

ORDINANCE NO. 1987-1 as updated (7/14/08)

AN ORDINANCE ESTABLISHING REGULATIONS AND STANDARDS FOR THE SUBDIVISION AND DEVELOPMENT OF LAND WITHIN THE TOWNSHIP OF GERMANY; ESTABLISHING PROCEDURE FOR APPLICATION AND ADMINISTRATION OF THESE REGULATIONS AND STANDARDS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; ESTABLISHING REGULATIONS AND STANDARDS FOR MOBILE HOMES AND MOBILE HOMES PARKS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE REPEALS ALL OTHER SUBDIVISION ORDINANCES PREVIOUSLY ADOPTED.

BE IT ORDAINED by the Supervisors of the Township of Germany, Adams County, Pennsylvania, as follows:

ARTICLE 1 – 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.
4. Provisions for adequate and safe water supply, sewage disposal, storm drainage and other utilities.

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 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.

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.

105 – COUNTY REVIEW

All applications for subdivision and/or land development approval within Adams County shall be forwarded upon receipt to the Adams County Planning Commission 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 forty-five (45) days from the date the plans were forwarded to the county.

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.