

## 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.
1. 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.
  2. ALLEY – A minor right-of-way privately or publicly owned, primarily for service access to the rear or side of properties.
  3. APPLICANT – A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors, or assigns.
  4. 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 or for the approval of a development plan.
  5. BLOCK – An area bounded by streets.
  6. BUILDING SET BACK LINES - Lines parallel to and set back from the front, side, or rear lot line a distance equal to the depth of the yard required.
  7. CARTWAY – The surface of a street or road available for vehicular traffic.
  8. 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.
  9. COUNTY – The County of Adams, Commonwealth of Pennsylvania.
  10. 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.
  11. 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.

12. DEVELOPMENT – A subdivision of land or land development.
13. DWELLING – A building or a portion thereof designed for and used exclusively for residential occupancy.
  - a. DWELLING UNIT – One or more rooms having cooking and sanitary facilities and access directly outdoors or through a common entrance hall.
  - 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. UNIFORM 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 "Unit Condominium Act", of July 2, 1980, P. L. 286 No. 82, Section 1, as amended and supplemented.
14. EASEMENT, UTILITY – A right-of-way granted for the limited use of land for public or quasi-public purposes.
15. ENGINEER, TOWNSHIP – A registered professional engineer in Pennsylvania designated by the Township to perform the duties of engineer as herein specified.
16. 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.
17. EROSION – The removal of surface materials by the action of natural elements.
18. 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. It shall include the conditions resulting therefrom.

19. 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.
20. FLOOD
- a. FLOOD PRONE AREA – A relatively flat or low land area adjoining a stream, river or watercourse, which is subject to partial or complete inundation; 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 channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude.
  - c. ONE HUNDRED (100) YEAR FLOOD – A flood having an average frequency of occurrence on the order of once in one hundred (100) years, 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 (1 1/2) feet.
21. GOVERNING BODY – The Board of Supervisors of the Township of Germany, Adams County, Pennsylvania.
22. IMPROVEMENTS – Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.
23. LAND DEVELOPMENT
- 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 buildings; or
    - (2) The division or allocation of land or space 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.
24. 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 leasee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this Ordinance.
25. LOT – A plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer, or improvement.

26. LOT, THROUGH OR DOUBLE FRONTAGE – A lot with front and rear street frontage.
27. LOT AREA – The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street right-of-way, but including the area of any easement.
28. LOT, REVERSE FRONTAGE – A lot extending between and having frontage on, an arterial street and a minor street, and with vehicular access solely from the latter.
29. 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.
30. PLAN, PRELIMINARY – A tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.
31. PLAN, FINAL – A complete and exact subdivision or land development plan prepared for official recording as required by statute.
32. PUBLIC GROUNDS – Parks, playgrounds, and other public areas and sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
33. 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 nor less than fourteen (14) days prior to the date of the hearing.
34. RE-SUBDIVISION – Any replatting or resubdivision of land limited to change in lot lines on an approved final plan or recorded plan.
35. 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.
36. 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.
37. 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.”
38. 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.

39. 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.
40. 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.
41. 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.
42. STRUCTURE – Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, factories, sheds, cabins, mobile homes, and dotted similar items.
43. SUBDIVIDER – The owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or development under the terms of this Ordinance.
44. SUBDIVISION – The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: Provided, however, that the 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)
45. SURFACE DRAINAGE PLAN – A plan showing all present and proposed grades and facilities for storm water drainage.
46. 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.
47. 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.

48. WATERCOURSE – A stream of water, river, brook, creek, or a channel of a perceptible extent, with definite periodically flowing water.