall comply with the following minimum requirements:

1. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas, or other potential breeding places of insects or rodents.

2. Not subject to flooding.

3. Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.

905 B – SITE DRAINAGE

1. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts, and related facilities shall be provided to permit the unimpeded flow of natural water courses and to insure the adequate drainage of all locations within the park.

2. A drainage plan shall be prepared and submitted for review and approval by the Township prior to the granting of a permit for any mobile home park.
3. All storm water facilities shall be kept completely separate from any sanitary waste facilities.

4. All stormwater management and drainage facilities shall be constructed in compliance with the Monocacy River watershed Act 167 Stormwater Management Ordinance.

905 C – SOIL AND GROUND COVER REQUIREMENTS

1. Ground surfaces in all parts of every park shall be paved or planted with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

2. All paving and/or planting shall be designed in accordance with the storm water drainage plan.

3. Park grounds shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects or other pests.

4. All landscaping shall be installed in accordance with Section 521 of this Ordinance.

905 D – PARK AREAS FOR NON-RESIDENTIAL USES.

1. No part of any park shall be used for non-residential purposes, except such uses that are required for recreation, direct servicing, management or maintenance of the park and its residents.

2. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

905 E – SETBACKS, BUFFER STRIPS, SCREENING AND LANDSCAPING

1. Mobile homes in parks shall be located at least seventy (70) feet from the centerline of any abutting existing or proposed public local street and eighty (80) feet from the centerline of any abutting existing or proposed public collector street.

2. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home, including accessory structures attached thereto, and adjoining pavement of a park street, or common parking area or other common areas and structures.

3. Mobile homes shall be located at least twenty-five (25) feet from any park property line and at least ten (10) feet from any side or rear mobile home lot line.

4. Mobile home parks shall be designed to provide appropriate landscaping, including street trees, buffering and screening around the perimeter of the mobile home park and the perimeter of the required mobile home park recreation area as well as other landscaping as required in Section 521 – Landscaping, of this Ordinance.
5. All accessory buildings and structures shall be located at least twenty-five (25) feet from any park property line.

905 F – PLACEMENT OF MOBILE HOMES

1. Mobile homes, including any additions or accessory structures attached thereto, shall be separated from each other and from other buildings and structures by at least twenty (20) feet on all sides.

2. All mobile homes shall be properly placed upon a mobile home stand and securely fastened to the foundation. In no instance shall it be placed upon jacks, loose blocks or other similar arrangements.

3. The mobile home stand shall be improved to provide adequate support for the placement and tie-down of the mobile home. The stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. Anchors or tie-downs, such as cast-in-place concrete “dead men”, eyelets imbedded in concrete screw augers or arrow head anchors shall be placed at each corner of the mobile home stand and at intervals of at least 20 feet. Each device shall be able to sustain a minimum load of 4,800 pounds.

4. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

905 G – PARK STREET SYSTEM

1. A safe and convenient vehicular access shall be provided from abutting public streets or roads.

2. The entrance road, or area, connecting the park with a public street or road shall have a minimum pavement of thirty-six (36) feet.

3. A minimum pavement width of thirty-six (36) feet shall be required on all internal streets.

4. Dead end streets shall be provided at the closed end with a paved turnaround having an outside diameter of at least one hundred (100) feet.

5. Grades of all streets shall be at least 0.5% and not more than 8.0%.

6. Intersections of more than two (2) streets are prohibited.

7. Within one hundred (100) feet of an intersection, streets shall be at approximately right angles. In no case shall streets intersect at less than seventy-five (75) degrees.

8. If intersecting streets are not in alignment, a distance of at least one hundred twenty-five (125) feet shall be provided between the centerlines of the intersecting streets.

9. Minimum curb or edge of pavement radii at intersections shall be twenty (20) feet.
10. All streets shall be constructed in accordance with the Germany Township Construction Materials and Specifications Manual.

11. All streets within a mobile home park shall be privately owned and maintained.

12. Street trees shall be provided as required in Article 521 – Landscaping.

905 H – OFF STREET PARKING AREAS

1. A paved off street parking space for two (2) motor vehicles shall be provided at each mobile home lot.

2. All off-street parking spaces and areas shall be designed and constructed in accordance with the zoning ordinance currently applied in Germany Township.

905 I – WALKS

1. All mobile home parks shall be provided with pedestrian concrete walks on both sides of the street. Such walks shall be at least four (4) feet in width.

2. All mobile home lots shall be connected to a pedestrian walk with an individual concrete walk at least two and one-half (2 ½) feet in width.

3. All pedestrian walks shall be constructed in accordance with Section 504 of this Ordinance.

905 J – MOBILE HOME LOTS

1. All lots shall abut and be accessible from a park street.

2. Mobile home lots within the park shall have a minimum area of six thousand (6,000) square feet and a minimum width of fifty (50) feet frontage (with a maximum of five (5) units per acre).

3. Each mobile home lot shall be improved to provide a mobile home stand and adequate frost free foundation for the placement of the mobile home unit.

4. An individual lot in a mobile home park shall not be sold separately unless an application for resubdivision is made to the Township in accordance with Section 307 of the Germany Township Subdivision and Land Development Ordinance.

905 K – RECREATION AREAS

In all mobile home parks, a recreation area or areas shall be maintained within the park for the use of all park residents. Such recreation areas:

1. Shall not be located in areas which are unsuitable or hazardous.

2. Shall be so located as to provide reasonable access by all park residents.
3. Shall not include less than ten percent (10%) of the gross area of the mobile home park, or 2,500 square feet, whichever is greater.

4. Shall have a perimeter buffering and screening planting as required in Article 521 – Landscaping C-2-c Buffering and Screening.

906 - WATER SUPPLY

906 A – WATER SUPPLY

An adequate supply of water shall be provided for mobile homes, service buildings, and other accessory facilities as required by Section 505 of this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water supply system shall be approved by the Pennsylvania Department of Environmental Protection or other authorities having jurisdiction.

906 B – SOURCE OF SUPPLY

1. The water supply shall be capable of supplying a minimum of 200 gallons per day per mobile home.

2. The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

3. No well-casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level nor in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.

4. Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Protection.

906 C – WATER STORAGE FACILITIES

All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated materials. Reservoir overflow pipes shall discharge through an acceptable air gap.

906 D – WATER DISTRIBUTION SYSTEM

1. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations.
2. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.

3. The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch, under normal operating conditions, at service buildings and other locations, at service buildings and other locations requiring potable water supply.

4. Where a public supply of water is provided, fire hydrants shall be installed in accordance with Section 506 of this Ordinance and the agency responsible for supplying water.

906 E – INDIVIDUAL WATER-RISER PIPES AND CONNECTIONS

1. Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

2. The water-riser pipe shall have a minimum inside diameter of ¾ inches and terminate at least four inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.

3. Adequate provisions shall be made to prevent freezing of service lines, vales and riser pipe and to protect risers from heaving and showing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

4. A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-waste-valves are prohibited unless their types of manufacture and their method of installation are approved by the Board of Supervisors.

907 – SEWAGE DISPOSAL

An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be designed, constructed and maintained in accordance with the Pennsylvania Department of Environmental Protection and Section 505-A of this Ordinance.

907 A – INDIVIDUAL SEWER CONNECTIONS

1. Each mobile home stand shall be provided with a sewer riser pipe. The sewer riser pipe shall be so located one each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
2. Provisions shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least ½ inch above ground elevation.

907 B – SEWER LINES

1. Sewer and water lines shall be laid in separate trenches with a horizontal distance of at least 10 feet from each other, except that these lines may be laid in the same trench by placing the water pipe on a shelf of undisturbed earth above and to one side of the caulked tight sewer line. All sewer lines shall be constructed of approved materials by the Pennsylvania Department of Environment Protection, and shall have watertight joints.

907 C – SEWAGE TREATMENT AND/OR DISCHARGE

1. Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Protection and Germany Township prior to construction.

2. Where sewage treatment is to be provided by an on-site septic system, the minimum lot size shall be 40,000 square feet per mobile home. If a community on-site septic system is used, a suitable area for a replacement system shall be reserved.

908 – ELECTRICAL DISTRIBUTION SYSTEM

908 A – GENERAL

Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with the local electric power company’s specifications regulating such systems in addition to the UCC Building Code in current use by the Township.

908 B – POWER DISTRIBUTION LINES

All power distribution lines shall be installed underground in accordance with the supplier’s regulations and Section 510 of this Ordinance. All other utilities, such as telephone, community cable television service, etc., shall also be installed underground in accordance with Section 510 of this Ordinance and the individual utility’s specifications governing such systems.

908 C – INDIVIDUAL ELECTRICAL CONNECTIONS

Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.
908 D – REQUIRED GROUNDING

All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved methods of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

909 – SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

909 A - APPLICABILITY

The requirements of this section shall apply to service buildings, recreation buildings, and other community service facilities as follows:

1. Management offices, repair shops, and storage areas.
2. Laundry facilities.
3. Indoor recreation areas.

909 B – FACILITIES

1. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.
2. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

909 C – STRUCTURAL REQUIREMENTS FOR BUILDINGS

All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites, and other destructive elements. Exterior portions shall be of such materials and be so constructed as to prevent entrance or penetration of moisture and weather.

910 – REFUSE HANDLING

The storage, collection, and disposal of refuse in the mobile home park shall be so constructed as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with all applicable Township and State regulations.

All refuse shall be stored in fly-tight, watertight, rodent proof containers, which shall be located not more than 150 feet away from any mobile home space. Containers shall be provided in sufficient number and capacity to properly store all refuse. Rubbish shall be
collected and disposed of as frequently as may be necessary to assure that the containers shall not overflow.

911 – INSECT AND RODENT CONTROL
Grounds, buildings, and structures shall be maintained free of insects and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall comply with all applicable Township and State regulations.

912 – FUEL SUPPLY AND STORAGE

912 A – NATURAL GAS SYSTEM
1. Natural gas piping systems when installed in mobile home parks shall be approved by the utility company providing the service.
2. Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

912 B – LIQUIFIED PETROLEUM GAS SYSTEMS
Liquefied petroleum gas systems provided for mobile homes, service buildings, or other structures when installed shall be maintained in conformity with any applicable rules and regulations and shall include the following:
1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
2. Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.
3. All LPG piping outside the mobile home shall be buried and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.
4. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home, or any other structure unless such installations are specially approved by the Township.

912 C – FUEL OIL SUPPLY SYSTEMS
1. All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall be installed and maintained in conformity with any applicable rules and regulations.
2. All storage tanks shall be protected from physical damage.
3. All fuel oil supply systems provided for mobile homes, service buildings, and other structures shall have shutoff valves located within five (5) inches of storage tanks.

4. All fuel storage tanks and cylinders shall be securely placed and under no circumstances located less than five (5) feet from any mobile home exit.

913 – FIRE PROTECTION

913 A – LOCAL REGULATIONS

1. Fire extinguishers of a type approved by the Fire Underwriter Laboratories (a B-C classification type) bearing the Underwriters’ label, shall be readily accessible to each mobile home. It is recommended that mobile home park owners require each mobile home to be equipped with a fire extinguisher.

2. No open fires shall be permitted at any place which may endanger life of property. No fires shall be left unattended at any time.

913 B – COMPLIANCE

All methods of fire protection employed shall be in compliance with any applicable state and federal laws.

914 – REQUIRED ILLUMINATION OF PARK STREET SYSTEMS

All parks shall be furnished with lighting units so spaced and equipped so as to provide an average level of illumination of at least 1.5 foot candles for the safe movement of pedestrians and vehicles at night.

915 – SINGLE MOBILE HOMES

1. Any single mobile home shall meet the specifications for manufacture of mobile homes as set forth in U.S. Standards Institute, Standards for Mobile Homes, USA Standard A 119.1-1969, NFPA No. 501B-1968, and any subsequent modification or amendment of such standards.

2. If a mobile home is erected and maintained as a single family dwelling other than in a mobile home park, the lot size, setback, sewer, and water requirements shall be the same as for a single family home, and in addition, placement and base enclosure requirements shall be the same as or mobile homes placed in mobile home parks.

916 – MISCELLANEOUS REQUIREMENTS

916 A – RESPONSIBILITIES OF THE PARK MANAGEMENT

1. The person to whom a license for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate park
management to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

2. The park management shall supervise the placement of each mobile home on its mobile home lot which includes securing its stability and installing all utility connections.

3. The park management shall give the Township Building Inspector or other authorized Township representative free access within reason to all mobile home lots, service buildings, and other community service facilities for inspection purposes.

4. The park management shall maintain a register containing the name of all park occupants. Such register shall be available to any authorized person inspecting the park. The management shall notify the appropriate officer in accordance with the state and local taxation laws of the arrival and departure of each mobile home.

916 B – REMOVAL OF MOBILE HOMES

No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Township without first obtaining a permit from the Township Tax Collector as required by Act of the General Assembly of July 8, 1969, P.L. 130 Section 1. Such permit shall be issued upon payment of a fee as required by the fee schedule currently in force in the Township, and any real estate tax assessed against the home and unpaid at the time the permit is requested.

917 – NOTICES AND REVOCATION OF LICENSE

917 A - NOTICES

Whenever the Board of Supervisors determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation to the person to whom the permit, and/or certificate or license was issued, as hereinafter provided. Such notice shall:

1. Be in writing.

2. Include a statement of reasons for its issuance.

3. Allow a reasonable time for the performance of any act it requires.

4. Be served upon the owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state.

5. Contain an outline of remedial action which, if taken will effect compliance with the provisions of this Ordinance, or any part hereof, and with the regulations adopted pursuant thereof.
917 B - REVOCATION OF LICENSE

In addition to the provisions and penalties for violations as given in Sections 916 and 917 of this Ordinance, the Township may give reasonable notice for the remedying of violations and if such violations are not remedied within the prescribed period of time, the Township may declare the license revoked.
ARTICLE X – ENACTMENT

This Subdivision and Land Development Ordinance shall become effective on December 16, 2013 and shall remain in force until modified, amended, and/or rescinded by the Board of Supervisors of Germany Township, Adams County, Pennsylvania. Enacted and Ordained this 9th day of December, 2013.

GERMANY TOWNSHIP

BOARD OF SUPERVISORS

___________________________________
CHAIRMAN

___________________________________

___________________________________

Attest:

___________________________________
Secretary
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