

Rules and Regulations  
for the  
Subdivision and Development  
of Land

Ordinance No. 86  
Enacted November 12, 1979

Borough of Big Beaver  
Beaver County, Pennsylvania  
1979

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BOROUGH OF BIG BEAVER  
BEAVER COUNTY, PENNSYLVANIA  
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE  
ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF BIG BEAVER, COUNTY OF BEAVER, COMMONWEALTH OF PENNSYLVANIA, REGULATING AND GOVERNING LAND SUBDIVISION AND LAND DEVELOPMENT IN THE BOROUGH OF BIG BEAVER AND THE CONSTRUCTION, OPENING, AND DEDICATION OF STREETS, ALLEYS, STORM WATER DRAINAGE, FIRE HYDRANTS, WATER AND SEWERAGE, AND OTHER FACILITIES AND IMPROVEMENTS IN CONNECTION THEREWITH; PRESCRIBING PROCEDURE AND REQUIREMENTS FOR SUBMITTAL OF PLANS AND FORM OF APPLICATION FOR APPROVAL OF SAME; PROVIDING FOR RIGHT AND PROCEDURE OF APPEAL; AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

NOW THEREFORE, be it Ordained and Enacted by the Borough Council of the Borough of Big Beaver, County of Beaver, Commonwealth of Pennsylvania, and it is hereby Ordained and Enacted with and by Authority of the same.

ARTICLE I

AUTHORITY AND PURPOSE

SECTION 100 GRANT OF POWER

Pursuant to the Authority contained in Act No. 247, as amended, known as the "Pennsylvania Municipalities' Planning Code" passed by the General Assembly of the Commonwealth of Pennsylvania in the 1968 Session of said Pennsylvania State Legislature, which Act became effective on January 1, 1969, and in accordance with the conditions and procedures set forth in said Act No. 247, as amended, the Borough Council of the Borough of Big Beaver, Beaver County, Pennsylvania, does hereby adopt, ordain, and enact the following rules and regulations governing land subdivision and land development in said Borough of Big Beaver.

SECTION 101 SHORT TITLE

This Ordinance shall be known and may be cited as the "Subdivision and Land Development Ordinance" of the Borough of Big Beaver.

## SECTION 102 EFFECTIVE DATE

The date on which this Ordinance is duly adopted by the Borough Council or as specified in Ordinance adopting same.

## SECTION 103 PURPOSE AND OBJECTIVES

The Borough Council of the Borough of Big Beaver, County of Beaver, and Commonwealth of Pennsylvania, ordains and enacts this Ordinance regulating land subdivision and land development in the Borough with the following purposes and objectives in view.

103.1 To regulate and assure sites adaptable and suitable for land subdivision, land development, building purposes and human habitation.

103.2 Regulate and provide for the harmonious and coordinated development of the Borough, for open spaces, for traffic movement, parks, and recreation facilities, light, air, and proper distribution of population thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens and residents of the Borough of Big Beaver.

103.3 Provisions for the submittal and processing of plats, and specifications for such plats, including provisions for preliminary and for final approval and for processing of final approval by sections and stages of development.

103.4 Provisions for insuring that: (i) the layout or arrangement of the subdivision or land development shall conform to the Comprehensive Plan of the Borough and to any regulations or maps adopted in furtherance thereof; (ii) streets in and bordering a subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and facilitate fire and police protection and other municipal and community services; (iii) that adequate easements or rights-of-way shall be provided for utilities, storm water drainage, and sanitary sewage facilities; (iv) reservations if any by the developer of any area designed for use as public grounds shall be suitable in size and in location for their designated uses; (v) and land which is subject to flooding, mud slides, subsidence, or underground fires either shall be made safe for the purpose for which such land is proposed to be used, or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.

103.5 Provisions establishing and governing the specifications and standards by which streets shall be graded and improved, and walkways, curbs, gutters, storm drains, manholes, inlets, street lights, fire hydrants, water, sewage, and sewage treatment facilities, and other improvements shall be installed as a condition and requirement precedent to final approval of plats and plans of land development.

103.6 Provisions which take into account land development not intended for the immediate erection of buildings where streets, curbs, gutters, storm drainage, street lights, fire hydrants, water, sewage, and sewage treatment facilities, and other improvements may not be possible to install as a condition precedent to final approval of plats, but will be a condition precedent to the erection of buildings on lands included in the approved plat.

103.7 Provisions for encouraging and promoting flexibility, economy, and ingenuity in the layout and design of subdivisions and land developments including provisions authorizing the Planning Commission and Borough Council to alter site requirements, and for encouraging other practices which are in accordance with modern and evolving principles of site planning and development.

#### SECTION 104 SUBJECT PROPERTIES

104.1 All property, lots, tracts, or parcels of land shall be subject to the provisions and requirements of this Ordinance. Provided, however, that the division of land for agricultural purposes into parcels of land of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

104.2 No subdivision of any lot, tract, or parcel of land shall be made, and no streets, sanitary sewers, storm sewers, water mains, or other utilities or facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of owners or lessees of land and/or the occupants of buildings or structures abutting thereon, except in strict accordance with the provisions of this Ordinance and the rules and regulations for the subdivision of land and land development adopted herein.

#### SECTION 105 SALE OR TRANSFER OF LAND OR PROPERTY

105.1 No lot, tract, or parcel in a subdivision, division, redivision, or land development shall be leased, sold, transferred, or developed unless and until a detailed plan and description of such lease, sale, transfer, or land development has been submitted to the Borough in accordance with the proper procedures and the same has been duly approved by the Borough Planning Commission and the Borough Council.

#### SECTION 106 BUILDING PERMITS

106.1 Residential: No building permit to erect or to place any building, structure, house trailer, or mobile home of any type upon land in a subdivision or land development will be issued, and no building, structure, house trailer, or mobile home of any type shall be erected, moved, or placed upon any subdivision or land development, unless and until a land subdivision and a land development plan has been submitted to and approved by the Borough Council, and an approved plan of the same has been recorded in the office of the Recorder of Deeds of Beaver County.

106.2 Institutional, Recreational, Commercial, Industrial, etc.: No building permit will be issued for the placement or erection of any building or structure, either of a temporary or permanent type, upon any lot, tract, or parcel of land unless, and until all plans, specifications, and details for the grading, construction of storm water drainage, supply, and water storage, water mains, fire hydrants, paving of driveways and parking areas and other improvements, developments, and facilities in connection therewith have been prepared, submitted to, and approved by the Borough Planning Commission and the Borough Council.

#### SECTION 107 FINAL APPROVAL OF PLANS

107.1 No final approval for recording a subdivision or land development plan will be given by the Borough Council until all of the proposed improvements required by the Borough have been approved by the Borough and the construction of said improvements have either been fully constructed and installed or a satisfactory guarantee has been furnished by the owner or developer to the Borough that the improvements required by the Borough will be completed within a period of time specified by the Borough Council.



## ARTICLE II

### DEFINITIONS

#### SECTION 200 INTERPRETATION

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

- 200.1 Words used in the present tense shall include the future.
- 200.2 Words used in the singular number shall include the plural.
- 200.3 Words used in the plural number shall include the singular.
- 200.4 The work "person" includes a profit or non-profit corporation, company, partnership, an association of individuals, as well as an individual.
- 200.5 The words "shall" and "will" are always mandatory.
- 200.6 The word "may" is permissive when approved as a variance.
- 200.7 The work "used" or "occupied" as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied.
- 200.8 The work "building" includes the word "structure".
- 200.9 Unless otherwise specified, all distances shall be measured horizontally.
- 200.10 The word "lot" includes the words "plot", "parcel", or "tract".

#### SECTION 201 MEANING OF WORDS

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated:

- 201.1 ALLEY: A public right-of-way providing secondary vehicular access to the side or rear of two or more properties.
- 201.2 AVAILABLE SEWER: A municipal sewer is considered available if:
  - a. Connection is recommended and/or required by the regulations of the Big Beaver Borough Sewer Authority and/or Big Beaver Borough Council;

- b. Connection is recommended and/or required by the regulations of the Pennsylvania Department of Environmental Resources pursuant to the Pennsylvania Sewage Facilities Act, Act 537, as amended, or;
- c. An existing municipal sewer line, with sufficient capacity, is located within 1,500 feet of the nearest point of a subdivision.

201.3 APPLICANT: A landowner or developer, as hereinafter defined, who has filed an application for the subdivision of land and land development including his heirs, successors, and assigns.

201.4 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 the approval of a development plan.

201.5 APPOINTING AUTHORITY: The Borough Council of the Borough of Big Beaver, Beaver County, Pennsylvania.

201.6 BASE FLOOD: A base flood is a flood with a one (1) percent chance of being equalled or exceeded in any given year.

201.7 BLOCK: An area bounded on all sides by streets or other transportation routes such as railroad lines, or by physical barriers such as water bodies or public open space.

201.8 BOROUGH: The Borough Council of the Borough of Big Beaver and/or its duly authorized officials and representatives.

201.9 BUILDING OR STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

201.10 BUILDING LINE: The line within the property located a fixed distance from the front and side line of a lot or parcel of land defining the nearest point that a building or structure may be constructed, moved, or placed to the front or side line of the property. The building line shall limit the location of buildings, additions, structures, enclosures, porches, patios, and similar construction, to said designated building line.

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

201.12 CLEAR SIGHT DISTANCE: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of street center lines and street right-of-way lines as defined in the Big Beaver Borough Zoning Ordinance under CLEAR SIGHT TRIANGLE.

- 201.13 CLUSTER HOUSING: A subdivision in which individual lots are designated in somewhat tighter arrangements than a conventional subdivision with a significant percentage of the total plot or parcel being dedicated and held as common open space.
- 201.14 CUL-DE-SAC: A minor street intersecting another street at one end and terminated at the other end by a vehicular turnaround.
- 201.15 COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.
- 201.16 COMPREHENSIVE PLAN: The Comprehensive Plan for the Borough of Big Beaver.
- 201.17 CORNER LOT: A lot abutting upon two (2) or more intersecting streets or other public spaces, and on which the building line of both streets must be observed.
- 201.18 COVENANT: An obligation defined by law or agreement, the violation of which can be restrained by court action; these are usually stated in the deed.
- 201.19 DEVELOPMENT OR IMPROVEMENTS: Any man-made change to improved or unimproved lands or water bodies, including but not limited to: grading, construction, and paving of streets, curbs, gutters, storm water drainage facilities, individual on-lot sanitary sewage disposal system, improvements to existing water course, sidewalks, crosswalks, street signs, monuments establishing street lines, water supply and water distribution systems and facilities, sanitary sewage collection and sewage treatment plant, and facilities and all other work, and any activities related to the improvement and development of land like grading or filling. See also SUBSTANTIAL IMPROVEMENT.
- 201.20 DEVELOPER: Any landowner, lessee, 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.
- 201.21 DRIVEWAY: A private way from one lot, tract, or parcel to a public road. Only one driveway per lot, tract, or parcel shall be permitted for every 100 feet of lot width.
- 201.22 DWELLING/RESIDENTIAL DWELLING: As defined in the Borough of Big Beaver Zoning Ordinance, as amended.
- 201.23 DWELLING TYPE: As defined in the Borough of Big Beaver Zoning Ordinance, as amended.

- 201.24 DWELLING UNIT: As defined in the Borough of Big Beaver Zoning Ordinance, as amended.
- 201.25 EASEMENT: Is a grant or dedication of land by a property owner, subdivider, or developer of a right-of-way, strip, or parcel of land for a specific purpose, or use, to the general public, to a corporation, or to a certain person.
- 201.26 EFFECTIVE DATE: The date on which the Ordinance is duly adopted by the Borough or as specified in Ordinance adopting same.
- 201.27 ENGINEER: A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Borough of Big Beaver, its Borough Council, its planning commission, or planning agency.
- 201.28 ERECT: Includes build, construct, reconstruct, move upon, or any physical operations or work upon the land required for the building or structure. Excavation, fill, drainage, and the like shall be considered part of the erection.
- 201.29 ERECTED: Includes built, constructed, reconstructed, moved upon, or any physical operations, or work required for the building or structure. Excavation, fill, drainage, and the like shall be considered part of the erection.
- 201.30 FLOOD, FLOODED, OR FLOODING: A general or temporary condition of partial or complete inundation of normally dry areas from the overflow of rivers, streams, water courses, or other inland water.
- 201.31 FLOOD PLAIN/FLOOD-PRONE AREA: A land area adjoining a river, stream, or water courses which is likely to be flooded as established by the Federal Flood Insurance Administration on the Flood Hazard Boundary Map.
- 201.32 GOVERNING BODY: The Borough Council of the Borough of Big Beaver, Beaver County, Pennsylvania.
- 201.33 IMPROVEMENTS: See DEVELOPMENT OR IMPROVEMENTS or SUBSTANTIAL IMPROVEMENTS.
- 201.34 INTERIOR WALK: An easement or right-of-way for pedestrian use extending from a street into, through, or across a block to another street, and said easement or right-of-way shall have a minimum width of twelve (12) feet.

201.35 LAND DEVELOPMENT: (i) the improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, lease holds, building groups, or other features; (ii) a division of land into lots or parcels of land for the purpose of conveying such lots or parcels of land singly or in groups to any person, partnership, or corporation for the purpose of the erection or placement of buildings or structures by such person, partnership, or corporation.

201.36 LAND OWNER: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee having a remaining term of not less than forty years, or other person having a proprietary interest in land, shall be deemed to be a land owner for the purpose of this Ordinance.

201.37 LOT OR PARCEL OF LAND: A tract, lot or parcel of land intended for the transfer of ownership, or the transfer of use by lease or the rights granted to improve such land, whether immediate or future.

201.38 LOT AREA: The area of a horizontal plane measured at grade and bound by the front, side, and rear lot lines. The area of a lot on which a building and its accessories are or may be located; Provided that the area shall be measured to the street right-of-way line only, and not including any part of an alley or areaway used in common with the owner or occupier of other lots.

201.39 LOT CORNER: A lot abutting upon two or more streets or other public spaces and on which the building line of both streets must be observed.

201.40 LOT DEPTH: The average horizontal distance between the front line and the rear lot line.

201.41 LOT, FRONT LINE: The right-of-way line of the street on which the lot fronts.

201.42 LOT, INTERIOR: A lot the side lines of which do not abut on a street.

201.43 LOT WIDTH: The horizontal distance between the side lot lines measured at the building line.

201.44 MUDSLIDE: A general and temporary movement down a slope of a mass of rock or soil, artificial fill, or a combination of these materials, caused or precipitated by the accumulation of water on or under the ground.

201.45 MUDSLIDE AREA OR MUDSLIDE-PRONE AREA: An area characterized by unstable slopes or land surfaces, whose history, geology, soil, and bedrock structure, and climate indicate a potential for mudslides.

- 201.46        MUNICIPALITY: The Borough of Big Beaver, Beaver County, Pennsylvania.
- 201.47        PARKING SPACE: An off-street parking space as defined in the Big Beaver Borough Zoning Ordinance, as amended.
- 201.48        PLANNING COMMISSION: A planning commission, planning agency, or a planning department of the Borough of Big Beaver.
- 201.49        PLAN-PRELIMINARY: A tentative land subdivision or land development plan prepared in lesser detail than a final plan, showing the approximate proposed street and lot layout or land development layout on a topographic map, showing location, scope of project, utilities existing or proposed, improvements existing and proposed, etc., submitted to Borough Council for its review, consideration, and action relative to approval or disapproval.
- 201.50        PLAN - FINAL: A complete and exact plan of land subdivision or land development, prepared for recording as required by statute, to define property right and proposed streets and other improvements.
- 201.51        PLANNED RESIDENTIAL DEVELOPMENT: An area of land, controlled by a land owner, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in lot size, bulk, or type of dwelling, density, lot coverage, and required open space to the regulations established in any one residential district created, from time to time, under the provisions of the Borough's Zoning Ordinance.
- 201.52        PLAT, PLAN OR PLOT: The map or plan of a land subdivision or land development, whether preliminary or final.
- 201.53        PUBLIC GROUNDS: Includes (i) parks, playgrounds, and other public areas; sites for schools, sewage treatment plant and facilities, water supply, storage and distribution facilities; refuse disposal and other publicly owned and operated facilities.
- 201.54        PUBLIC NOTICE: Notice given not more than thirty (30) days and not less than fourteen (14) days in advance of any public hearing required by this Ordinance. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.
- 201.55        REVERSE FRONTAGE LOT: A lot or parcel of land having frontage on a major traffic street and extending back therefrom to and having frontage on a minor street, with the access by vehicular traffic to said lot being solely by way of the frontage on the minor traffic street.
- 201.56        RESERVE STRIP: A strip of land adjacent to a street the purpose or intent of which is to limit, control, or obstruct the access to said street from an adjacent property.

201.57 RIGHT-OF-WAY: Land granted, dedicated, or reserved for use as a street, alley, interior walk, utilities, drainage facilities, or for other public uses and purposes. All rights-of-way must be recorded in the Recorder of Deed's Office, Beaver County, Beaver, Pennsylvania.

201.58 SEWAGE DISPOSAL SYSTEM: Sewage disposal system shall mean an individual on-lot sewage disposal system consisting of septic tank, disposal field, absorption beds, or seepage pit, disposing of all effluent under ground into the soil of the property.

201.59 SEWERAGE SYSTEM AND FACILITIES: Whether publicly or privately owned and operated shall mean and include sanitary sewers, manholes, pumping facilities, force mains, sewage treatment plant, and other appurtenant facilities, etc.

201.60 SITE DISTANCE: The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.

201.61 STREETS: All land, including the entire length and width of right-of-way, intended for use or future use as means for vehicular traffic or pedestrian travel, as defined in the Comprehensive Plan for Big Beaver Borough - Street Classification. "Street" includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and court, etc.

201.62 STREET CLASSIFICATIONS: The following street classification shall apply to streets in the Borough of Big Beaver:

- A. Principal Arterial - This class of highway facility is devoted entirely to the task of moving large volumes of traffic. It is generally characterized by limiting access to specific points. This road performs little or no land service function. Normally, this classification should be reserved for multi-lane, divided roads with few, if any, at grade intersections.
- B. Minor Arterial - This class of roadway brings traffic to and from the Principal Arterials and serves major movements of traffic within or through the areas not served by Principal Arterials. They serve primarily to move traffic, but also perform a secondary function of land service.
- C. Collector - This class of road serves the internal traffic movement within the Borough and connects developed areas with the Minor Arterials. These roads do not accommodate long through trips. The Collector road is intended to simultaneously serve abutting property as well as local internal traffic movements.
- D. Local - The local street's sole function is to provide access to immediately adjacent land.

- 201.63      STREETS - MARGINAL ACCESS: Streets parallel and adjacent to arterial streets or collector streets providing access to adjoining properties and control of intersections with arterial streets.
- 201.64      STREETS - HALF OR PARTIAL: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than is normally required for satisfactory improvement, use, acceptability, and dedication of the same as a public street. Half streets are prohibited except to complete an existing half street.
- 201.64      STREETS - PRIVATE: A developed way intended for vehicular use; however, not developed to Borough Specifications and not maintained by the Borough. Private streets are prohibited.
- 201.66      STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Among other things, structures include foundations, walls, buildings, mobile homes, prefabricated homes, modular homes or buildings, fences, billboards, sign posts or standards, poster panels, and other similar objects.
- 201.67      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 lot development; Provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access shall be exempted.
- a. "Subdivision" shall be construed to also include any development of a parcel of land, for example, as a shopping plaza or center, residential, institutional, commercial, or industrial complexes, etc., which involves the excavating, grading, construction of streets, alleys, storm water drainage, sewerage, water, and other improvements and utilities and facilities, even though the streets and facilities may not be dedicated to public use, and the parcel may not be divided immediately for purpose of conveyance, transfer, sale, or lease.
  - b. "Subdivision" includes re-subdivision, and as appropriate in these regulations, shall refer to the process of subdividing land or to the land subdivided.
  - c. "Subdivision" shall also include the development of any existing lot or parcel of land for a use other than residential where the development or use will require changes in existing or construction of new



c. (continued)

driveways onto public streets and highways; changes in location of water courses or storm water drainage conditions or construction of new storm water drainage facilities; changes in existing sanitary sewerage disposal facilities or construction of new sanitary sewerage disposal facilities; public water supply and distribution systems or any other utilities, facilities, and related improvements.

201.68 SUBDIVIDER: Any land owner, lessee, agent of such land owner or tenant with the permission of such land owner, who makes or causes to be made a subdivision of land or a land development.

201.69 SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds (fifty) 50 percent of the actual cost value of the structure either (2) before the improvement started, or (b) if the structure has been damaged and is being restored before the damage occurred. Substantial improvement is started when the first alteration of any structural part of the building commences.

201.70 VARIANCE: Permissive waivers from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary and undue hardship, and so that the spirit and intent of the Subdivision and Land Development Ordinance shall be observed and substantial justice done and granted only by the Borough Council.

201.71 SURFACE DRAINAGE PLAN: A plan and profile showing all present grades and conditions and all proposed grades and facilities for water drainage.

201.72 TOPOGRAPHIC MAP: A map showing ground elevations by contour lines and the location of important natural, man-made, and other features.

201.73 YARD: An unoccupied space open to the sky, on the same lot with a building or structure.

201.74 UTILITIES: Shall mean and include, but not limited to those facilities, and installations rendering services as Electric, street lighting, telephone, water, fire protection, sewerage collection system, sewerage treatment facilities, garbage disposal, etc.

201.75 WATER COURSE: The work "Water Course" shall mean and include stream of water, creek, brook, ditch, drain, channel or bed of stream, dry run, naturally formed drainage way or swale or a man formed or constructed drainage way, swale, or facilities.

## ARTICLE III

### SUBMITTAL OF PLANS AND APPLICATION FOR APPROVAL

#### SECTION 300 GENERAL PROCEDURE

300.1 Preparation and submittal of plans of subdivision and plans of land development along with the informative and supporting data and the filing of an application for approval of the same shall strictly conform to the requirements, specifications, rules, regulations, and procedures outlined and set forth in this Ordinance. The procedure generally involves three steps:

- a. Notice of Intent to Apply; Pre-Application Conference
- b. Preliminary Plan
- c. Final Plan

300.2 All applications for approval of a plan of subdivision or a plan of development, whether preliminary or final, shall be accompanied by fourteen (14) copies of the plan of subdivision or land development and fourteen (14) copies of all other informative and required supporting data and exhibits and shall be submitted to the Secretary of the Planning Commission not less than fifteen (15) days prior to the regularly scheduled monthly meeting of the Planning Commission.

300.3 All applications shall be submitted upon standard forms furnished by the Borough and shall be accompanied by the required filing fee made payable to the Borough.

300.4 The Borough may at its discretion hold public hearings in its consideration of applications for approval of plans of land subdivision or plans of land development and improvements.

300.5 All applications for approval of plans of subdivision or a plan of development, whether preliminary or final, shall be acted upon by the Planning Commission and the Borough Council and shall render their decision and communicate it to the applicant not later than ninety (90) days following the date of the next regular meeting of the Planning Commission; or following the date the application is filed, should the next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30) day following the day the application has been filed.

300.6 The decision of the Planning Commission and/or Borough Council 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.

300.7 When the application, plans, and data as filed have not been approved, the decision of the Borough shall specify the defects found in the application, plans, and data as filed, and shall describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or Ordinance relied upon.

## SECTION 301 NOTICE TO INTENT TO APPLY; PRE-APPLICATION CONFERENCE

301.1 Procedure: A potential subdivider or developer is encouraged under this Section to present the recommended general information and data in the form of a "Notice of Intent to Apply for a Subdivision or Land Development." The Planning Commission shall review the data and provide the subdivier or developer with general information and assessment relative to the requirements of this Ordinance.

- A. In assessing the suitability of the proposed plan, the Planning Commission shall consider the Borough's Comprehensive Plan and Zoning Ordinance.
- B. In addition, this assessment will consider whether the land is subject to hazards of health, safety, and welfare. Such land shall not be developed and/or subdivided until such hazards are mitigated. These hazards shall be interpreted to mean lands subject to flooding, lands subject to mudslides, lands subject to excessive slope or excessive excavation, lands subject to poor soil conditions for the proposed use, land possessing mining subsidence problems.

301.2 Exhibits and Plans: Submission of the following exhibits, information, and plans with the Notice of Intent for use at the Pre-Application Conference is recommended:

- A. Exhibit No. 1 - A certificate of title or other proof of a proprietary interest in the land. If none is provided, the Planning Commission need not consider the request for a review until such submission is made.
- B. Exhibit No. 2 - Existing Conditions: Utilizing a Beaver County Tax Map, Borough Map, or similar available illustration, identify the parcel under consideration. Either list in text form or on the map the following:
  - 1. Existing lot lines.
  - 2. Existing covenants of the land.
  - 3. Existing easements, rights-of-way, or other restrictions.

4. Existing Land Use: Open Land, Agricultural, Forest, Residential, or other.
- C. Exhibit No. 3 - Plan - Utilizing a Beaver County Tax Map, Borough Map, or similar available illustration, identify the parcel under consideration, either in text form or on the map:
1. Future lot arrangement indicating in general the number of lots, approximate size.
  2. For Land Developments future arrangement of structures and buildings.
  3. Future roads, streets, driveways, and parking areas in relationship to existing and/or adjacent roads, streets, driveways, and parking areas.
  4. Proposed relocation or crossing of any water course.
  5. General plan and/or statement of water supply and sanitary sewerage collection and treatment.

## SECTION 302 PRELIMINARY PLANS

302.1 Procedure: The following procedure for submitting preliminary plans shall apply to all land developments and all subdivisions over three lots.

- A. Application - The subdivider shall prepare and submit to the Planning Commission Secretary at least 15 days prior to the regular monthly meeting of the Planning Commission, fourteen (14) copies of the preliminary plans of the total land to be ultimately developed for review by the Planning Commission according to the requirements and standards contained herein. Upon receipt of the Plan, the Planning Commission shall forward eight (8) copies to the Beaver County Planning Commission for a review and report at County expense; Provided that the Borough shall not approve such application until the County report is received, or until the expiration of 45 days from the date the application was forwarded to the County.
- B. Planning Commission 30-Day Review - After the first regularly scheduled monthly meeting, the Planning Commission shall then review over a 30-day period the Plan submitted, covering the requirements of this Ordinance point by point, conduct on-site reviews, and shall consult with the Borough Engineer and officials of any other department or authority concerned.

- C. Planning Commission Action - The Planning Commission at the following regularly scheduled monthly meeting will discuss with the subdivider or developer the result of the Planning Commission's review. Within fifteen (15) days of this scheduled review meeting the Planning Commission shall report to the Borough Council on the subdivision, recommending approval, conditional approval or disapproval, each with reasons for action.
- D. Action of Borough Council - The Borough Council shall act on the preliminary plan within thirty (30) days of the receipt of the Planning Commission's report stating its approval, conditional approval, or disapproval, giving reasons for each, and shall notify the subdivider in writing within fifteen (15) days of disapproval; or if approved or conditionally approved authorize submission of a final plan.
1. Failure of the Borough to render a decision and communicate it to the applicant within the time and in the manner required herein after receipt of all information necessary to render such opinion as required under Section 302 shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
  2. Failure on the part of the subdivider or land developer to supply all data necessary for review and recommendations as required under Section 302 shall constitute an incomplete application, and as such time constraints imposed elsewhere in this Section shall not be applicable.
  3. Before acting on any subdivision or land development, the governing body or the planning agency, as the case may be, may hold a public hearing thereon after public notice.
- E. Nature of Approval - Approval of a preliminary plan shall not constitute approval of a final plan, but rather an expression of the layout submitted on the preliminary plan as a guide to the preparation of the final plan. Granting a preliminary approval shall not qualify a plan for recording, nor authorize development or the issuing of any building permits.

- F. Application Fee - At the time of filing the application for preliminary plan review, the subdivider or land developer shall pay to the Borough for use by the Borough a fee to defray the cost of processing the preliminary plan. The fee shall be that required in accordance with the established fee schedule for the Subdivision and Land Development Ordinance.

302.2 Preliminary Plan Requirements: The preliminary plans of all land development and for land subdivision over three (3) lots shall include all the following data and exhibits but not be limited the the following:

- A. Proof of Proprietary Interest - A certificate of title or other proof of proprietary interest in the land. If none is provided, the Planning Commission and/or Borough Council need not consider the request for a review until such submission is made.
- B. Preliminary Plan - The preliminary plan shall exist but not be limited to the following data and exhibits:

1. All plans and exhibits shall be drawn at a scale of one hundred (100) feet to the inch or larger;
2. All plans and exhibits shall provide the following:

a. Title Block to include:

- 1) Name of subdivision or land development which shall not have the same spelling or be pronounced similar to the name of any other subdivision located within the Borough.
- 2) Location by municipality, county, and State.
- 3) Name and address of the owner(s), subdivider(s), and/or developer(s).
- 4) North point, scale of plan, and date the illustration or plan was prepared.
- 5) Name and address of registered engineer or registered surveyor who surveyed the land and prepared the plan.

- b. Location Map: A generalized "key" map showing the general area within the Borough in which the subdivision or land development is located and its relationship to existing roads and railroads, existing water courses and water bodies, existing development, existing

- b. (continued)  
community facilities. This map does not have to be drawn at the scale of 100 feet to the inch.
- 3. All plans and exhibits shall illustrate the following:
  - a. Tract boundaries with bearings, distances, and area in acres to the nearest hundredths.
  - b. All adjacent or contiguous streets, roads, and railroads' rights-of-ways and all adjacent or contiguous utility easements or rights-of-ways.
  - c. All adjacent or contiguous lots or parcels' lines and the names of the owners and names of adjacent or contiguous subdivisions or land developments.
  - d. Location of Borough limit lines, if they traverse or are immediately adjacent or form part of the boundaries, to the subdivision or land development.
- 4. Exhibit - Existing Conditions: Submission of an application for preliminary plan shall require an exhibit of existing conditions drawn to the scale of not more than one hundred (100) feet to the inch and shall include but not be limited to the following data:
  - a. All items noted in the previous sections - 302.5; 1, 2, and 3.
  - b. Topography shown by contour lines at vertical intervals of five (5) feet, or in the case of relatively level tracts, at such lesser intervals as may be necessary for satisfactory study and planning of the tract.
    - 1) Illustrated on the exhibit will be the datum to which contour elevations refer. Where reasonably practicable, data shall refer to known established elevations such as U.S.G.S., Borough, or Highway.
  - c. All existing water courses or water bodies, floodways, flood plains, drainage courses, and existing drainage facility structure or systems. To be included is the exact location, dimension, flow line, and description.

- d. Location of all existing significant natural features such as tree masses, embankments, areas of past or current strip or subsurface mining activities. With tracts having past or current subsurface mining activities, the depth of overburden shall be illustrated and source of data noted.
  - e. All existing property lines, rights-of-ways or easements, and the purpose for which the easements or rights-of-way have been established.
  - f. All existing zoning district lines and the zoning district classification within the tract, and for the adjacent area within 300 feet of the tract.
  - g. All existing land use, location, and size of existing buildings and structures, within the tract and for the adjacent area within 300 feet of the tract.
  - h. Location, size, and invert elevation of all sanitary and storm sewers and water mains.
  - i. Location of all manholes, inlets, culberts, and bridges, fire hydrants, gas, telephone, and/or electrical overhead or conduit lines.
  - j. Location of rights-of-way or easements for electrical power transmission lines, petroleum or petroleum product transmission lines, and other significant man-made features.
  - k. Location of all existing streets within or adjacent to the tract, including name, right-of-way, and cartway widths, and type of surface materials of the cartway.
  - l. Any other natural or man-made condition adjacent to the tract affecting the design of the subdivision or land development.
5. Exhibit - Plan of Proposed Layout: Submission of an application for a preliminary plan shall require an exhibit of the proposed layout of the subdivision or land development drawn to the scale of not more than one hundred (100) feet to the inch and shall include but not be limited to the following data:



- a. All items noted in the previous sections - 302.5; 1, 2, and 3.
  - b. Any proposed changes in the existing topography shown by contour lines on a basis of five feet vertical interval in terrain or in the case of relatively level tracts, at such lesser intervals as may be necessary for satisfactory study and planning of the tract.
  - c. All proposed lot lines and a number or letter to identify each lot or site and each block.
  - d. The proposed location, dimensions, description, and purpose of all streets; roads, sidewalks, drainage ways, reservations, easements or other rights-of-ways.
  - e. The proposed location, dimensions, description, and purpose of all lots, blocks, parks, open space, public areas, sites for multi-family residential structures, commercial or manufacture areas, churches or other uses.
  - f. Proposed zoning and boundaries of new zoning districts.
  - g. Front building setback lines on all lots and tracts. Side yard building setback lines at street intersections and crosswalks.
  - h. Data specifying the gross area of the subdivision and/or land development, the proposed number of residential lots, and the area of each residential lot, the approximate area in parks and in other non-residential uses, typical lot size, and minimum lot size.
  - i. Data or preliminary draft of covenants specifying the proposed changes or proposed development of protective covenants regulating the use of the land or the construction of improvements.
6. Exhibit - Proposed Storm Water Drainage Plan-Profile: Shall include but not be limited to the following data;
- a. Location of existing natural channels and proposed changes hereto, direction of flow, rights-of-way, or easements.
  - b. Locations, dimensions, elevations and grades of all existing and proposed structures and/or improvements in the storm water drainage system.

- c. Plan for the off-site disposal of runoff.
7. Exhibit - Proposed Water Distribution System Plan-Profile: Shall be required for review and approval by the appropriate authority.
8. Exhibit - Proposed Sanitary Sewerage Collection and Treatment Plan-Profile: Shall be required for review and approval by the appropriate authority. These plans and profiles will be developed in accordance with the Pennsylvania Sewage Facilities Act, Act 537, as amended and shall consider but not be limited to the following:
- a. In area where municipal sewerage facilities are installed or plans for installation are in progress, the proposed subdivision or land development shall be connected into such municipal sewerage system, and plans and agreements for such connection shall be submitted to the Borough.
- b. In areas where municipal sewerage facilities do not exist, or plans for the same are not in progress, or soon to be programed, and where, in the opinion of the Borough, the scope of the subdivision or land development is sufficiently great, or where the soil classification and conditions require on-lot sewage disposal systems consisting of septic tank, subsurface leaching field, etc., the Borough shall require the subdivider or developer to submit design plans, provisions, and written agreement guaranteeing the construction of a sanitary sewerage system, including complete treatment plant facilities all in accordance with the requirements and subject to the approval of the Borough and the Pennsylvania State Health Department and any other agencies having regulations to be complied with.

Provisions for sewers and sewage treatment facilities or the guarantee thereof shall be prerequisite to preliminary plat, plan, or development approval.

- c. In areas and locations where permission is requested to install on-lot sewage disposal system, (as septic tank and leaching field) the Borough may require the subdivider or developer to submit a written report of percolation tests made upon the site, such tests to be made in accordance with the Borough's sanitary disposal ordinance and the Pennsylvania Sewage Facilities Act, No. 537.

- d. Unsatisfactory soil percolation tests for installation of individual on-lot sewage disposal systems shall be cause for the Borough to disapprove the plan of land subdivision and refuse the issuance of a building permit relative to the property.
  - e. Incomplete or unsatisfactory provisions, agreement, or guarantee providing for the construction of the required sewerage system and sewerage treatment facilities shall be cause for the Borough to disapprove the plan of land subdivision or land development and refuse the issuance of a building permit relative to the property.
9. Exhibit - Proposed Soil Erosion and Sedimentation Control Plan: Shall be submitted as required and in accordance with the Pennsylvania Clean Stream Law and the current rules and regulations of the Soil Erosion and Sedimentation Control Manual of the Beaver County Soil Conservation District.
10. Exhibit - Proposed Street and Roads Plan-Profile: Shall be required for review and approval by the appropriate authority. This submittal shall include but not be limited to:
- a. Typical cross sections of grading for embankments, cartways, curbs, sidewalks, and underground utilities.
  - b. Profiles showing existing ground elevations along the centerline and rights-of-way lines of proposed streets and roads and the proposed finished grade of such streets and roads.
  - c. Plan showing such street extensions or spurs as are reasonably necessary to provide adequate street connections and facilities to adjoining or contiguous developed or undeveloped areas of land.
11. The subdivider, developer, or owner shall provide such additional information as may be required by the Planning Commission, Borough Council, Zoning Officer, Borough Engineer, or other Borough agency or organization in order to more fully evaluate the proposed subdivision and its effect on adjacent property or the Borough as a whole.

## SECTION 303 FINAL PLANS

303.1 Procedure: The following procedure for submitting final plans shall apply to all land developments and all subdivisions over three lots.

- A. Application - When filing an application for approval of final plans, upon approval of the preliminary plan, the subdivider or land developer shall submit to the Planning Commission Secretary at least fifteen (15) days prior to the regular monthly meeting of the Planning Commission, at least fourteen (14) paper copies of all plans and exhibits and two (2) original (approved reproducible on permanent material) copies of the final plat to meet the requirements of "B" of the Section. All Final Plans and exhibits required for approval shall be submitted to the Planning Commission within one (1) year after approval of the Preliminary Plan. Otherwise, such approval shall become null and void unless an extension of time is applied for and granted by the Planning Commission. Upon receipt of the Plan, the Planning Commission shall forward eight (8) copies to the Beaver County Planning Commission for a review and report at County expense; Provided that the Borough shall not approve such application until the expiration of forty-five (45) days from the date the application was forwarded to the County.
- B. Disposition of Plans - The final plans prepared in final form and submitted for approval shall be retained according to the following schedule:
- 1 copy by the Planning Commission
  - 1 copy by the Borough
  - 1 copy by the Borough Engineer
  - 1 copy by the Borough Water Authority
  - 1 copy by the Borough Sewer Authority
  - 1 copy by the Fire Marshall
  - 8 copies by Beaver County Planning Commission
  - 2 original copies of the final plat in accordance with the following:
- Two original (approved reproducible on permanent material) copies of the final plat shall be submitted; one copy shall be retained by the Borough and one copy shall be forwarded by the designated Township agent to the Beaver County Recorder of Deeds for recording purposes, upon deposit by the subdivider of a fee established by the Borough and so indicated in the fee schedule for the Subdivision and Land Development Ordinance.

- C. Planning Commission Review and Action - The Planning Commission shall review the Final Plans and prepare a written report for the Borough Council. The report shall contain recommendations for approval, conditional approval or disapproval with specific reasons for the recommended action.

Prior to finalization of the written report, the Planning Commission may schedule a special meeting mutually convenient to the subdivider or land developer and the Planning Commission for consideration of the Final Plan. If within forty (40) days of receipt of the Final Plan, a mutually convenient date for such meeting cannot be established with the subdivider, consideration of the Final Plan shall be conducted at the next regular meeting of the Planning Commission.

The subdivider or land developer and all Planning Commission members shall be given seven (7) days written notice of such meeting; the notice to contain time, place, date, and agenda schedule.

At the Planning Commission meeting when considering the Final Plans, the subdivider or land developer shall be given an opportunity to discuss any matters in the Final Plan which might assist the Planning Commission in making its recommendation to Borough Council.

Unless withdrawn by the subdivider or Borough Council at the meeting, the Planning Commission shall within fifteen (15) days after the meeting issue its written report to Borough Council.

- D. Action of Borough Council - Borough Council shall render its decision on the Final Plan and communicate its decision to the subdivider or land developer in accordance with the time limitations set forth in Act 247, Pennsylvania Municipalities Planning Code. Approval of Final Plan shall follow the requirements as outlined in Article 5 Section 509 of Act 247 covering what must be completed before Final Plan approval by Borough Council.

1. The decision of Borough Council 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.
2. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon.

3. Failure of Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time of change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
4. Failure on the part of the subdivider to supply all data necessary for review and recommendation as required under Section 303 shall constitute an incomplete application, and as such, time constraints imposed elsewhere in this Section shall not be applicable.
  - a. Any plan submitted in final form that fails to meet the requirements of the Borough's Ordinances and requires additional modifications and revisions shall be considered by the Borough as a preliminary plan or a revised preliminary plan until all requirements of this Ordinance and all other Ordinances of the Borough are complied with.
  - b. Any failure on the part of the applicant, subdivider, or land developer, or his Engineer or Surveyor to submit complete detailed and accurate design plans, description, and supporting exhibits, as required by this Ordinance, shall be cause for rejection of and application and the plans submitted therewith.
5. From the time an application for approval of a Final Plan is duly filed as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision, or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a Final Plan has been approved or approved subject to conditions acceptable to the applicant, no subsequent change of amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of

5. (continued)

the approved development in accordance with the terms of such approval within three (3) years from such approval. When final approval is preceded by preliminary approval, the three (3) 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 application for such approval was duly filled.

6. Before acting on any subdivision plan, the governing body or the planning agency, as the case may be, may hold a public hearing thereon after public notice.

E. Title Certificate - No Final Plan shall be approved by Borough Council unless a certificate of title or other proof of proprietary interest in the land on the part of the subdivider or land developer satisfactory to Borough Council is furnished.

F. Application Fee - At the time of filing the application of Final Plans, the subdivider or land developer shall pay to the Borough for use by the Borough, a fee to defray the cost of processing such plans and drafting same on the official map of the Borough. The fee shall be that required in accordance with the established fee schedule for the Subdivision and Land Development Ordinance.

303.2 Final Plan Requirements: The final plan shall include but not be limited to the following data and exhibits:

A. All Plans and Exhibits shall be submitted according to the following:

1. Shall be drawn and submitted on new linen tracing cloth or other Borough approved permanent reproducible tracing cloth.
2. Shall be on sheets not larger than twenty-four (24) inches by thirty-six (36) inches overall, or not less than 8½ inches by 14 inches. It is recommended that as far as practicable that final sheets be held to the following overall sizes: 8½ inches by 14 inches; 17 inches high by 22 inches wide or 24 inches high by 36 inches wide. There shall be a border of one-half (½) inch on all sides except the binding end which shall be one and one-half (1½) inches. Where necessary to avoid sheets larger than the maximum size prescribed above, final plans shall be drawn in two or more sections accompanied by a key diagram showing relative location of the sections.

3. Shall be drawn with waterproof ink and all records, data entries, statements, etc., thereon shall also be made with the same type of ink or reproducible typing.
4. Shall be drawn to a scale of one hundred (100) feet to the inch or larger; more than one sheet may be used for larger tracts and must be indexed.
5. Shall contain a title block in the lower right hand corner with the following information:
  - a. Name under which the subdivision is to be recorded.
  - b. North point, scale of plan, and date plan was prepared.
  - c. Name of the recorded owner and subdivider or land developer.
  - d. Municipality, County, and State in which the subdivision is located.
  - e. Name, address and seal of the Registered Professional Engineer or Registered Surveyor preparing the plan.
6. Outside of the subdivision all final plans submitted shall be drawn according to the following:
  - a. Streets and other ways of medium solid lines.
  - b. Property lines of adjacent subdivision by medium dashed and two dotted lines.
  - c. Lot line by light dotted lines.
  - d. Restriction lines, easements, etc., by light dashed lines.
7. Within the subdivision all final plans submitted shall be drawn according to the following:
  - a. Streets or ways of heavy solid lines.
  - b. Perimeter property lines of subdivision by heavy dashed and two dotted lines.
  - c. Lot lines of medium solid lines
  - d. Restriction of building lines by medium dashed lines.
  - e. Easements or other reserved areas by light dotted lines.



- B. Final Plan and exhibits prepared in final form submitted for approval shall include and show the following information and be accompanied by the following data, certificates, documents, and exhibits:
1. Location and identification upon the plan of primary control points, or permanent monuments, the number and location of which shall be subject to the direction and approval of the Borough Engineer; and the description and ties to such control points or monuments to which all dimensions, angles, bearings, elevations, and similar data shall be referred.
  2. Accurate description shown by magnetic bearings (bearings to be shown in a clockwise direction) and dimensions in feet and to the nearest one-hundredth foot (on the horizontal plane) shall be shown on all: tract boundary lines, streets, street widths, easements, right-of-way lines, lot lines, property lines, site development lines, etc. (Error of closure in description to be not greater than 1.00 foot in 10,000 feet).
  3. Location and description of survey monuments.
  4. All curve data shall be shown in terms of tangent bearings and length, radius, central angles, arc lengths, and tangent distance between curves, etc.
  5. All interior excepted parcels shall be clearly indicated and labeled, "not a part of this plat."
  6. The location, description, dimensions, and purpose and name of all rights-of-ways, easements, and areas dedicated to the public or to public use in, across, through, or adjacent to the subdivision must be clearly indicated or stated on the plan.
  7. The purpose of all areas dedicated to the public must be clearly indicated or stated on the plan.
  8. No strip or parcel of land shall be reserved by the subdivider unless the same is of sufficient size and shape to be of some practical use or service.
  9. All blocks must be numbered or lettered in consecutive order. All streets must be named, numbered, or lettered in a manner acceptable to the Borough.
  10. Purpose for which areas and sites other than for residential purposes are to be reserved or dedicated.

11. Building lines or setback lines on all lots and parcels of land.
12. Acreage of each lot or parcel.
13. The names of the recorded owners of all adjoining properties shall be identified, and where such adjoining properties are a part of a recorded subdivision the name of that subdivision and the book and page number where it is recorded shall be shown. If the subdivision platted is a resubdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made; the fact of its being a re-subdivision shall be stated as a sub-title following the name of the subdivision wherever it appears on the plan.
14. Certification of Title stating that the Applicant is the owner of the tract of land to be subdivided and/or developed.
15. Sworn statement by the Owner dedicating to the Public the streets, right-of-way easements, and any area and site reserved or dedicated for public use and purpose, including all street, drainage, water, sewerage, and other similar facilities and improvements constructed and installed in the land subdivision and development project.
16. Such other certificates, bonds, affidavits, endorsements, or dedications as may be required in the enforcement of these regulations, including certification blocks for the appropriate governing and planning bodies.
17. Certification of the Registered Professional Engineer or Registered Surveyor certifying to the accuracy of the survey and plan of subdivision and land development.
18. Protective covenants, if any, in form for recording.
19. Exhibit - As built and Approved Storm Water Drainage Plan-Profile.
20. Exhibit - Approved Grading Plan.
21. Exhibit - Approved Plan for all underground utilities and service lines.
22. Exhibit - As built and Approved Water Distribution System Plan-Profile.

23. Exhibit - As built and Approved Sanitary Sewerage Collection and Treatment Plan-Profile.
24. Exhibit - Approved Soil Erosion and Sedimentation Control Plan.
25. Exhibit - As built and Approved Streets and Roads Plan-Profile.
26. Submit to the Borough a written agreement guaranteeing that all construction, improvements, and facilities as required by the terms of this Ordinance and by the Borough, shall be constructed, installed, improved, and completed by the Applicant within a period of time as may be stipulated by the Borough in accordance with the terms of this Ordinance.
27. Submit and deposit with the Borough a Corporate Surety Bond, or other security acceptable to the Borough in an amount sufficient to cover the costs of any construction, installation, and improvements which may be required by the Borough.
  - a. The submittal by the subdivider and/or the developer of the written agreement and the Corporate Bond guaranteeing the completion of the improvements are a prerequisite to the Borough's granting or final approval of any plan of subdivision or land development.

#### SECTION 304 RESUBDIVIDING OR REPLATTING

The procedures and regulations heretofore described shall be followed when resubdividing or replatting. These procedures and regulations may be modified on application to the Planning Commission when in the combination or recombination of lots or portions or previously plotted lots, the resultant lots are increased in total area, size, and lot width so that they reach or exceed the standards of this Ordinance and that the resultant street pattern is in conformity to the Borough Comprehensive Plan.

#### SECTION 305 SUBDIVISION OF THREE LOTS OR LESS

305.1 Procedure: The Planning Commission may waive the requirements of Sections 302.2 and 303.2 for subdivisions of three lots or less requiring no additional streets or street openings upon application of the subdivider for waiver of said requirements. In the case where a waiver is granted, an application for final plan approval shall be filed with the Planning Commission Secretary along with the plans and data required in Section 305.2 and shall be processed according to the procedure established under Section 303.1.

305.2 Plans and Data: Plans approved for wavier under Section 305.1 of this Ordinance shall include but not be limited to the following information:

- A. The proposed plan shall be drawn at a scale of one hundred (100) feet to the inch or larger;
- B. The proposed plan shall be on sheets not larger than twenty-four (24) inches by thirty-six (36) inches overall, or not less than 8½ inches by 14 inches.
- C. The proposed plan shall be drawn with waterproof ink and all records, data, exhibits, statements, etc., thereon shall also be made with the same type of ink or reproducible typing.
- D. The plan shall show or be accompanied by the following:
  1. A certificate of title or other proof of proprietary interest in the land. If none is provided, the Planning Commission and/or Borough Council need not consider the request for a review until such submission is made.
  2. Description of covenants existing or proposed.
  3. Title Block to include:
    - a. Location by municipality, County, and State.
    - b. Names and addresses of the owner or owners.
    - c. Name, address and seal of the Registered Professional Engineer or Registered Surveyor preparing the plan.
    - d. North Point, scale of plan and date plan was prepared.
  4. Existing use of land, location, and dimension of all existing structures.
  5. Proposed use of land, location, and dimension of all proposed structures.
  6. Lot lines, dimensions, and land area of proposed lot, as well as the area remaining in the original parcel.
  7. All lots shall be numbered or lettered.
  8. Existing streets, roads, easements, or rights-of-way within or immediately adjacent to the tract.
  9. Proposed alteration of or new streets, roads, easements, or rights-of-way.

10. Available utilities and proposed use of utilities.
11. Any existing water courses.
12. Names of abutting property owners.
13. Any other additional data shall be submitted upon request of the Planning Commission or Borough Council.
14. Certificates, affidavits, endorsements, or dedications as may be required in the enforcement of this Ordinance.

## ARTICLE IV

### CONDITIONS OF ACCEPTANCE

#### SECTION 400 COMPLETION OF IMPROVEMENTS

No plan of subdivision or land development shall be finally approved unless the streets and improvements shown on such plan of subdivision or land development including any, and all walkways, sidewalks, curbs, gutters, street lights, fire hydrants, shade trees, water mains, storm drains, and inlets, sanitary sewers, and sewage treatment plant and facilities, street paving, and any and all other construction and improvements as may be required by the Borough Council have been fully and satisfactorily completed in accordance with the standards, specifications, and requirements of the Borough Council.

#### SECTION 401 IMPROVEMENT OR PERFORMANCE BOND IN LIEU OF COMPLETION

401.1 In lieu of the completion of any improvements required as a condition for the final approval of a plan of land subdivision or land development, the subdivider or land developer may deposit with the Borough Council a corporate bond, cash bond, or other financial security acceptable to the Borough Council sufficient in amount and coverage as shall be determined by the Borough Engineer to cover the cost of any and all improvements which may be required by the Borough Council. Such bond, or other financial security, shall provide for and secure to the public the completion of any improvements which may be required within the period of time specified by the Borough Council for the completion of such improvements.

401.2 In the case where land development is projected over a period of years, the Borough Council may authorize submission of final plans by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as Borough Council finds essential for the protection of any finally approved section of the development.

401.3 Before finally approving any plan of subdivision or land development, the Borough Council shall require from the subdivider or developer a written agreement outlining, defining, and agreeing therein that the improvements required by the Borough Council shall be constructed, installed, and completed in accordance to the regulations, specifications, and requirements of the Borough and in the time period so specified by the Borough Council.

## SECTION 402 ALTERATIONS OR CHANGES

402.1 The Borough Council may alter any subdivision plat or plan of land development and specify alterations, changes, or modifications therein which it deems proper and necessary and may make its approval subject to such alterations, changes, or modifications.

402.2 Before acting to approve or disapprove any subdivision or land development plan, the Borough Council may arrange for a public hearing thereon, after giving such notice as may be deemed advisable.

402.3 No road or street or related improvements shall be accepted as a part of the public road and street system of the Borough for maintenance purposes unless said roads and streets and related improvements are laid out, opened, constructed, and improved in strict accordance with the standards, specifications, regulations, requirements, and Ordinances of the Borough.

402.4 No storm water drainage facilities, sanitary sewers, and sewage treatment facilities, water supply, and water distribution system, and facilities or any other facilities or improvements will be accepted as a part of the Borough's facilities for operation and maintenance unless designed and constructed in strict compliance with all of the standards, specifications, rules, regulations, Ordinances, and requirements of the Borough.

## SECTION 403 MAINTENANCE BOND

403.1 Before the Borough Engineer shall issue to the Borough Council a written certification that all improvements specified and required have been satisfactorily completed in accordance with the agreement and requirements relative to the land development and in compliance with the specifications, standards, Ordinances, and requirements of the Borough Council, the subdivider, or developer shall be required to deposit with the Borough Council a Corporate Maintenance Bond, in such amount, under such conditions, in such form, and with approved surety as shall be required by the Borough Council. Said Maintenance Bond to guarantee the repairs and maintenance by the subdivider or developer of the streets, roads, pavement, sidewalks, curbs, gutters, storm drains and facilities, sanitary sewers and facilities, sewage treatment plant and facilities, and any other improvements constructed and installed in the subdivision or development, for a period of two (2) years from the date of final and official acceptance of the above said improvements and facilities by the Borough Council.

403.2 The repairs and maintenance required to be performed by the subdivider or developer shall extend only to making good any inherent defects which become manifested in the materials and workmanship under ordinary conditions and shall not be held to cover any breakage or damage caused by improper use or by accident resulting from circumstances over which the subdivider or developer has not control.

403.3 The amount of the maintenance bond shall be determined by the Borough Engineer and subject to the approval of the Borough Council.

403.4 The Borough Council shall not accept any street, road, or any other facilities and improvements for operation and maintenance purposes until all requirements of the plans, specifications, agreements, bonds, and Ordinances of the Borough have been fully complied with.

#### SECTION 404 RELEASE FROM IMPROVEMENT BOND

404.1 When developer has completed all of the required improvements, the developer shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the required improvements and shall send a copy thereof to the Borough Engineer.

404.2 The Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council; 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 Borough Engineer, said report shall contain a statement of reasons for such non-approval or rejection.

404.3 The Borough Council shall notify the developer, in writing by certified or registered mail of the action of said Borough Council with relation thereto.

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



404.5 If any portion of the required improvements shall not be approved or shall be rejected by the Borough Council, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

404.6 Nothing herein, however, shall be construed in limitation of the subdivider's or developer's right to contest or question by legal proceedings or otherwise any determination of the Borough Council or the Borough Engineer.

404.7 Where herein reference is made to the Municipal Engineer or Borough Engineer, he shall be a duly registered professional engineer employed by the Borough or engaged as a consultant thereto.

#### SECTION 405 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

405.1 In the event that any improvements which may be required have not been constructed and installed as provided for in the written agreement, this Ordinance and the requirements of the Borough Council or in accord with the approved final plan, the Borough Council shall enforce any corporate bond, or other financial security by appropriate legal and equitable remedies.

405.2 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 said security, the Borough Council, may at 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.

405.3 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 municipal purpose.

#### SECTION 406 RECORDING PLAT

406.1 Upon the approval of a final plat, the subdivider or developer shall within ninety (90) days of such final approval deliver the two (2) originals, as required, to the Borough offices for signature by the Borough Council who shall record such plat in the Office of the Recorder of Deeds of Beaver County. At the time of delivery of the original plat for Borough signature, the subdivider or developer shall pay to the Borough a fee equal to the prevailing fee of the Beaver County Recorder of Deeds for recording said plan and plat, plus a fee for Borough services as set forth in the fee schedule of this Ordinance. The Borough shall appraise the subdivider, developer of the official filing date as well as appropriate recording reference data within one (1) week of the recording.

406.2 The duplicate reproducible tracing of the officially recorded plat shall become part of the Borough records.

406.3 Upon enactment of this Ordinance, the Beaver County Recorder of Deeds shall not accept any plat of subdivision or land development unless such plat officially noted the approval of the Borough Council of the Borough of Big Beaver.

#### SECTION 407 EFFECT OF PLAT APPROVAL ON OFFICIAL MAP

407.1 After a plat has been approved and recorded as provided in this Ordinance, all streets and public grounds on such plat and accepted for public dedication shall be so considered to be a part of the Official Map of the Borough of Big Beaver without public hearing.

407.2 Every street, park, or other improvement shown on a subdivision plat shall be deemed to be a private street, park, or improvement until such time as the same shall have been offered for dedication to the public and accepted by Ordinance or resolution by the appropriate public body, or until it shall have been condemned for use as a public street, park, or other improvement.

407.3 Streets, parks, and other public improvements shown on a subdivision plat to be recorded may be offered for dedication to the Borough by formal notation thereof on the Plan, or the owner may note on such plat any improvements which have not been offered for dedication to the Borough upon approval of Borough Council.

## ARTICLE V

### ADMINISTRATION OF THIS ORDINANCE

#### SECTION 500 WAIVERS, MODIFICATIONS, AND VARIANCE REQUIREMENTS

500.1 Where the Planning Commission finds that extraordinary hardship may result from strict enforcement of compliance with these rules and regulations, it may recommend to Borough Council that waivers, modifications, or variances be granted so that substantial justice be done and the public interest secured; provided that such waivers, modifications, or variances will not have the effect of nullifying the interest and purpose of the Big Beaver Borough Comprehensive Plan, this Ordinance, or other Ordinances of the Borough of Big Beaver.

500.2 The Planning Commission's recommendations relative to the granting of waivers, modifications, and variances shall be considered conditional and shall be subject to approval or disapproval by Borough Council of any such recommendations.

500.3 Where the Borough Council finds that extraordinary hardship may result from strict enforcement of compliance with these rules and regulations, it may grant waivers, modifications, or variances to these rules and regulations provided it shall require such conditions, as will in its judgment, secure substantially the interests and objectives of the standards or requirements so varied or modified, and as will fulfill the purpose and intent of these regulations. The reasons for granting the variance, waiver, or modifications shall be recorded in the Borough's official record.

#### SECTION 501 FEES

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

The schedule of fees and charges established or to be established shall vary and be regulated in accordance to the scope and complexity of the plan of subdivision and land development project, such as (a) number of parcels or lots in plan, (b) site development plans, (c) utility development plans, (d) applicants' plan of construction and development of the land, structures, and facilities thereon, and appurtenant thereto, (e) number of times that a plan is submitted or resubmitted for review, and request is made for approval of the same.

501.2 Where a plan of subdivision or land development for any reason has been rejected by Borough Planning Commission and Borough Council, the applicant when resubmitting plans and application for review and approval of the same shall be required to pay a fee as set forth in the Borough's schedule of fees and charges for such submissions.

501.3 All fees shall be made payable to the treasurer of the Borough of Big Beaver. All fees submitted are nonrefundable, and the approval or rejection for any reason of any plan of subdivision or land development will not be reason or cause for the return of any fee submitted.

501.4 Appendix C to this Ordinance contains the current schedule of fees and charges.

## SECTION 502 CERTIFICATES, AFFIDAVITS, AND APPROVAL

Certificates, Owner's Adoption, and Affidavits, as required by the Borough Council, shall be inscribed on the plat and shall be properly signed and attested when the plat is submitted for review. Appendix B to this Ordinance contains the current certificates, affidavits, and approvals.

## SECTION 503 APPEALS

The decisions of the Borough Council or the Planning Commission with respect to the approval or disapproval of plans of subdivision or of land development may be appealed directly to the courts in the same manner within the same time limitations as is provided for the same in Act. No. 247, as amended, known as the "Pennsylvania Municipalities Planning Code" passed by the General Assembly of the Commonwealth of Pennsylvania, having become effective on January 1, 1969, and as amended.

## SECTION 504 VIOLATION AND PENALTIES

504.1 Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract, or parcel of land shall lay out, construct, open, or dedicate any street, sanitary sewer, storm sewer, water main, or other improvements for public use, travel, or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells transfers, or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of the aforementioned Pennsylvania Act No. 247, as amended, known as the "Pennsylvania Municipalities Planning Code" and of this Ordinance of the Borough of Big Beaver and the rules and regulations

504.1 (continued)

adopted hereunder and has been recorded as provided herein, shall be guilty of misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling, building or structure within each lot or parcel.

504.2 All fines collected for such violations shall be paid over to the Borough of Big Beaver.

504.3 The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

ARTICLE VI  
DESIGN STANDARDS AND REQUIREMENTS

SECTION 600 APPLICATION OF STANDARDS

The following standards, principles, and requirements for the subdivision and development of land shall be considered as minimum standards and requirements by the Planning Commission and the Borough Council in their review, evaluation, and decisions on plans of subdivision and land development.

SECTION 601 LAND REQUIREMENTS

601.1 Land shall be suited for the purpose for which it is to be subdivided and developed.

601.2 Land subject to hazards of life, health, and safety, such as deep mined or strip mined, quarried land, channels, swamps, land subject to flooding, mud slides, and subsidence shall not be approved for subdivision or development until all such hazards have been satisfactorily eliminated or unless a written agreement and guarantee is given by the subdivider or developer that provision for correcting and removing such hazards are provided for in the subdivision or land development plans, or such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.

SECTION 602 STREET REQUIREMENTS

602.1 Proposed streets shall be located, laid out, and properly coordinated to the existing system of streets and highways in the Borough regardless of whether such streets and highways be Borough, County, or State Highways and streets.

602.2 Proposed streets shall be properly related to the Borough of Big Beaver Comprehensive Plan.

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

602.4 Local streets shall be laid out so as to discourage high volume of through traffic through residential areas, but provisions for street connections into and from adjacent subdivisions and areas of development will be generally required.

602.5 Where a subdivision or land development abuts or contains an existing or proposed arterial street, the Planning Commission and the Borough Council may require marginal access streets, reverse frontage lots, or such other layout and treatment which will provide protection for abutting properties, reduction in the number of intersections with arterial streets, and separation of local and through traffic.

602.6 New half or partial streets will not be permitted, except where essential to reasonable subdivision and development of a tract in conformance with the other requirements and standards of these regulations, and where, in addition, satisfactory assurance for the dedication for public use of the remaining part of the street has been secured.

602.7 Wherever a tract to be subdivided or developed, borders on an existing half or partial street, the existing and the proposed shall both be included, shown, and clearly designated on the plan or plat submitted to the Borough.

602.8 Dead end streets when provided with a turn-around or cul-de-sac may be permitted when it is clearly determined that through traffic at such a street end is not essential to the street system in that district, or to the development of adjacent properties in the area, or that the topography of the land prohibits the future extension of the street. Such dead end streets shall not be more than twelve hundred (1,200) feet in length.

- A. A turn-around or cul-de-sac having a minimum cartway diameter of eighty (80) feet and having a minimum right-of-way diameter of one hundred (100) feet shall be required at the end of all such streets.
- B. Unless the future extension of such street is clearly impractical or undesirable, the turn-around or cul-de-sac right-of-way shall be located adjacent to and abut a property or tract line in such a manner that a right-of-way of the same width as the street leading into the cul-de-sac shall be provided and extended to the property line thereby permitting the future extension of the street into an adjoining tract of land.

602.9 Reserve strips of land, restricting, blocking, or controlling access to adjacent streets or tracts of land shall be prohibited.

602.10 Widths: Minimum street right-of-way widths and cartway (roadway) widths shall be as follows:

Type of Street	Type of Development	Cartway	Right-of-way
Local	Single-Family Lots	24 feet	50 feet <sup>1</sup>
Collector	Single-Family, Residential, and Commercial	24 feet plus two 8-foot parking lanes	50 feet <sup>1</sup>
Arterial	All Types	As prescribed by the Pennsylvania Department of Transportation	

<sup>1</sup> An additional 10 feet of right-of-way may be required by the Borough for underground utilities.

A. Right-of-way and cartway widths wider than the above standards may be required by the Borough for the following purposes:

1. To promote public safety and convenience.
2. To provide adequate width for the installation of the various utilities, facilities, and improvements.
3. To provide for the movement and flow of traffic in commercial districts and in areas of high density residential development.

602.11 Design Speeds: For the purpose of these regulations and to establish the minimum design criteria for various classes of Borough streets, the minimum design speeds are as follows:

Arterial Streets	55 mph
Collector Streets	40 mph
Local Streets	35 mph

Higher design speeds shall be established where conditions warrant same.

602.12 Alignment Criteria at Center Line of Street.

	Local Rd.	Collector Rd.	Arterial Rd.
Design Speed (Miles per hour)	35 mph	40 mph	55 mph
Maximum Curve (Degree - Rounded)	16.0	12.5	6.0
Minimum Radius (Feet - Rounded)	350	460	930
Maximum Grade (Percent)	12.0	9.0	5.0
Minimum Grade (Percent)	1.0	1.0	1.0
Maximum Super Elevation (Ft/Ft/)	0.08	0.08	0.08
Super Elevation Runoff (Ft.)	155	170	200

- A. Whenever street lines are deflected in excess of two (2) degrees, connection shall be made with the installation of horizontal curves.
- B. Super elevation may be reduced or eliminated by the Borough on local streets in residential areas.
- C. Reverse curves shall have a minimum connecting tangent distance of:

Arterial Streets	Three hundred (300) feet
Collector Streets	One hundred fifty (150) feet
Local Streets	One hundred (100) feet



- D. Vertical curves of proper and adequate length shall be installed on all street grade changes exceeding one (1) percent. Length of vertical curve shall be designed so as to provide for safe stopping and passing sight distance, and shall be designed as follows:

1. "K" values for minimum vertical curve lengths are:

	Local Rd.	Collector Rd.	Arterial Rd.
<u>"K" for STOPPING SIGHT DISTANCE:</u>			
Crest Curves	45	55	110
Sag Curves	45	55	90
<u>"K" for PASSING SIGHT DISTANCE:</u>			
Crest Curves	520	686	1,135

2. Multiply "K" value by algebraic difference in grades to obtain minimum length of vertical curve in feet.

#### 602.13 Street Intersections:

- A. The location of street intersections shall be carefully selected to avoid sharp horizontal curvature and steep profile grades and to insure adequate sight distances particularly for motorists who are stopped on the cross route. The alignment of intersecting roadways shall be as straight and gradients shall be as low as practical.
- B. Where the grade of any street at the approach to a street intersection or to a turn-around (cul-de-sac) exceeds five (5) percent, a leveling area shall be provided with a transitional grade not to exceed two (2) percent for a distance of fifty (50) feet from the nearest right-of-way line of the intersection.
- C. Intersections of more than two (2) streets shall be avoided.
- D. Minimum street intersection angles shall be sixty (60) degrees. Intersections shall intersect at ninety (90) degrees if possible.
- E. The minimum corner radii of intersections shall be as follows:

Arterial Street	Fifty (50) feet
Collector Street	Thirty-five (35) feet
Local Street	Thirty-five (35) feet

- F. Minimum corner sight distances (in feet) shall be provided at intersections with the following streets as follows:

	Design	Speed	(mph)
	35	40	55
<u>TWO (2) LANE STREETS</u>			
Arterial	620	700	920
Collector	350	400	550
Local	350	400	550
<u>FOUR (4) LANE STREETS</u>			
Arterial	690	790	1,050
Collector	420	475	635
Local	420	475	635

Any and all hills, slopes, banks, vegetation, etc., adjacent to an intersection shall be cut/removed/graded, in conjunction with the right-of-way grading, to provide for the minimum corner sight distances herein specified.

602.14 Street Offsets: Street offsets (distance between streets) of less than one hundred twenty-five (125) feet are not permitted.

602.15 Alleys:

- A. Alleys shall not be permitted in residential areas except by special exception and approval by Borough Council.
- B. Alleys shall not be permitted in commercial and industrial areas except by special exception and approval by Borough Council.
- C. Where approved, alleys shall be paved as per Local Street specifications.
- D. Where approved, alleys shall have a maximum grade of 12 percent.

602.16 Private streets shall not be approved nor shall improvements }  
be approved for private streets.

602.17 Driveways:

- A. Driveways shall be located to provide the best visibility possible within the limits of the property that each driveway serves. Driveways shall conform to the following tabulation:

	<u>Residential</u>	<u>Commercial</u>
Minimum Intersection Angle	90 degrees	60 degrees
Width - minimum	10 feet	24 feet
- maximum	20 feet	100 feet
Corner Radium - minimum	10 feet	35 feet
- maximum	15 feet	50 feet

- B. A minimum distance of 20 feet shall be maintained between the driveway curb and any adjacent intersection curbline.
- C. Minimum corner sight distances shall be required, in accordance with 602.13, f., where feasible for Residential driveways.
- D. Minimum corner sight distances shall be required, in accordance with 602.13, f., for Commercial driveways.
- E. Driveways shall be constructed not to interfere with roadway drainage. Cross drains shall be constructed beneath the driveway where required to provide adequate drainage. (See Section 703.4 of this Ordinance)
- F. For Driveway Surface Drainage Requirements see Section 703.6 of this Ordinance.
- G. The grade line of the driveway shall be sloped to meet the edge of the roadway shoulder so that the difference in slopes between the driveway and cross slope of the shoulder does not exceed eight (8) percent.

## SECTION 603      LOTS

603.1      Residential lots shall be subdivided in accordance with the lot and area requirements of the Borough of Big Beaver Zoning Ordinance.

603.2      Subdivision or land development other than for residential purposes shall be subject to review by the Planning Commission and Borough Council insofar as size, depth, width of lots, and parking are concerned.

603.3      The lot width of lots fronting a cul-de-sac or other irregular shaped lots shall be determined as the width at the building line.

603.4      On irregularly shaped lots where a building or structure does not parallel the lot line, the yard requirement or minimum distance to the lot line at every point along the wall of the structure shall be at least equal to the minimum dimension required for the yard or distance to the lot line under the terms of the Borough of Big Beaver Zoning Ordinance.

603.5 Corner lots shall be widened in accordance with the terms of this Ordinance and the Borough Zoning Ordinance to permit appropriate building setback for orientation to both streets. (See Section 604 Building Lines of this Ordinance)

603.6 For purposes of measuring lot area on exceptionally deep lots, only the part of the depth which is less than four (4) times the average width of the lot may be utilized in calculations.

603.7 All lot lines shall be set perpendicular or radial to the centerline of the street whenever possible. All nonradial lines shall be denoted as such on plat.

603.8 Lots abutting local streets shall front upon the streets which parallel the long dimension of the block, if possible.

603.9 All lots shall abut by their full frontage on a publicly dedicated street or on a street that has received the legal status of such. Lots abutting on a private street or easement shall not be approved except that lots developed on private streets in existence prior to the enactment of this Ordinance may be approved. Private streets normally shall not be extended to permit additional lot development.

603.10 Lots or parcels of land resulting from previous subdivision of a larger tract may be re-subdivided if the re-subdivided lots, tracts, or parcels of land meet all of the standards, provisions, and requirements of this Ordinance and the Borough Zoning Ordinance such as but not limited to adequate access, area, width, and depth of lots, building or setback lines.

603.11 Where a portion but not all of a tract of land is being subdivided and/or developed, the portion of land, currently being subdivided, shall be properly laid out and/or developed so as to provide for the future extension of the subdivision, street rights-of-way, and access to the land not being subdivided and/or developed, as well as access to other tracts of land adjacent thereto; and so as to provide for the future extension of utilities, municipal sewerage and water facilities, and services to serve such undivided and undeveloped adjacent areas of land.

#### SECTION 604 BUILDING LINES

604.1 The building lines (front yards) shall be in accordance with the terms of the Borough of Big Beaver Zoning Ordinance.

604.2 For corner lots the building line (front yard) of both streets shall be observed.

604.3 The building line (front yard requirements) established within the Borough of Big Beaver Zoning Ordinance may be adjusted in the following cases:

- A. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings or structures that have observed (with a variation of five (5) feet or less) a front yard greater in depth than required under the Borough Zoning Ordinance, new buildings or structures shall not be erected closer to the street than the front yards so established by the nearest adjacent building and/or structure.
- B. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings or structures that have observed (with a variation of 5 feet or less) a front yard less in depth than required under the Borough Zoning Ordinance, new buildings or structures may be erected only as close to the street as the nearest adjacent building and/or structure.
- C. Where the topography of the land requires installation of individual sanitary disposal facilities be located in the front yard area, the front building line shall be increased and subject to the approval of the Borough Council.

## SECTION 605 BLOCKS

605.1 Block lengths shall not exceed one thousand (1,000) feet, nor be less than three hundred (300) feet, unless existing conditions or the topography of the land makes it impossible to comply with the above requirements, and where such variance is approved by Borough Council.

605.2 Residential blocks shall be of sufficient depth to accomodate two (2) tiers of lots, except where reverse frontage lots bordering a major arterial traffic street are laid out and used.

605.3 Exceptionally long blocks shall be provided with cross walks with a minimum right-of-way width or reservation of twelve (12) feet, and a four (4) foot wide paved walkway.

## SECTION 606 EASEMENT OR RIGHT-OF-WAY

606.1 Utility easements and rights-of-way shall be a minimum width of twenty (20) feet and to the fullest extent possible shall be centered on or adjacent to rear or side lot lines.

606.2 When Borough Council determines that conditions are suitable for future essential services, an easement reservation will be required.

606.3 Where a subdivision is traversed by a water course, there shall be provided a drainage easement or right-of-way, conforming substantially with the line of such water course and of such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance purposes. Minimum twenty (20) foot width shall be provided. See Section 613.3 (C.) within this Ordinance for further requirements.

606.4 Other drainage easement shall be a minimum twenty (20) feet wide and shall be provided where necessary.

606.5 Anchor easements shall be approximately four (4) by thirty (30) feet and placed on a lot line.

606.6 Gas, electric, and telephone utilities and cable television shall be located in subdivisions in accordance with utility company practice and Appendix A, and be approved by Borough Council.

606.7 The use or purpose of the proposed easement or right-of-way shall be so designated on the plan of said subdivision.

#### SECTION 607 SIDEWALKS

607.1 Sidewalks and crosswalks, where required by the Borough Council shall be installed by the Subdivider or Developer along public streets or where deemed necessary for public safety, as determined by the Borough Council.

607.2 Sidewalks shall be provided on both sides where streets of a proposed subdivision are extensions of existing streets having sidewalks on both sides.

607.3 Sidewalks shall be provided on the same side of streets having existing or proposed sidewalks on one side which are extensions of existing or platted streets.

607.4 The minimum width for sidewalks shall be four (4) feet exclusive of the width of the curb, but Borough Council may require a greater width in the vicinity of the shopping centers, schools, and recreational facilities, or where similar intensive urban uses exist.

607.5 Sidewalks, where provided, shall be within the right-of-way and abut on property lines, unless otherwise authorized by Borough Council. Sidewalks should line up with existing or proposed walks in adjoining subdivisions.

#### SECTION 608 STREET NAMES AND SIGNS

608.1 No street, other than an extension of an existing street, shall be given the name of an existing street in the Borough, or an existing street in the U. S. Postal Service Areas of which Big Beaver Borough is a part.

608.2 The subdivider or developer may submit a name of his choice for a proposed street.

608.3 The final choice or approval of a name whereby to identify a street shall be that of the Borough Council.

608.4 Street name signs shall be installed at each street intersection or where deemed necessary as determined by Borough Council. See Section 711 of this Ordinance and Appendix A for further requirements.

#### SECTION 609 STREET TREES

Should the Subdivider or Land Developer plan to provide trees, their proposed location, spacing, and species must be submitted for approval by the Planning Commission and Borough Council. On narrow rights-of-way or where the planting strip between sidewalk and the curb is less than five (5) feet wide, trees will not be permitted, but are to be placed inside the property lines.

#### SECTION 610 ACCESS

In subdividing land it shall be done in a manner that will not have the effect of debarring adjacent property owners from across to the streets and ways of the allotment.

#### SECTION 611 PUBLIC PARKING AREAS

In subdividing or in the development of land the design, layout, and arrangement of public off-street parking areas open and available to the public and/or required in the Big Beaver Zoning Ordinance shall be subject to the approval of Borough Council upon advice of the Borough Engineer and recommendations of the Planning Commission. Design requirements shall include but not be limited to number traffic signing and arrangement of spaces, cruise lane and fire land requirements, storm water drainage, and significant landscaping.

#### SECTION 612 AREAS RESERVED FOR PUBLIC USE

612.1 Parcels of land reserved or dedicated for public use, such as parks, playgrounds, recreational purposes, municipal facilities, and uses shall be so located and be of such size, dimensions, and topography to make it suitable and adaptable to the uses intended and shall be subject to the approval of Borough Council upon advice of the Borough Engineer and recommendation of the Planning Commission.

612.2 Public access to the dedicated land shall be provided either by adjoining street frontage or public easement to the dedicated parcel. The easement shall be sufficiently wide so that maintenance equipment will have reasonably convenient access to the land. Minimum easement shall be 20 feet wide.

612.3 The developer of a subdivision of five (5) acres or more shall be required to dedicate a minimum area based on the size of the Plan for use by the Borough as a public recreation area, or in lieu of said dedication shall make a cash payment to the Borough for acquisition and development of public recreation areas. Said dedication shall be a minimum of 2,904 square feet per gross area of land within the development. In lieu of said dedication, the developer shall make a cash payment of twenty-five cents (25¢) per square foot of land required by this Section. Borough Council, upon advice of the Planning Commission, shall stipulate where land shall be dedicated or an "in lieu of cash payment" shall be made in compliance with the requirements of this Section.

612.4 All fees paid to the Borough under this provision shall be deposited in a special escrow fund to be used for acquisition and development of park and recreational facilities. Monies spent may be expended on neighborhood or community facilities in reasonable proximity to the subdivision.

#### SECTION 613 FLOOD-PRONE AND MUDSLIDE-PRONE AREAS

##### 613.1 Purpose:

- A. Certain areas of Big Beaver Borough are subject to periodic flooding and/or mudslides from streams and other waters causing damage to properties and improvements within the reach of such waters.
- B. Big Beaver desires the insurance coverage for its citizens, residents, and properties within the Borough offered by the National Flood Insurance Act of 1968, as amended, to protect against loss resulting from flooding and/or mudslides.
- C. Borough Council of Big Beaver Borough has determined to participate in the National Flood Insurance Program.
- D. Regulations promulgated by the Federal Insurance Administrator under the National Flood Insurance Act of 1968, as amended, require Borough Council to enact adequate regulations of land use for those areas subject to the hazards of flooding or mudslides consistent with the criteria set forth in Section 1910 of the National Flood Insurance Program Regulations, as amended.

##### 613.2 Adoption of Borough Flood-Plain/Flood-Prone Map:

- A. The boundaries of the Big Beaver Borough flood-plains/flood-prone areas hereby established are shown on the FLOOD HAZARD BOUNDARY MAP as prepared by the Federal Flood Insurance Administrator bearing the date January 31, 1975. This map and all the notations, references, and other data shown thereon are hereby incorporated by reference into this Ordinance and shall be as much a part of this Ordinance as if all were fully described herein.



- B. Amendments to this Flood Hazard Boundary Map shall have approval from the Federal Flood Insurance Administrator.

613.3

Regulation of Flood-Plain/Flood-Prone Areas:

- A. Any Development or Substantial Improvement shall be reviewed by the Borough Engineer to determine whether the Development or Substantial Improvement will be reasonably safe from flooding.
- B. If a proposed Development or Substantial Improvement is in a flood-plain/flood-prone area, this Development shall be required to:
1. Be designed or modified and anchored to prevent flotation, collapse, or lateral movement.
  2. Use construction materials and utility equipment that are resistant to flood damage.
  3. Use construction methods and practices that will minimize flood damage.
  4. Provide adequate drainage to reduce exposure to flood hazards.
- C. No use, building, structure, Development, or Substantial Improvement shall adversely affect the capacity of the channels or floodways of any water course, drainage ditch, or any other drainage facility or system.
- D. Prior to any proposed alteration or relocation of any stream or any water course, within Big Beaver Borough, approval shall be obtained from the State Department of Environmental Resources, Dams, and Encroachment Divisions.
- E. All new or replacement water supply and/or sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the utility systems or discharges from the utility systems into flood waters.
- F. All new or replacement on-site waste disposal systems shall be located so as to avoid impairment of them or contamination of them from flooding.
- G. All public utilities and facilities shall be located and constructed to minimize or eliminate flood damage.
- H. Any Development or Substantial Improvement greater than fifty (50) lots or five (5) acres shall have base flood elevations established by the developer and/or applicant of a permit. This base flood elevation shall be recorded on the application as well as associated plans or exhibits.

1. To determine the base flood elevation (100 year flood) for the area under consideration, the elevation at the point on the boundary line of the Flood Hazard Area (Flood Hazard Boundary Map) which is nearest the proposed Development or Substantial Improvement shall be used. To assist in the required elevation determination, the following other sources of data may be used:
  - a. U.S. Army Corps of Engineers - Flood Plain Information Reports
  - b. U.S. Geological Surveys - Flood Prone Quadrangles
  - c. U.S.D.A., Soil Conservation Service - Beaver County Soil Surveys (Alluvial Soils)
  - d. Known Highwater Marks from Past Floods
2. The Borough may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by registered engineers, who shall certify that the technical methods used correctly reflect current accepted technical concepts. The studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Borough.
  - I. Within a Development or Substantial Improvement greater than fifty (50) lots or five (5) acres the lowest floor of all new or substantially improved residential structures shall be elevated to or above the base flood elevation and the lowest floor of all new or substantially improved non-residential structures shall be elevated or flood proofed to or above the base flood elevation.
  - J. All mobile homes and any additions thereto shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards Institute and the National Fire Protection Association Standards as specified in the Standard for Installation of Mobile Homes Including Mobile Home Park Requirements, as amended, for Mobile Homes in Hurricane Zones, or other Appropriate Standards such as the following:
    1. Over-the-top ties shall be provided at each of the four (4) corners of the mobile home with the two (2) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and four (4) additional ties per side for units less than fifty (50) feet in length.

2. Frame ties shall be provided at each corner of the mobile homes, with five (5) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and four (4) additional ties per side for units less than fifty (50) feet in length.
3. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.

613.4

#### Regulation of Mudslide-Prone Areas

- A. Any Development or Substantial Improvement shall be reviewed by the Borough Engineer to determine whether the Development or Substantial Improvement will be reasonably safe from mudslides.
- B. If in the judgment of the Borough Engineer, the proposed site and its improvement or Development are in a location that is not reasonably safe from the hazards of mudslides, a further review must be made by a qualified geologist or soils engineer acceptable to the Borough Engineer and paid for by the applicant.
  1. Such geologist or soils engineer shall furnish, without charge to the Borough, two (2) copies of a written report of his review to the Borough Engineer.
  2. Borough Council reserves the right to retain at its own cost a qualified geologist or soils engineer to perform such further review and/or furnish advice and recommendation on this matter.
  3. The proposed Development or Substantial Improvement in this mudslide-prone area must be:
    - a. Adequately protected against mudslide damage, and
    - b. Not aggravate the existing hazard.
  4. All mobile homes and any additions thereto shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards Institute and the National Fire Protection Association Standards as specified in the Standard for Installation of Mobile Homes Including Mobile Home Park Requirements, as amended, for Mobile Homes in Hurricane Zones, or other Appropriate Standards such as the following:

- a. Over-the-top ties shall be provided at each of the four (4) corners of the mobile home with two (2) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and four (4) additional ties per side for units less than fifty (50) feet in length.
- b. Frame ties shall be provided at each corner of the mobile home, with five (5) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and four (4) additional ties per side for units less than fifty (50) feet in length.
- c. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.

613.5 Variances, Variances granted from these regulations by Borough Council shall be as a minimum remedy to afford relief under the provisions of this Ordinance.

613.6 Legislative Intent: The degree of flood and/or mudslide protection required by the provisions of this Ordinance shall be that minimum considered reasonable for regulating purposes. Because the conditions, which may result in flood or mudslide damage, are in many instances unpredictable or may be increased by man-made or natural causes, it is not intended, nor should it be assumed, that areas outside of identified flood prone and/or mudslide prone areas, or that land uses permitted within such areas, will be free from flooding and/or mudslide and damage resulting therefrom. Accordingly, the provisions of this Ordinance shall not create liability on the part of the Borough of Big Beaver, its governing body, its officers, its agents, or its employees for damage resulting from flooding and/or mudslide, whether or not the damage may result from reliance upon any provision of this Ordinance or any administrative determination made thereunder.

## SECTION 614 STREET LIGHTS

614.1 The installation of street lighting poles and fixtures shall be the mandatory responsibility and expense of the developer in any subdivision containing five (5) or more lots. The type of installation shall be in accordance with the designs provided in the Standard Drawings and Specifications for Construction, Appendix A. The type design selected shall be compatible with the design of the structures of the development and agreed to by Borough Council.

614.2 The underground wiring and necessary appurtenances shall be installed at the same time the general distribution underground supply lines for the development are being installed.

614.3 After preliminary plan approval, but prior to final approval of any plan containing five (5) or more lots, the developer shall present evidence to the Planning Commission of the design of an underground electric wiring plan approved by the appropriate power company for installation of the necessary underground wiring and surface connections which will really accomodate the future installation of street lighting poles and fixtures.

614.4 The developer shall further present a Plan bearing certification by the appropriate power company that such installation as indicated in "C" above has been made. Prior to the approval of the final plan, a guarantee for installation of said street lighting poles and fixtures at the developer's expense within two (2) years of the final approval of the plan shall be made in compliance with Article IV - Conditions of Acceptance of this Ordinance.

614.5 The developer shall make the necessary application for service to Borough Council and pay energy charges until such time as 51% of the lots are sold. Energy charges shall then revert back to the people living in the development.

#### SECTION 615 TRAFFIC CONTROL DEVICES

Signalization of intersections shall be provided by the developer as required by Borough Council following recommendation of the Planning Commission and/or the Pennsylvania Department of Transportation.

#### SECTION 616 COMMON OPEN SPACE - LOCATION, DESIGN, AND MANAGEMENT

616.1 Location/Design: The common open space permitted in cluster or grouped housing developments shall be located so as to be consistent with good design principles, to preserve natural features, and to provide recreational opportunities to the owners and residents within the development. Where possible the common open space shall be designed as a contiguous area. Access to all lots and parcels of the land development is required. The location of the common open space is subject to the approval of Borough Council upon recommendation of the Planning Commission.

616.2 Ownership of Common Open Space: There shall be provisions which insure that the common open space land shall continue as such and be properly maintained. The developer shall either (a) dedicate such land to public use, if the Borough or another public agency has indicated it will accept such dedication, (b) retain ownership and responsibility for maintenance of such open space land, or (c) provide for and establish one or more organizations for the ownership and maintenance of all common open space. In the case of (c) above, each organization shall be a nonprofit homeowner's corporation, unless the developer demonstrates that a community open space trust is a more appropriate form of organization.

616.3 Homeowner's Association: If a homeowner's association or open space trust is formed, it shall be governed according to the following regulations:

- A. The organization is organized by the developer and operating with financial subsidization by the developer, if necessary before the sale of any lots within the development.
- B. Membership in the organization is mandatory for all purchasers of homes therein and their successors.
- C. The organization shall be responsible for maintenance, insurance, and taxes on common open space.
- D. The members of the organization shall share equitably the costs of maintaining and developing common open space, in accordance with procedures established by them.
- E. The organization shall hire adequate staff to administer common facilities and maintain the common open space.
- F. In the event that the organization established to own and maintain a common open space or any successor organization, shall at any time after establishment of the homeowners' association fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Borough may serve written notice upon such organization or upon the residents and owners of the development setting forth the manner in which the organization has failed to maintain the common open space in a reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within 30 days thereof, and shall state the date and place of a hearing thereon which shall be held within 14 days of the notice. At such hearing, the Borough may modify the terms or the original notice as to the deficiencies and may give an extension of time within which they shall be cured. If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within said 30 days or any extension thereof, the Borough, in order to preserve the taxable values of the properties within the development and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of one year. Said entry and maintenance shall not vest in the public any rights to use the common open space except when the same is voluntarily dedicated to the public by the residents and owners. Before the expiration of said year, the Borough shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space call a public hearing upon notice to

F. (continued)

such organization, or to the residents and owners of the development, to be held by the Borough, at which hearing such organization of the residents and owners of the development shall show cause why such maintenance by the Borough shall not, at the election of the Borough, continue for a succeeding year. If the Borough shall determine that such organization is ready and able to maintain said common open space in reasonable condition, the Borough may, in its discretion, continue to maintain said common open space during the next succeeding year and subject to a similar hearing and determination in each year thereafter. The decision of the Borough in any such case shall constitute a final administration decision subject to judicial review.

The cost of such maintenance by the Borough shall be assessed ratably against the properties within the land development that a right of enjoyment of the common open space and shall become a tax lien on said properties. Said assessments or charges shall be a subordinate lien to the lien of any mortgage or mortgages on the property which is subject to such assessments or charges. The Borough, at the time of entering upon said common open space for the purpose of maintenance, shall file a notice of such lien in the Office of the Prothonotary of Beaver County, upon the properties affected by such lien within the land development.

## ARTICLE VII

### SITE IMPROVEMENTS AND CONSTRUCTION REQUIREMENTS

#### SECTION 700      STANDARDS

700.1      Any or all of the following improvements as may be recommended by the Planning Commission and approved by Borough Council pursuant to the authority granted in the Pennsylvania Municipalities Planning Code, Act 247, as amended, considering the needs of the area in which the proposed subdivision is located must have been completed in accordance with the requirements established by this Ordinance as well as in accordance with Appendix A, Standard Drawings and Specifications for Construction, of this Ordinance, the requirements of the responsible public authority affected, public officials or Borough Council for that portion included in the Final Plat.

700.2      If the improvements are not completed prior to the request for Final Approval of a plat, then satisfactory arrangements must have been made with the Planning Commission and Borough Council to the satisfaction of all public authorities concerned regarding proper completion of such improvements prior to the consideration of a Final Plat. Article IV, Conditions of Acceptance of this Ordinance, contains the requirements for performance guarantees.

700.3      The following site improvements and construction requirements are to be considered as minimum specifications, standards, and requirements and may by resolution of Borough Council be revised to secure a higher standard of improvement and community development.

700.4      All easements and rights-of-way shall be offered for public dedications, and all streets or utility systems shall be turned over to the appropriate public body at their option upon construction to the standards contained herein or referenced.

#### SECTION 701      GRADING, EXCAVATION, AND FILLING

700.1      All grading, excavation, and filling shall be in accordance with the requirements and standards of the Big Beaver Borough Grading Ordinance.

701.2      As applicable, all development and earth moving activities shall be required to submit a Soil Erosion and Sedimentation Control Plan and obtain the required permit from the Beaver County Soil Conservation District as required by the Pennsylvania Department of Environmental Resources, pursuant to most recent rules and regulations of the Soil Erosion and Sedimentation Control Manual.



701.3 Streets shall be graded to grades and cross sections as established on and presented with the preliminary plans and street profiles and as approved by the Borough Engineer and the Borough Council.

701.4 Streets shall be graded to the full width of the street right-of-way and with slope ratio of two and one half (minimum) horizontally to one vertically (2.5 : 1) shall be constructed commencing at the street right-of-way and extending on to the lots or properties adjoining the street right-of-way; this applies to both cut and fill sections.

701.5 Subgrade of street shall be brought to the required grade and contour, and properly rolled and compacted with a ten (10) ton roller. All soft areas to be removed and recompacted with suitable material. All such work and the preparation of the subgrade shall require the approval of the Borough Engineer before the placing of any base course material.

## SECTION 702 UNDER DRAINAGE

702.1 In areas where springs, wet weather springs, pool soil drainage conditions, or where conditions exist that underground drainage is necessary to properly protect the proposed street pavement, there shall be constructed pipe underdrain, stone underdrain, or subgrade drains according to the methods and standards of the current Pennsylvania Department of Transportation Specifications Form 408 and any supplements thereto. Type of material, size of underdrain, design, location, length, and amount of underdrain shall be subject to the direction and approval of the Borough Engineer and the Borough Council.

702.2 If, during construction, poor drainage conditions are encountered by the subdivider or developer, he shall notify the Borough Engineer of such conditions, and shall correct such conditions encountered to the satisfaction of the Borough Engineer and the Borough Council.

## SECTION 703 STORM DRAINS AND FACILITIES

703.1 A drainage system adequate to serve the needs of the proposed new streets or the entire subdivision will be required in new subdivisions. When a public storm sewer main is available at the plat boundary or within one thousand (1,000) feet, the subdivider shall construct a storm drainage system and connect with such storm sewer main.

703.2 Bridges and storm culverts under streets shall be designed to support HS-20 loading. Culverts under other areas shall be designed to support the height of embankment (present and future) and any other imposed loadings without structurally damaging the pipe or affecting its capacity for drainage; such determinations shall be made in accordance with Pennsylvania Department of Transportation Design Manual, Part 2, latest edition. Bridges and storm culverts under streets shall be constructed to the full width of the right-of-way where deemed necessary by Borough Council.

703.3 Detailed design plans/profiles of storm drainage system and facilities shall be submitted to the Borough for approval with the preliminary application and with the final application for approval of the subdivision and development plans.

- A. Drainage facilities shall be sized in accordance with the requirements of Pennsylvania Department of Transportation Design Manual, Part 2, latest edition.
- B. Drainage facilities shall be located in a right-of-way, in a drainage easement, or in locations as required by Borough Council. Subdivider shall obtain and furnish all releases, easements, and rights-of-way for the installation and maintenance of the same, including release for the discharge of storm water onto and across adjacent land. Special consideration shall be given to avoidance of problems which may arise from concentration of storm water run-off and diversion of the same over adjacent properties where damages may result.
- C. Location of storm drains shall be compatible with existing systems. Positive drainage is required in all areas of development.
- D. Where open water courses are planned, adequate safety, flood protection, erosion control, drainage (stagnant water), protection of capacity and appearance measures shall be taken by both the subdivider and Borough Council to insure proper, safe healthful disposal of storm water both within and outside of the subdivision area.
- E. Where required, the Pennsylvania Department of Environmental Resources prior approval shall be furnished. All drainage facilities must finally be approved by Borough Council.
- F. All phases of construction of open and closed storm drainage facilities including type of materials, width, depth, shapes, erosion control, minimum grade, size, and area shall be in accordance with the requirements of this Ordinance, including Appendix A, and approved by Borough Council.

703.4 The type of storm drain installed shall provide adequate protection against acid conditions, abrasion, corrosion, and any other effects detrimental to the pipe.

- A. Storm drains shall be reinforced concrete pipe and have a minimum diameter of eighteen (18) inches. Minimum grade for storm drains shall be 0.50%.
- B. Manholes shall be placed at all changes in alignment and at all changes in grade. Inlets may be substituted for manholes when approved by the Borough Engineer and Borough Council.
- C. In addition to all changes in alignment and grade, manholes or inlets shall normally be spaced not more than three hundred (300) feet apart where pipe sizes of twenty-four (24) inches or less are used, and not over four hundred fifty (450) feet where larger sizes are installed.
- D. Inlets (of the size and design specified by the Borough Council) shall be constructed as required to intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area to be drained. At intersecting streets, water in gutters and ditches shall be collected in adequate culverts or inlets.
- E. End walls, head walls, inlets, catch basins, manholes, casting, grates, and covers shall be furnished, constructed, and installed in the locations and numbers as designated by the Borough Engineer and Borough Council, and in accordance with the standards, design, and specifications established and adopted by the Borough Council.
- F. Pipe or tile culverts shall be normally be required under driveways and shall not be less than eighteen (18) inches in diameter and sixteen (16) feet in length. Reinforced concrete or corrugated metal pipe may also be used and shall be laid so as to maintain the flowline of the open ditch. See Section 703.6 of this Ordinance for driveway surface drainage requirements.

703.5 Minimum grade of open drainage courses shall be designed to create a cleaning effect (velocity of five (5) feet per second) except that a minimum cleaning effect (velocity of three (3) feet per second) may be permitted by Borough Council where greater grade cannot be achieved.

703.6 Paved, reinforced concrete, curb gutters (apron gutters) shall be constructed across the full width of all driveways, the design and location of which shall be approved by the Borough Engineer and Borough Council prior to installation.

## SECTION 704 STREETS, CURBS, AND PAVEMENT

### 704.1 Subsurface Investigation

- A. A subsurface report prepared by a registered soils engineer shall be submitted for Borough Council's approval on all street construction in subdivisions in which:
  - 1. The total length of streets exceeds 2,000 feet.
  - 2. The total number of lots exceeds 50.
  - 3. The streets would be constructed in mudslide-prone areas.
  - 4. The streets would be constructed in flood plain, swampy, or wet areas.
- B. The subsurface report shall be based upon adequate field investigations and/or subsurface borings and shall include recommendations for roadway stability, subsurface drainage, undercutting, benching, slopes, erosion control, and any other recommendations necessary for sound construction.
- C. For all street construction not meeting the requirements of Subparagraph (A) above, the Subdivider shall take the necessary steps to see that sound engineering judgment is incorporated into street construction to provide a quality product.

### 704.2 Grading

- A. All streets shall be graded in accordance with the most stringent requirements of Borough Ordinances and Commonwealth law, then prevailing, and shall be graded to aesthetically blend with the natural lay of the land preserving as many trees as possible where required by the Borough Council. All scrub brush shall be cleared the full width of the right-of-way. Maximum slopes shall be as shown on the Standard Drawings or as recommended on the Subsurface Investigation Report where required herein.

704.3 Subbase: A subbase shall be constructed when required by the Borough where soil or traffic conditions warrant its use with construction as follows:

- A. Subbase course with a compacted thickness of not less than three (3) inches in depth, all in accordance with Section 350 of Form 408, Pennsylvania Department of Transportation.

704.4 Base Course

- A. The base course shall be constructed to the lines, grades, and cross sections as approved with all materials used and all construction requirements performed in conformity with the Pennsylvania Department of Transportation, Form 408, and be one of the following approved types of base course:
  1. A crushed aggregate base course with a compacted thickness of not less than eight (8) inches in depth, all in accordance with Section 310 of Form 408.
  2. A bituminous concrete base course with a compacted thickness of not less than five (5) inches in depth, all in accordance with Section 305 of Form 408.
  3. Under certain conditions, a base course constructed of a layer subbase material with a thickness of not less than four (4) inches and a layer of bituminous concrete base course with a compacted thickness of not less than three (3) inches.

704.5 Pavement Wearing Course

- A. The pavement wearing course shall be constructed to the lines, grades, and cross sections as approved with all materials used and all construction requirements performed in conformity with the Pennsylvania Department of Transportation Form 408 and be one of the following types:
  1. A bituminous surface course (ID-2) with a compacted thickness of not less than two and one-half ( $2\frac{1}{2}$ ) inches in depth, all in accordance with Section 420 of Form 408. The binder course shall be constructed on the crushed aggregate base course and shall be one and one-half ( $1\frac{1}{2}$ ) inches in depth and the wearing course shall be one (1) inch in depth.
  2. A bituminous wearing course (ID-2) with a compacted thickness of not less than one (1) inch in depth, all in accordance with Section 420 of Form 408 shall be constructed on the bituminous concrete base course.

## Curbing

- A. Type of curb used and location required to be determined by the Borough Council and subject to their approval before installation of the same.

Concrete curbs shall be of the following types:

1. Straight Curb 8 inches x 24 inches.
2. Battered Curb 6 inches x 8 inches x 24 inches.
3. Rolled Curb and Gutter.
4. Combined Curb and Sidewalk.
5. Extruded Concrete.

Bituminous curbing shall be of the following type:

1. Paved gutter or wedge and rolled curb.

## Construction Drawings

- A. Construction drawings for all street construction must be submitted to the Borough Council for approval prior to beginning construction. All details of street construction including, but not limited to, cross section, grading, pavement, and drainage shall conform to this Subdivision Ordinance.

## SECTION 705 STRUCTURES

705.1 Bridge structures for all classes of streets shall meet the following design criteria:

- A. Minimum vertical clearance 14 feet 6 inches except over Interstate roadways and other locations set by the Pennsylvania Department of Transportation at 16 feet 6 inches.
- B. HS-20 loading capacity.
- C. Minimum width shall be as tabulated below for two-lane roadway, Local, and Collector Streets.
  1. Equal to the curb to curb width of the approach roadway, or
  2. If no curbs, equal to the full approach paved width plus 8 feet.
- D. Minimum width for Arterial Streets shall be in accordance with the Pennsylvania Department of Transportation and/or Borough Council.

- E. Sidewalks on approaches should be carried across all new structures.
- F. In urban areas, there should be at least one sidewalk on all bridges.

## SECTION 706 GUARDRAIL

706.1 Guardrail protection shall be provided where the height of embankment exceeds or equals the limits shown below:

<u>EMBANKMENT SLOPE (Horizontal/Vertical)</u>	<u>EMBANKMENT HEIGHT</u>
2 : 1	10 feet
2½ : 1	18 feet
3 : 1	28 feet
4 : 1	45 feet

706.2 Guardrail shall be constructed in accordance with Pennsylvania Department of Transportation Design Manual, Part 2.

706.3 The length of guardrail for embankment protections shall include a 50 foot extension beyond the point of need for the trailing end, and a minimum 75 foot flare on the approach end of guardrail.

- A. The approach flare offset shall be a minimum of four (4) feet. Larger offsets are desirable where conditions warrant. Flares shall be provided on both the approach and trailing ends of guardrail on two-lane facilities with two-way traffic.

706.4 Where consecutive installations of guardrail are required, and the points of need are 200 feet or less apart, the guardrail protection shall be made continuous between the points of need.

## SECTION 707 SANITARY SEWERS

707.1 The Borough Planning Commission and the Borough Council may require the subdivider or developer of land to construct and install or agree to construct and install sanitary sewers and appurtenances to serve the proposed subdivision and development of land as pre-requisite to the approval of the subdivision or development plans.

707.2 The subdivider or land developer shall construct a sanitary sewer system and connect with such sewer main and provide lateral connections for each lot where a public sanitary sewer main is available at plat boundary or within a reasonable distance thereof (1,500 lineal feet).

707.3 Installation of sanitary sewers including house laterals, trunk, interceptor and collector sewer lines, manholes, and all other appurtenances shall comply with the specifications, standards, rules, and regulations of the Borough of Big Beaver, and the Pennsylvania Department of Environmental Resources and subject to the approval and inspection of the same.

707.4 In areas where a municipal sewerage system is not available or is not planned for the area or may not be feasibly connected to, the subdivider or developer shall be required to install an individual septic tank and leaching field or project or community type sewage disposal system subject to the approval of the design and installation of the same by the Borough and the Pennsylvania Department of Environmental Resources and in accordance with the Pennsylvania Sewage Facilities Act (Act 537, as amended).

707.5 Where septic tanks are used as an accepted method of sewage disposal, consideration shall be given to the lot size in relation to utilities as stated in this Ordinance, and to the regulation promulgated under Act 537, as amended, the Pennsylvania Sewage Facilities Act.

707.6 A building permit will not be issued for the erection, construction, or placement of any building, structure, prefabricated structure, mobile home, house trailer, or other mobile unit, irrespective of its use being residential, institutional, recreational, commercial, or industrial purpose, either permanently or temporarily until either (a) connection to existing municipal sanitary sewage system and treatment facilities has been arranged for and assured; (b) installation of an individual sanitary sewage disposal system has been assured; (c) construction and installation of a sanitary sewage collection system and sewage treatment plant and facilities to serve the subdivision or the land to be developed has been approved and assured, all subject to the approval by the Borough and the Pennsylvania Department of Environmental Resources.

707.7 In areas where a Municipal Sewage System is in the design stages, and is planned to be available, but not yet constructed, house or service laterals shall be installed and extended into the center of the streets or rights-of-way and collector or interceptor sewer lines shall be installed in and along said streets and rights-of-way to the edge or boundary of the subdivision or development to a point nearest to or most convenient to the municipal planned sewage system.

- A. Until such time as the Municipal Sewage System becomes available for service, individual septic tanks and leaching fields, or a community type sewage disposal system must be installed and approved by the Pennsylvania Department of Environmental Resources.



- B. In the event that an interim community type sewage disposal system is installed, a truck line or interceptor sewer shall be provided to connect to the Municipal Sewage System at its point of availability or planned availability.

707.8 All individual properties now using sanitary sewage facilities and all future properties requiring sanitary sewage facilities shall be connected to the Municipal Sewage System if such system is available.

707.9 Storm water shall not be permitted to enter sanitary sewer lines.

## SECTION 708 WATER SUPPLY

708.1 The Borough Planning Commission and the Borough Council may require the subdivider or developer of land to construct and install or agree to construct and install water lines and fire hydrants to serve the area to be subdivided or developed as a pre-requisite to the approval of the subdivision or development plans.

708.2 The subdivider or developer shall construct a system of water mains and connect with such public water supply system where a public water supply is available to the plat or tract boundary or within a reasonable distance thereto (2,000 lineal feet). Water lines shall be so located and of such a size as approved by the Beaver Falls Municipal Water Authority and the Borough of Big Beaver.

708.3 If municipal water supply is available, could be extended, or is definitely planned for the area of subdivision or development, then provisions shall be made for its immediate and eventual use.

708.4 All water supply and water distribution systems and facilities shall be designed and constructed in conformance with the standards, specifications, and requirements of the Borough Council, Borough Municipal Authority, or any other Authority having jurisdiction over the same, and likewise shall require such Authority's approval of the plans and the project in general.

708.5 Fire hydrants shall be installed in the locations as specified and approved by the Borough Council and the Borough's Municipal Authority.

708.6 Community type water well and water supply system projects shall be subject to the approval of the Pennsylvania Department of Environmental Resources and the Borough's Municipal Authority, and the Borough Council.

708.7 If a public water supply system is not available under the conditions stated above, the subdivider may provide individual or community wells to serve twenty-five (25) or more units which shall be approved by the State Department of Environmental Resources.

708.8 Where individual wells provide a water supply in a large subdivision, at least one (1) test well shall be drilled in the proposed area for thirty (30) lots or twenty-five (25) acres, whichever is smaller, or upon the requirements of the State Department of Environmental Resources. Test wells shall ordinarily be drilled to a reasonable depth which will produce safe potable water in sufficient quantity for the use intended and shall be approved by the State Department of Environmental Resources.

## SECTION 709 MONUMENTS

Monuments shall be placed and set at all tract corners, street block corners, angle points, points of curves in streets, and at intermediate points as determined by the Borough Engineer. The monuments shall be of such size, length, and material as approved by the Borough Engineer and the Borough Council and as specified in Appendix A.

## SECTION 710 EXISTING NATURAL CONDITIONS

In wooded areas or where other natural conditions exist, in such a manner that their presence adds to the desirability of a subdivision, the Borough Council shall require that the subdivider preserve as much of the original trees and natural conditions as is economically feasible and require that a minimum of grading be done other than the grading and excavating which is required in the construction of the improvements in accordance with the improvement standards included herein and approved by Borough Council.

## SECTION 711 ERECTION OF STREET NAME SIGNS

The subdivider or developer shall furnish and install street name signs at each street intersection in conformity with the type of materials, design, and standards established and designated by the Borough Council (See Appendix A).

## SECTION 712 CONCRETE SIDEWALK

712.1 In the areas and to the extent so designated by the Borough Council the subdivider or developer shall be required to construct concrete sidewalks. The sidewalks shall be constructed of Portland Cement Concrete, be properly reinforced, be a minimum of four (4) inches in thickness, except at driveways where the walks shall be a minimum of six (6) inches in thickness. Sidewalks shall be a minimum of four (4) feet in width exclusive of the width of the curb.

712.2 Sidewalks shall be constructed in accordance with the specifications in Appendix A.

712.3 All phases of sidewalk construction including subgrade subbase concrete, forms, grade, and thickness shall be in accordance with Appendix A. The sidewalk forms shall be as approved by Borough Council.

#### SECTION 713 STREET LIGHTING

See Design Standards and Requirements, Section 614.

## ARTICLE VIII

### AMENDMENTS

#### SECTION 800      ALTERATIONS AND CHANGES

The Borough Council may from time to time amend this Ordinance. Amendments to the Subdivision Ordinance shall become effective only after a public hearing held with proper public notice. In case of an amendment other than that prepared by the Planning Commission, the Borough Council shall submit each amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date fixed for the public hearing on each amendment. In addition, each amendment to the Subdivision Ordinance shall be submitted to the Beaver County Planning Commission for its recommendations forty-five (45) days prior to the scheduled public hearing. The recommendation to the Beaver County Planning Commission shall be made to the Borough Council within forty-five (45) days.

ARTICLE IX

VALIDITY

SECTION 900 SEVERABILITY

900.1 Should any section, clause, provision, or portion of this Ordinance be declared by Court of competent Jurisdiction to be invalid or unconstitutional, such decision shall not affect or impair the validity of any other section, clause, provision, or portion of this Ordinance.

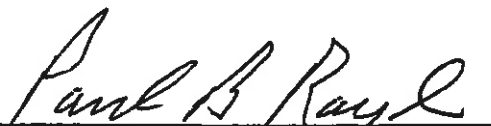
900.2 It is hereby declared to be the intent of the Borough Council of the Borough of Big Beaver, that this Ordinance would have been adopted by said Borough Council had such invalid or unconstitutional provisions not been included herein, and the remaining portions of this Ordinance shall remain in effect as though the portion declared invalid or unconstitutional had never been a part hereof.

SECTION 901      CONFLICT OF ORDINANCES AND REPEALER

In any case where a provision of this Ordinance is found to be in conflict with a provision of any planning, zoning, building, fire, safety, sanitation, health, or any other Ordinance or code of the Borough of Big Beaver, existing on the effective date of this Ordinance, the provisions which, in the judgement of the Borough Council, establishes the higher standard for the promotion and protection of the health, safety, and welfare of the people, the provisions of this Ordinance shall be deemed to prevail, and such other Ordinances or Codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.


Enacted and ordained into an Ordinance this 12th day of  
November, 19 79.

BOROUGH OF BIG BEAVER  
BEAVER COUNTY, PENNSYLVANIA

  
PAUL B. RAYL  
SECRETARY OF BOROUGH COUNCIL

BY   
SIDNEY A. MEDLIN  
PRESIDENT OF BOROUGH COUNCIL

EXAMINED AND APPROVED BY ME THIS 12th DAY OF November, 19 79

  
DANIEL H. CUNNING  
MAYOR

## Appendix A

### Standard Drawings and Specifications for Construction

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Street Signs  
Street Lights  
Sidewalks  
Open And Closed Storm Drainage Facilities  
Apron Gutters For Driveways  
Monuments  
Curbing  
Road Crossections



## Appendix B

Certificates, Affidavits, Approvals

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LAND OWNER'S ADOPTION AND ACKNOWLEDGMENT

For use without the dedication of streets, easements, rights-of-way.

LAND OWNER'S ADOPTION

KNOW all men by these presents, that (I or We) \_\_\_\_\_  
(name of owner or owners)

of the \_\_\_\_\_ of \_\_\_\_\_ County, of \_\_\_\_\_  
(City, Borough, Township)

State, the lawful owner(s) of the real estate described in the within Plat and the sole person(s) having legal title thereto; for (myself, ourselves), (my, our) heirs, executors, administrators, and assigns, do hereby adopt the within Subdivision of said real estate as shown and described upon said Plat, as (my, our) Plan of Subdivision of (my, our) property, situated in the Borough of Big Beaver, County of Beaver, Commonwealth of Pennsylvania.

We hereby declare the within Plat to be a subdivision of the premises conveyed to us by deed of \_\_\_\_\_, the same bearing date of \_\_\_\_\_, 19\_\_\_\_, and appearing of record in the Office of the Recorder of Deeds in and for the County of Beaver in the Commonwealth of Pennsylvania in Deed Book \_\_\_\_\_, page \_\_\_\_\_.

In witness thereof, we have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(SEAL)

ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF BEAVER : SS.

Before me, as Notary Public, personally appeared \_\_\_\_\_  
\_\_\_\_\_ known to me to be the persons whose  
names are above subscribed and acknowledged that they executed the  
foregoing adoption for the purposes therein contained and desire the  
same recorded as such.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

(SEAL)

My Commission Expires:

LAND OWNER'S ADOPTION AND ACKNOWLEDGMENT

For use with the dedication of streets, easements, rights-of-way.

LAND OWNER'S ADOPTION

KNOW all men by these presents, that (I, or We) \_\_\_\_\_  
(name of owner or owners)  
of the \_\_\_\_\_ of \_\_\_\_\_ County, of \_\_\_\_\_ State  
(City, Borough, Township)

the lawful owner(s) of the real estate described in the within Plat and the sole person(s) having legal title thereto: for (myself, ourselves), (my, our) heirs, executors, administrators, and assigns, do hereby adopt the within Subdivision of said real estate as shown and described upon said Plat, as (my, our) Plan of Subdivision of (my, our) property, situated in the Borough of Big Beaver, County of Beaver, Commonwealth of Pennsylvania and that for diverse advantages accruing to us do hereby forever dedicate for public use for public purposes all streets, easements, and rights-of-way shown and described upon the within Plat and we further release and discharge the Borough of Big Beaver, its agencies, and Municipal Authorities, their respective governing bodies, officers, agents and employees, and their respective successors, from any liability and damages arising out of or in any manner connected with the construction therein and/or use thereof for public purposes, including but not limited to any change of grade and elevation thereof. This dedication and release shall be binding upon ourselves, our heirs, executors, administrators, and assigns.

We hereby declare the within Plat to be a subdivision of the premises conveyed to us by deed of \_\_\_\_\_, the same bearing date of \_\_\_\_\_, 19\_\_\_\_, and appearing of record in the Office of the Recorder of Deeds in and for the County of Beaver in the Commonwealth of Pennsylvania in Deed Book \_\_\_\_\_, page \_\_\_\_\_.

In witness thereof, we have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(SEAL)

ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF BEAVER : SS.

Before me, a Notary Public, personally appeared \_\_\_\_\_  
known to me to be the persons whose names are  
above subscribed and acknowledged that they executed the foregoing  
adoption, dedication, and release for the purposes therein contained and  
desire the same recorded as such.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

(SEAL)

My Commission Expires:

LAND OWNER'S ADOPTION AND ACKNOWLEDGMENT

Partnership

LAND OWNER'S ADOPTION

KNOW all men by these presents that \_\_\_\_\_, a partnership, of which the undersigned are all the parties thereof, maintaining its principal business office at \_\_\_\_\_, Beaver County, Pennsylvania (hereinafter, the "Partnership"), is the lawful owner of the real estate described in the within Plat and is the sole entity having legal title thereto; that the Partnership, for itself, its successors, and assigns, does hereby adopt the subdivision shown and described upon the within Plat; that for diverse advantages accruing to it, the Partnership does hereby forever dedicate to public use for public purposes all streets, easements, and rights-of-way shown and described upon the within Plat; that the Partnership hereby releases and discharges the Borough of Big Beaver, its agencies, and Municipal Authorities, their respective successors, from all liability and damages arising out of or in any manner connected with construction therein and/or use thereof for public purposes, including but not limited to changes of grade and elevation thereof.

This dedication and release shall be binding upon the Partnership, its successors, and assigns.

The within Plat is a subdivision of the premises conveyed to the Partnership by deed of \_\_\_\_\_, the same bearing date of \_\_\_\_\_, 19\_\_\_\_, and appearing of record in the Office of the Recorder of Deeds in and for Beaver County, Pennsylvania, in Deed Book \_\_\_\_\_, page \_\_\_\_\_.

Witness the due execution hereof this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

WITNESS:

\_\_\_\_\_  
Partnership

\_\_\_\_\_  
Partner

\_\_\_\_\_  
Partner

\_\_\_\_\_  
Partner

\_\_\_\_\_  
Partner

ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF BEAVER : SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me a Notary Public in and for the Commonwealth of Pennsylvania personally appeared \_\_\_\_\_, and \_\_\_\_\_, co-partners trading and doing business as "\_\_\_\_\_", a partnership, known to me to be the persons whose names are above subscribed and acknowledged that they executed the foregoing dedication and release for the purpose therein contained and desire the same recorded as such.

WITNESS my hand and notarial seal.

(SEAL)

My Commission Expires:

\_\_\_\_\_  
Notary Public

LAND OWNER'S ADOPTION AND ACKNOWLEDGMENT

Corporation

LAND OWNER'S ADOPTION

KNOW all men by these presents that \_\_\_\_\_  
a \_\_\_\_\_ Corporation maintaining its principal business office  
(state)  
at \_\_\_\_\_ County, \_\_\_\_\_, (hereinafter, the  
(state)

"Corporation") is the lawful owner of the real estate described in the within Plat and is the sole entity having legal title thereto; that the Corporation, for itself, its successors, and assigns, does hereby adopt the subdivision shown and described upon the within Plat; that for diverse advantages accruing to it, the Corporation does hereby forever dedicate to public use for public purposes all streets, easements, and rights-of-way shown and described upon the within Plat; that the Corporation hereby releases and discharges the Borough of Big Beaver, its agencies, and Municipal Authorities, their respective governing bodies, officers, agents, and employees, and their respective successors, from all liability and damages arising out of or in any manner connected with construction therein and/or use thereof for public purposes, including but not limited to changes of grade and elevation thereof.

This dedication and release shall be binding upon the Corporation, its successors, and assigns.

The within Plat is a subdivision of the premises conveyed to the Corporation by deed of \_\_\_\_\_, the same bearing date of \_\_\_\_\_, 19\_\_\_\_, and appearing of record in the Office of the Recorder of Deeds in and for Beaver County, Pennsylvania, in Deed Book \_\_\_\_\_, page \_\_\_\_\_.

Witness the due execution hereof this \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Corporation

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF BEAVER : SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ before me a Notary Public in and for the Commonwealth of Pennsylvania personally appeared \_\_\_\_\_, who acknowledged himself to be the President of \_\_\_\_\_, a \_\_\_\_\_  
(state)

Corporation, and that he as such President, being authorized to do so, executed the foregoing dedication and release for the purpose therein contained by signing the name of the Corporation by himself as President.

WITNESS my hand and notarial seal.

(SEAL)

\_\_\_\_\_  
Notary Public

My Commission Expires:

ENGINEER'S/SURVEYOR'S CERTIFICATION

For use without the dedication of streets, easements, rights-of-way.

ENGINEER'S  
SURVEYOR'S CERTIFICATION

I \_\_\_\_\_, a Registered Professional Engineer (Registered Surveyor) of the Commonwealth of Pennsylvania, do hereby certify that the within Plat correctly represents the subdivision of the land as surveyed by me at the direction and request of the above named OWNERS; that said Plat of Subdivision has been reviewed and approved by the OWNERS above named; and that in the professional opinion of the undersigned said subdivision, as shown on the within Plat, is fully conforming to and complies with the requirements and provisions of the Rules and Regulations for the Subdivision and Development of Land, Ordinance No. 57, Borough of Big Beaver, Beaver County, Pennsylvania.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Registration No. \_\_\_\_\_

ENGINEER'S  
SURVEYOR'S CERTIFICATION

I \_\_\_\_\_, a Registered Professional Engineer (Registered Surveyor) of the Commonwealth of Pennsylvania, do hereby certify that the within Plat correctly represents the subdivision of that land as surveyed by me at the direction and request of the above named OWNERS: that said Plat of Subdivision, including the lot lines, streets, easements, rights-of-way, and other lines, the courses and distances and other directions and dimensions thereof, has been reviewed and approved by the OWNERS above named; and that in the professional opinion of the undersigned, said subdivision is fully conforming to and complies with the Rules and Regulations for the Subdivision and Development of Land and provisions of the Ordinance No. 57, as amended, Borough of Big Beaver, Beaver County, Pennsylvania.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Registration No. \_\_\_\_\_



BIG BEAVER BOROUGH PLANNING COMMISSION

The within Plat of Subdivision has been reviewed and recommendations concerning same was dispatched to Borough Council of the Borough of Big Beaver on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

BOROUGH OF BIG BEAVER PLANNING COMMISSION

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

BEAVER COUNTY PLANNING COMMISSION

The within Plat of Subdivision has been reviewed with comments by the Beaver County Planning Commission (letter to the Borough Council of the Borough of Big Beaver on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

BEAVER COUNTY PLANNING COMMISSION

by \_\_\_\_\_  
Director

For use with subdivisions of two (2) or more lots.

The within Plat of Subdivision has been reviewed with comments by the Beaver County Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, Letter to the Borough Council of the Borough of Big Beaver on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

BEAVER COUNTY PLANNING COMMISSION

by \_\_\_\_\_  
Executive Director

BOROUGH OF BIG BEAVER - FINAL PLAT APPROVAL

Subdivision approved for building purposes - no improvements.

BOROUGH OF BIG BEAVER

FINAL PLAT APPROVAL

The within Plat of subdivision was finally approved  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

BOROUGH OF BIG BEAVER

\_\_\_\_\_(SEAL)  
Secretary of Council

\_\_\_\_\_(SEAL)  
President of Council

BOROUGH OF BIG BEAVER - FINAL PLAT APPROVAL

Subdivision with restriction for building purposes.

BOROUGH OF BIG BEAVER

FINAL PLAT APPROVAL

The within Plat of subdivision was finally approved  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
subject to the restrictive endorsement(s) set forth below:

ATTEST:

BOROUGH OF BIG BEAVER

\_\_\_\_\_(SEAL)  
Secretary of Council

\_\_\_\_\_(SEAL)  
President of Council

RESTRICTIVE ENDORSEMENT(S)

1. This Subdivision is not approved for building purposes whether immediate or future, and no lot or lots within same may be conveyed or otherwise transferred for such purposes. This restriction shall be deemed to be removed only in the event of written amendatory endorsement hereof by the governing body of the said Borough of Big Beaver pursuant to the provisions of the Pennsylvania Sewage Facilities Act, as now and hereafter amended, imposing conditions upon the lot or lots within said subdivision for building purposes.

BOROUGH OF BIG BEAVER - FINAL PLAT APPROVAL

Restriction with restriction for further subdivision.

BOROUGH OF BIG BEAVER

FINAL PLAT APPROVAL

The within Plat of subdivision was finally approved this  
\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, subject  
to the restrictive endorsement set forth below:

ATTEST:

BOROUGH OF BIG BEAVER

\_\_\_\_\_(SEAL)  
Secretary of Council

\_\_\_\_\_(SEAL)  
President of Council

RESTRICTIVE ENDORSEMENT(S)

There shall be no further subdivision of the lots approved in this subdivision until and unless the premises shall be served by a community sewage system or full prior compliance shall first be made with the provisions then prevailing of the Pennsylvania Sewage Facilities Act relating to permits for individual sewage systems to serve each proposed lot.

BOROUGH OF BIG BEAVER - FINAL PLAT APPROVAL

Subdivision approved for building purposes.  
Improvements guarantee files.

BOROUGH OF BIG BEAVER

FINAL PLAT APPROVAL

The within Plat of subdivision was finally approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. In compliance with Section 509 of the Pennsylvania Municipalities Planning Code and Article \_\_\_\_\_ of Rules and Regulations for the Subdivision and Development of Land, Ordinance No. 57, as amended, Borough of Big Beaver, Developers have posted a surety bond in the amount of \$ \_\_\_\_\_ with \_\_\_\_\_, as surety, to guarantee the completion of all improvements shown upon said Plat and more fully described in Resolution No. \_\_\_\_\_ of the Borough of Big Beaver, adopted \_\_\_\_\_, 19\_\_\_\_, the same by reference made a restrictive condition of approval as if fully set forth at length. Said Resolution is on file among the public records of the Borough of Big Beaver at the Municipal Building, Friendship Road, in the said Borough of Big Beaver and may there be examined by any interested person.

ATTEST:

BOROUGH OF BIG BEAVER

\_\_\_\_\_  
Secretary of Council

\_\_\_\_\_  
President of Council

(SEAL)

BOROUGH OF BIG BEAVER - FINAL PLAT APPROVAL

Subdivision approved for building purposes.  
Restriction against conveyance as guarantee to improvements.

BOROUGH OF BIG BEAVER

FINAL PLAT APPROVAL

The within Plat of subdivision was finally approved this  
day of \_\_\_\_\_, 19\_\_\_\_. In  
compliance with Section 509 of the Pennsylvania Municipalities  
Planning Code and Article \_\_\_\_\_ of the Rules and Regulations for  
the Subdivision and Development of Land, Ordinance No. 57, as  
amended, Borough of Big Beaver, however, no lot within said  
subdivision may be conveyed or otherwise transferred for building  
purposes prior to developers' completion of all improvements  
shown upon said Plat and more fully described in Resolution  
No. \_\_\_\_\_ of the Borough of Big Beaver, adopted \_\_\_\_\_,  
19\_\_\_\_, the same reference made a restrictive condition of approval  
as if fully set forth at length. Said Resolution is on file among  
the public records of the Borough of Big Beaver at the Municipal  
Building, Friendship Road in the said Borough of Big Beaver, and  
may be there examined by any interested person.

ATTEST:

BOROUGH OF BIG BEAVER

\_\_\_\_\_  
Secretary of Council

\_\_\_\_\_  
President of Council

PROOF OF RECORDING

COMMONWEALTH OF PENNSYLVANIA)

SS.

COUNTY OF BEAVER)

Recorded in the office for the recording of deeds, plans,  
etc., in said County, in Plan Book Vol. \_\_\_\_\_, Page \_\_\_\_\_.

Given under my hand and seal this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_\_\_\_.

\_\_\_\_\_  
(Recorder of Deeds)

Appendix C  
Schedule of Fees and Charges





RULES & REGULATIONS  
FOR THE  
SUBDIVISION AND DEVELOPMENT  
OF LAND  
ORDINANCE NO. 86

Amend Section 703 and Section 704 to read as follows:

**Section 703      STORMWATER MANAGEMENT**

- A. Adequate stormwater drainage facilities shall be installed in conformance with a stormwater management plan to ensure that stormwater does not flow onto abutting property, sidewalks or streets in such quantities as to cause a detrimental effect. The stormwater management plan shall ensure to the satisfaction of the Borough that rates of runoff after development shall not be greater than the runoff which would occur on the site in its natural state.
- B. The stormwater management plan shall comply with the Pennsylvania Stormwater Management Act P.L. 869, No. 167, and be prepared in accordance with standards and specifications established by the Borough.
- C. All materials and methods of construction and installation shall meet and comply with the requirements of Commonwealth of Pennsylvania Department of Transportation's Form 408, current edition and their Standards for Roadway Construction Series RC-0 to 100, current edition.
- D. Precast concrete inlets and metal castings of the type shown on the standards and specifications established by the Borough shall be placed at all low points, street intersections and at points along both sides of the street to ensure adequate drainage, but in no case shall the distance between inlets along the street exceed three hundred (300) feet unless approved by the Borough Engineer. Inlets at street intersections shall be placed on the tangent and not on the curved portion.
- E. Manholes and metal castings of the type shown on the standards and specifications established by the Borough shall be installed at all changes in alignment and grades of stormwater sewers as may be directed by the Borough Engineer to provide for proper maintenance. Inlets may be substituted for manholes where practical.
- F. Stormwater sewers shall be located in the street right-of-way or in a drainage easement.

- G. Stormwater sewers shall be reinforced concrete or a high density polyethylene corrugated pipe with an integrally formed smooth interior and have a minimum diameter of fifteen (15) inches and a minimum grade of zero point five (0.5) percent.
- H. In the design of stormwater sewer installations, special consideration shall be given to avoidance of problems which may arise from concentration of stormwater runoff over adjacent properties, including release or discharge of stormwater onto and across adjacent land when required.
- I. Bridges and culverts shall be designed to support the expected loads, to carry expected flows, and be constructed the full width of the right-of-way, where deemed necessary by the Borough Engineer.
- J. Stormwater management plans shall be in compliance with Borough Engineer's guidelines adopted by resolution and be submitted for approval with preliminary plat application.
- K. All proposed stormwater detention facilities shall be located on land to be dedicated and accepted by a Homeowners Association or the organization formed expressly for the maintenance of said facilities.

**Section 704      STREETS, CURBS, AND PAVEMENT**

704.1 All streets shall be constructed to the lines, grades, and cross-sections as approved with all materials used and all construction requirements performed in strict conformance with the Pennsylvania Department of Transportation, Form 408, latest revision and in accordance with the construction details as appears in Appendix "A".

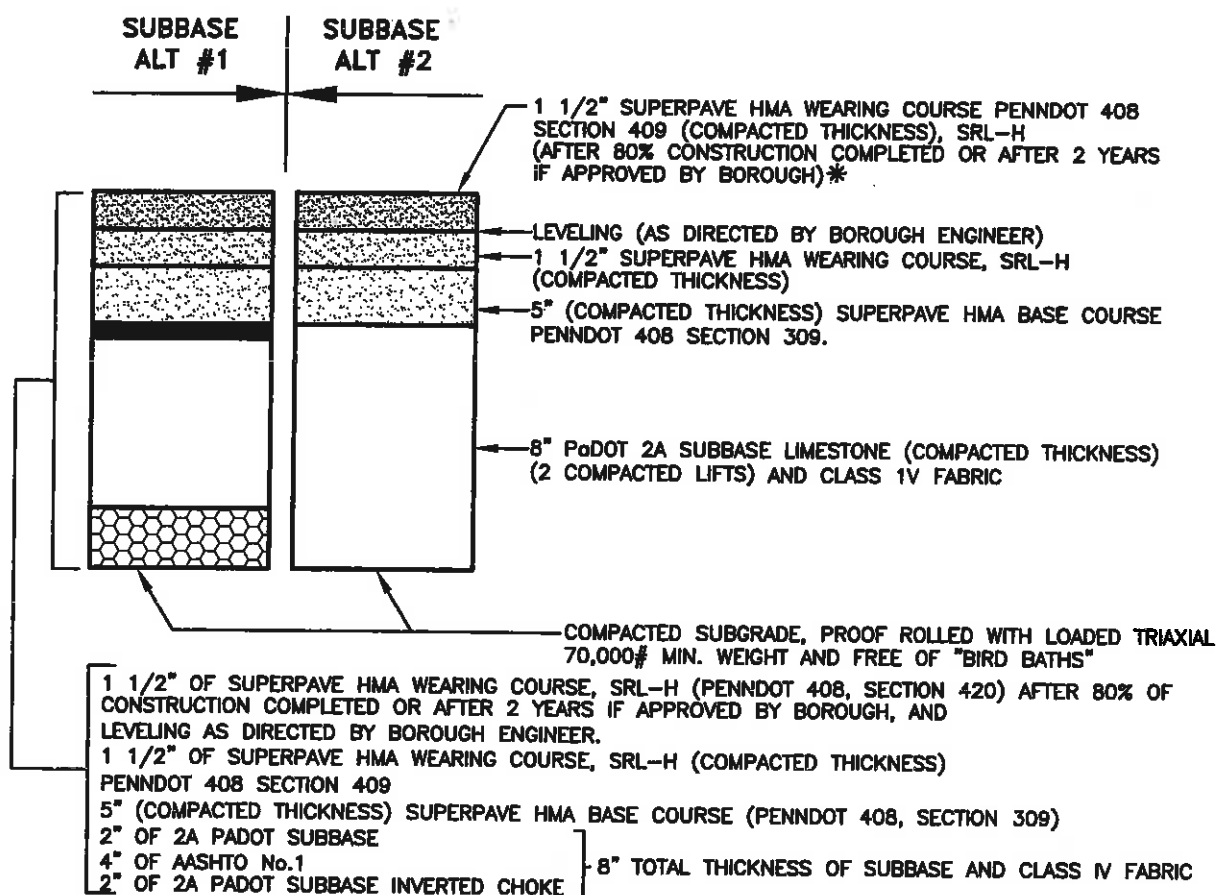
Arterial Street	RD-01
Commercial Collector Street	RD-02
Residential Collector Street	RD-03
Local Commercial Street	RD-04
Local Residential Street	RD-05
Residential Cul-De-Sac Detail	RD-06
Commercial Cul-De-Sac Detail	RD-07

## ROADWAY CLASSIFICATION

MAJOR	80' R/W		CARTWAY	18" CURB	5' SIDEWALK
COLLECTOR	62' R/W		CARTWAY	18" CURB	5' SIDEWALK
LOCAL	50' R/W		CARTWAY	18" CURB	5' SIDEWALK
SERVICE	50' R/W		CARTWAY	18" CURB	5' SIDEWALK

SEE NOTE No. 3 FOR CARTWAY WIDTH.

## STANDARD (SERVICE AND LOCAL CLASS ONLY) \*\*



### NOTES:

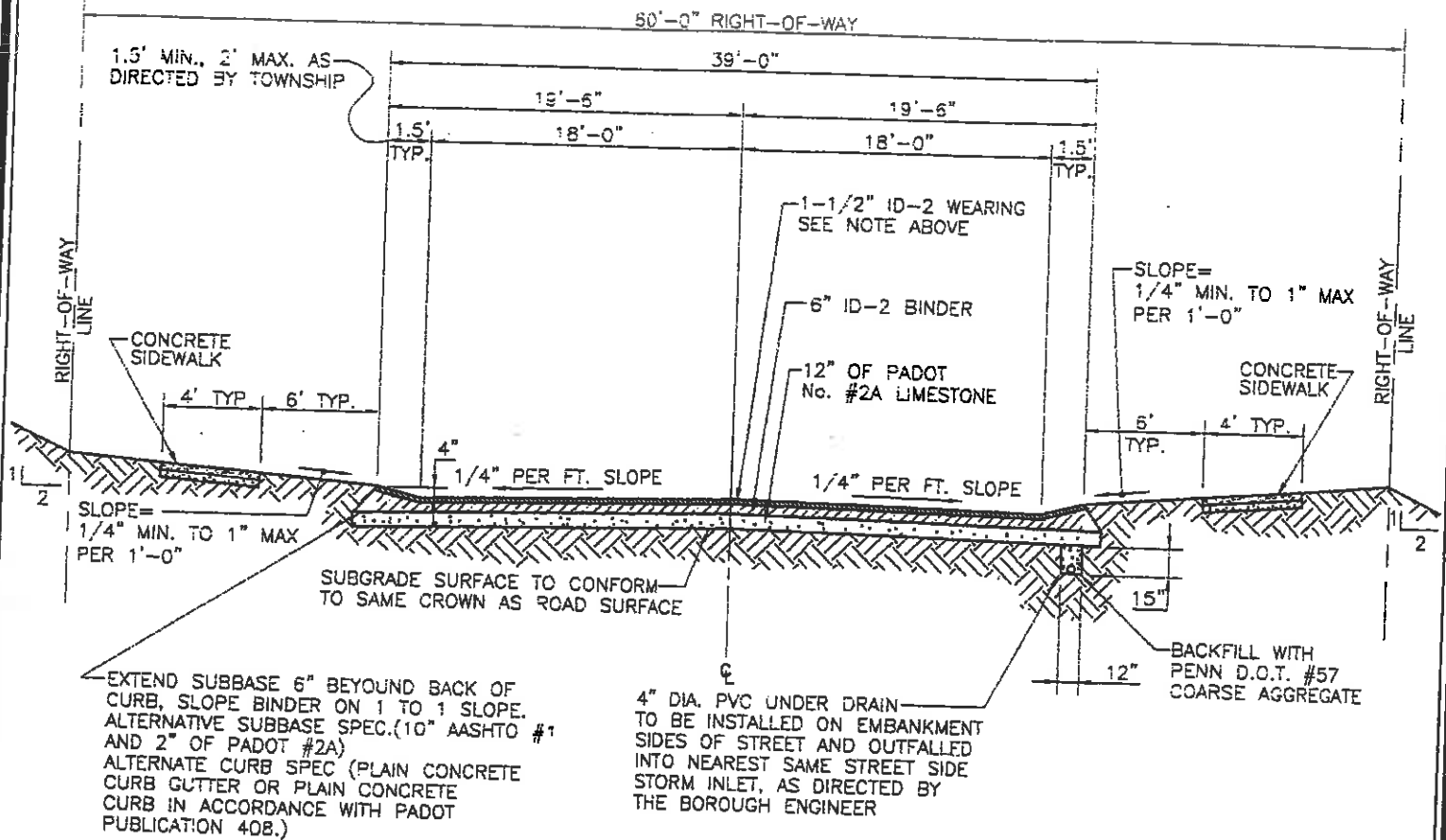
1. ALL THICKNESSES AS LISTED ARE COMPACTED THICKNESS TO DENSITY AS LISTED IN PENNDOT PUBLICATION 408.
2. ALL INLETS AND MANHOLES MUST BE ADJUSTED FOR PROFILE AND CROSS SLOPE PRIOR TO INSTALLING FINAL WEARING SURFACE. INITIAL WEARING COURSE MUST FINISH FLUSH WITH ALL MANHOLES AND INLETS. FINAL ADJUSTMENTS TO BE COMPLETE PRIOR TO FINAL WEARING SURFACE INSTALLATION. KEYWAYS AROUND STRUCTURES WILL NOT BE PERMITTED.
3. CARTWAY WIDTH AND NUMBER OF LANES TO BE PROVIDED PER TRAFFIC REPORT WHICH HAS BEEN REVIEWED AND APPROVED BY BOROUGH TRAFFIC ENGINEER. FOR TWO LANE SECTIONS A 23' MIN. CARTWAY TO BE PROVIDED. FOR THREE LANE SECTIONS A 34' MIN. SECTION TO BE PROVIDED AND FOR FOUR LANE SECTIONS A 45' MIN. SECTION TO BE PROVIDED NO MATTER WHAT THE CLASSIFICATION OF ROADWAYS. THE ABOVE CARTWAY WIDTHS ARE TO BE MAINTAINED AS MINIMUMS.
4. ALL SUBBASE MATERIAL SHALL BE CRUSHED ANGULAR LESTONE.

\* AS DIRECTED BY BOROUGH ENGINEER ALL UNEVEN AREAS, SETTLED AREAS, DAMAGED BY UTILITY COMPANIES AND OTHER BROKEN OR UNEVEN AREAS SHALL BE REPAIRED AND LEVELING WITH HMA WEARING COURSE PRIOR TO FINAL BITUMINOUS WEARING COURSE APPLICATION, INSTALLED ON ENTIRE ROADWAY. SUBBASE ALTERNATE TO BE SELECTED AND APPROVED BY THE BOROUGH BASED UPON FIELD CONDITIONS.

\*\* FOR MAJOR, COLLECTOR AND LOCAL CLASS, SUBMIT PAVEMENT DESIGN BASED UPON AVERAGE DAILY TRAFFIC AND ESAL LOADING COUNTS.

**Big Beaver Borough**  
**Standard Details**  
 Detail R-2  
 Roadway Paving Materials

**NOTE:**  
 2 PHASE PAVING  
 1 1/2" ID-2 WEARING OR  
 AS DIRECTED BY THE  
 BOROUGH ENGINEER



NOT TO SCALE

# BIG BEAVER BOROUGH

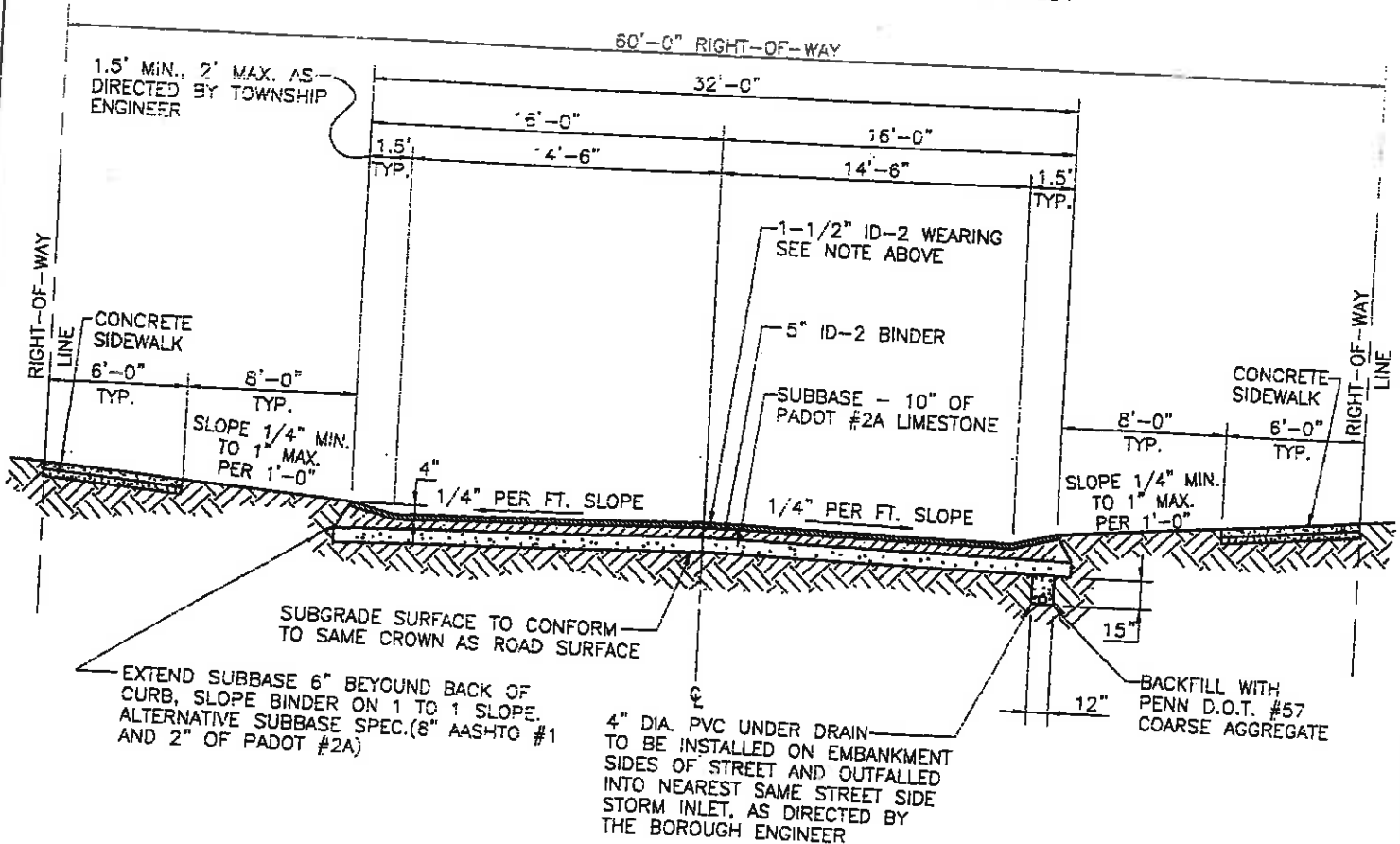
114 Forest Drive  
 Darlington, PA 16115  
 Tel: (724) 827-2416

## TYPICAL STREET SECTION ARTERIAL STREET

REVISION			
NO.	DATE	BY	DATE

RD-01

**NOTE:**  
 2 PHASE PAVING  
 1 1/2" ID-2 WEARING OR  
 AS DIRECTED BY THE  
 BOROUGH ENGINEER



NOT TO SCALE

# **BIG BEAVER BOROUGH**

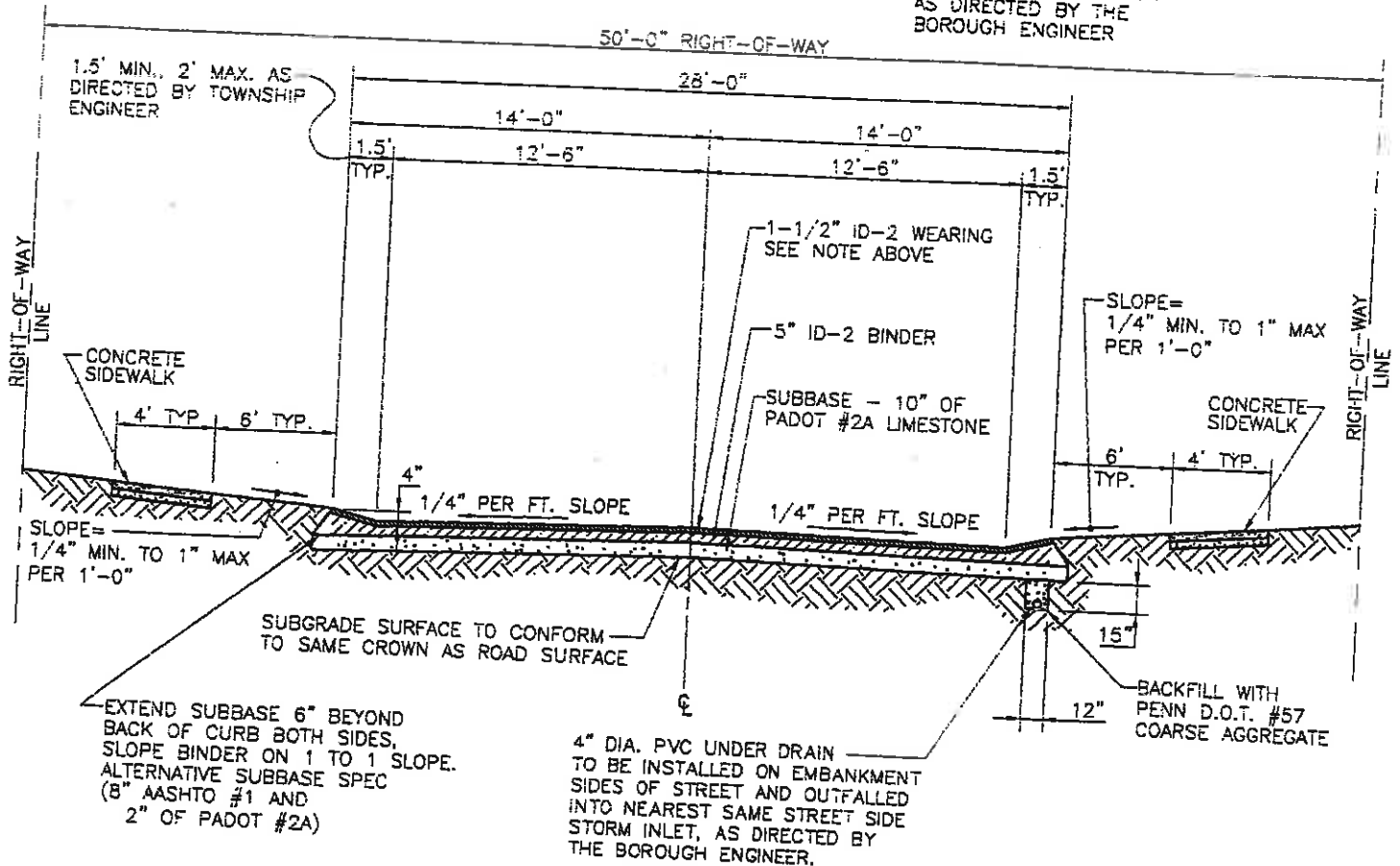
114 Forest Drive  
 Darlington, PA 16015  
 Tel: (724) 827-2410

# **TYPICAL STREET SECTION COMMERCIAL COLLECTOR STREET**

DATE	BY	CHK	APP

**RD-02**

**NOTE:**  
 2 PHASE PAVING  
 1 1/2" ID-2 WEARING OR  
 AS DIRECTED BY THE  
 BOROUGH ENGINEER



NOT TO SCALE

# **BIG BEAVER BOROUGH**

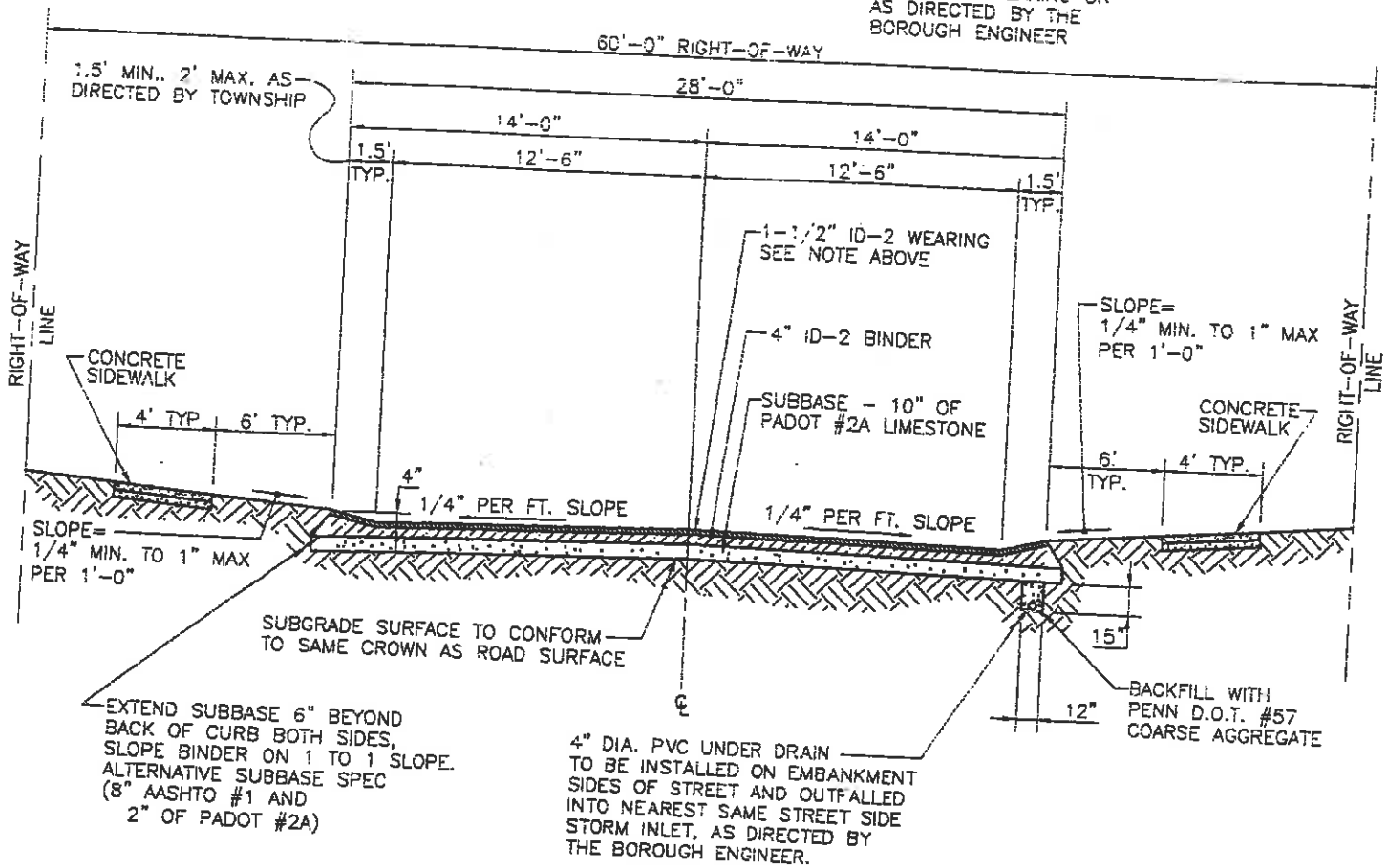
111 Forest Drive  
 Darlington, PA 16115  
 Tel: (724) 827-2416

## **TYPICAL STREET SECTION RESIDENTIAL COLLECTOR STREET**

NO.	DATE	NO.	DATE
1	MARCH 1983		

**RD-03**

**NOTE:**  
2 PHASE PAVING  
1/2" ID-2 WEARING OR  
AS DIRECTED BY THE  
BOROUGH ENGINEER



# **BIG BEAVER BOROUGH**

114 Forest Drive  
Darlington, PA 16115  
Tel: (724) 827-2416

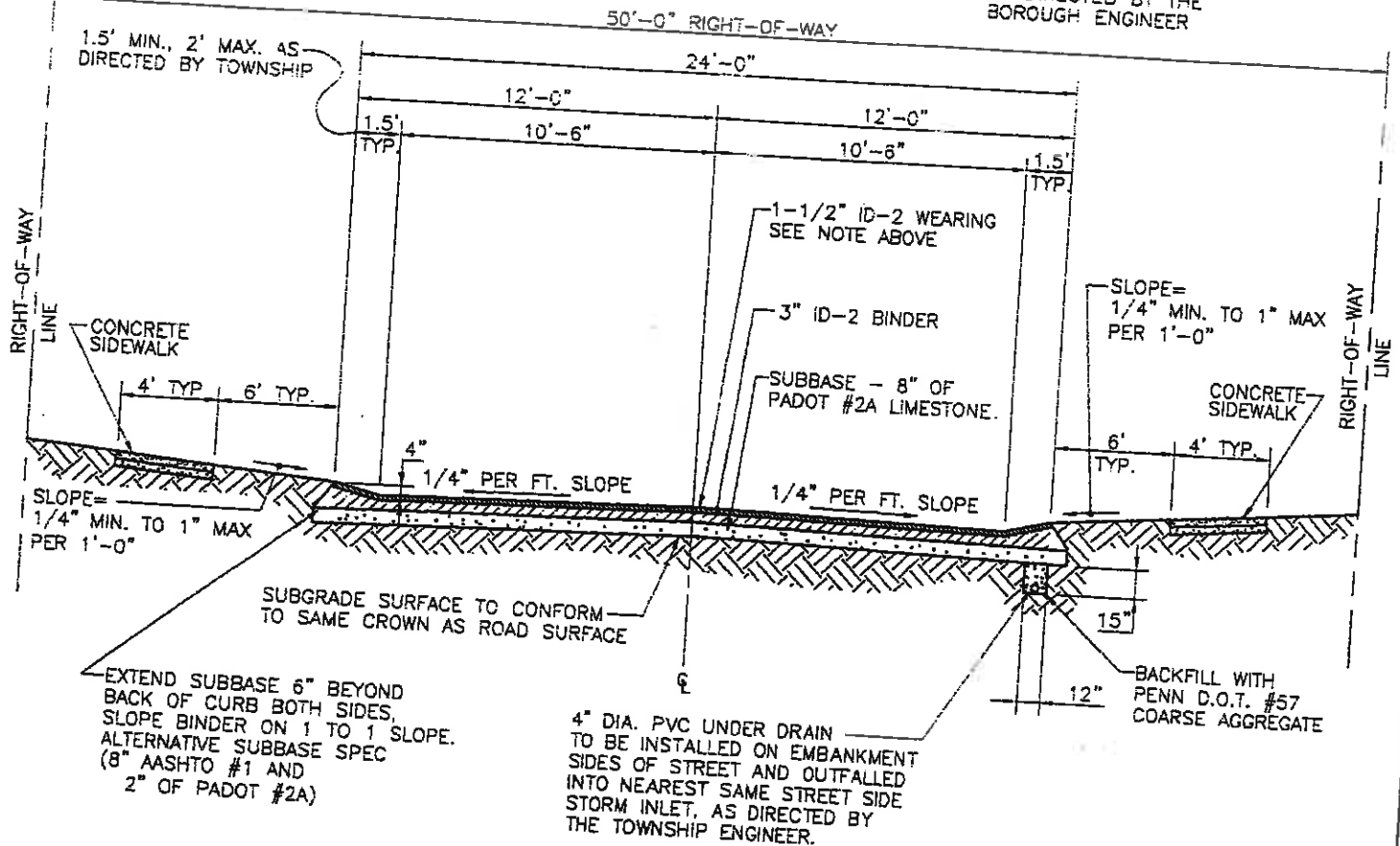
## **TYPICAL STREET SECTION LOCAL COMMERCIAL STREET**

REVISIONS				DATE
NO.	DESCRIPTION	BY	CHKD.	

**RD-04**



**NOTE:**  
 2 PHASE PAVING  
 1 1/2" ID-2 WEARING OR  
 AS DIRECTED BY THE  
 BOROUGH ENGINEER



NOT TO SCALE

**BIG BEAVER  
BOROUGH**

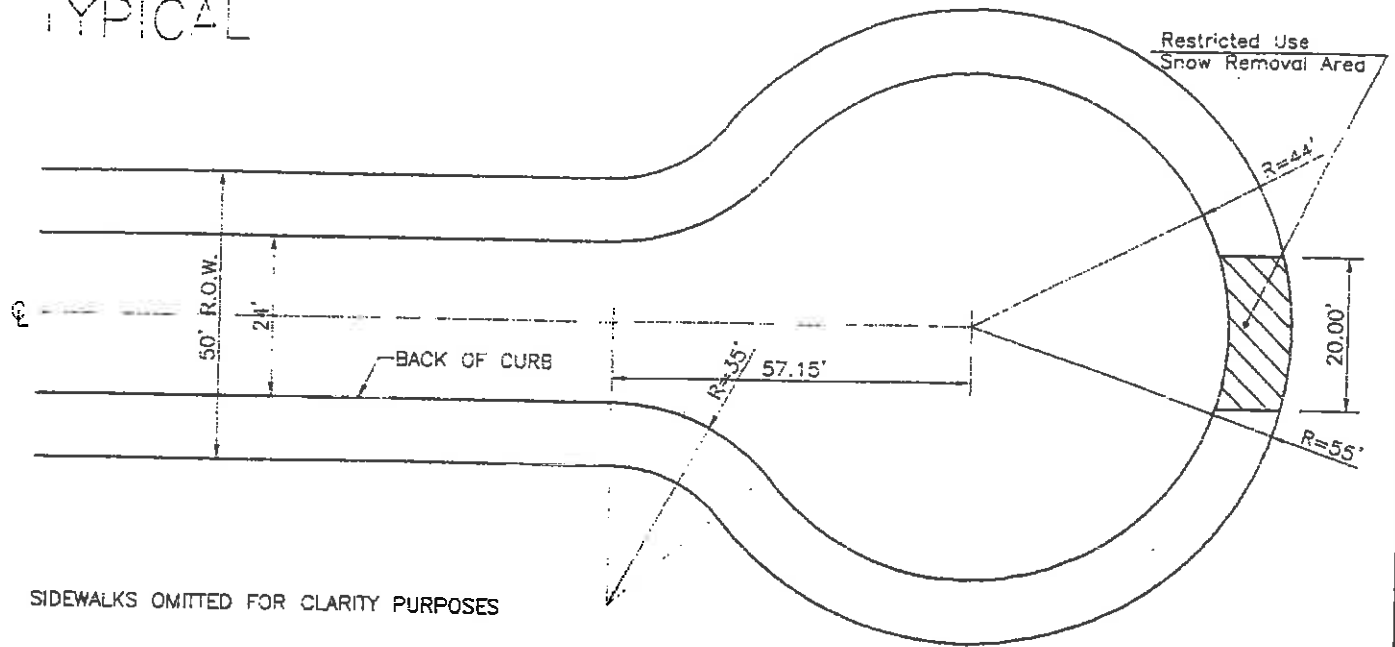
114 Forest Drive  
 Darlington, PA 16115  
 Tel: (724) 827-2418

**TYPICAL STREET SECTION  
LOCAL RESIDENTIAL STREET**

REVISIONS			
NO.	DATE	BY	DATE
1	10/1/11	RD-05	
2	10/1/11	RD-05	
3	10/1/11	RD-05	
4	10/1/11	RD-05	
5	10/1/11	RD-05	
6	10/1/11	RD-05	
7	10/1/11	RD-05	
8	10/1/11	RD-05	
9	10/1/11	RD-05	
10	10/1/11	RD-05	

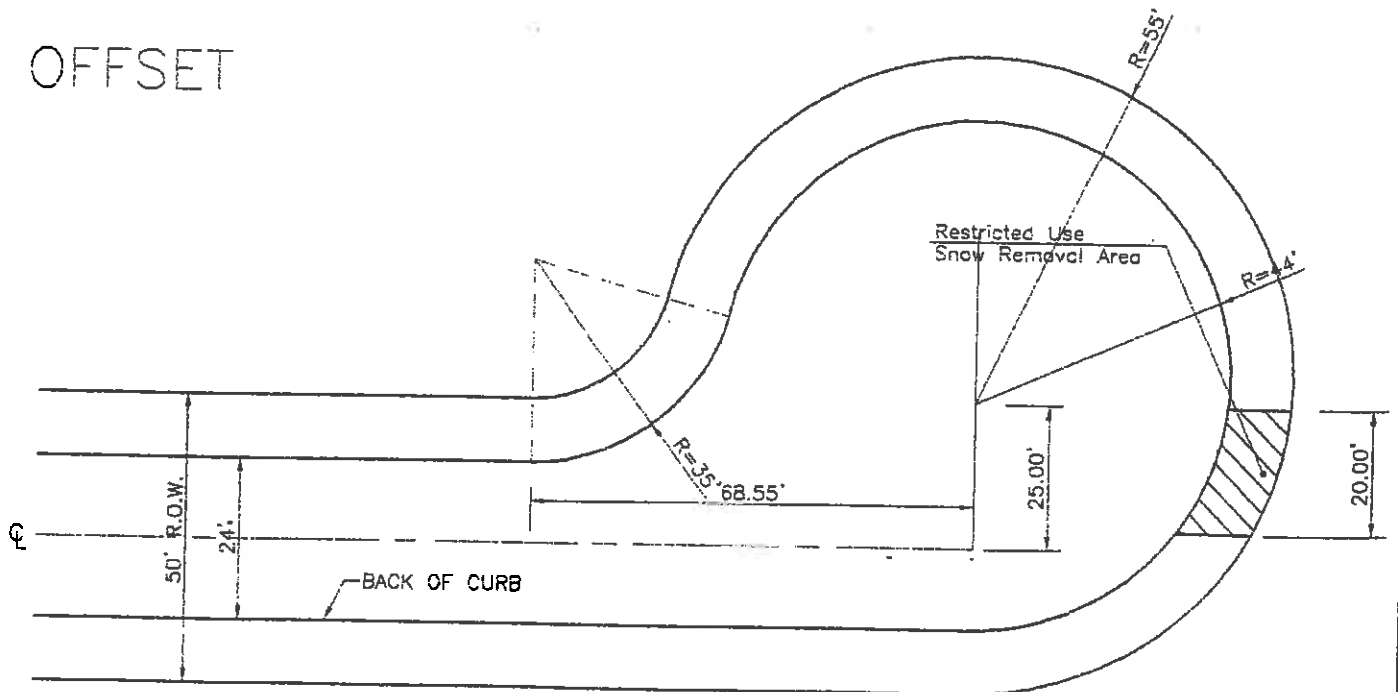
**RD-05**

# TYPICAL



NOT TO SCALE

# OFFSET



SIDEWALKS OMITTED FOR CLARITY PURPOSES

NOT TO SCALE

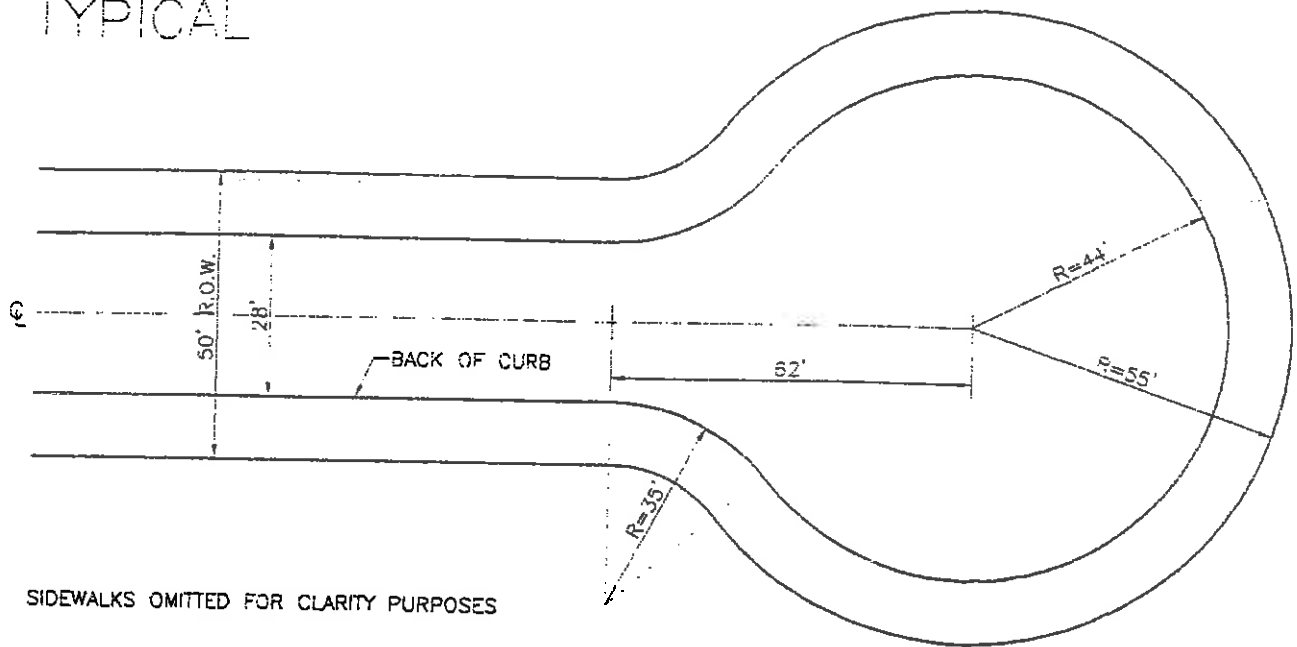
## BIG BEAVER BOROUGH

114 Forest Drive  
Darlington, PA 16115  
Tel: (724) 827-2116

## TYPICAL AND OFFSET CUL DE SAC DETAILS (RESIDENTIAL)

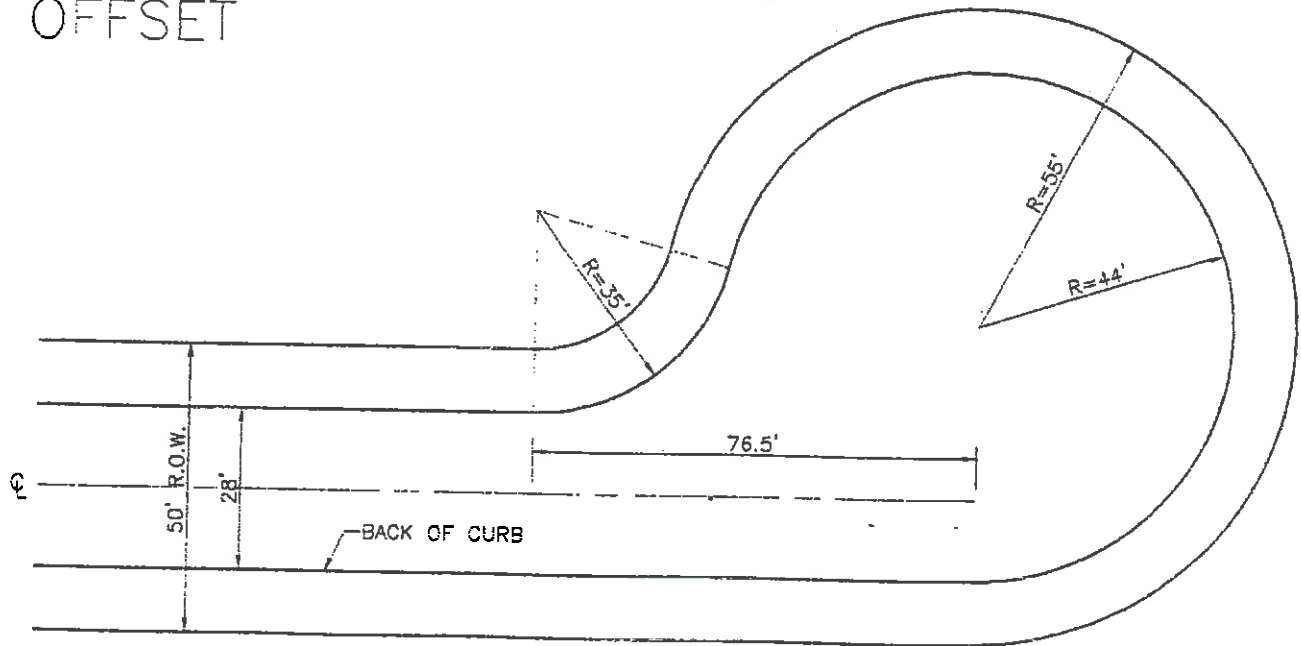
REVISIONS				DRAWING
NO.	DATE	BY	DATE	
1	10/1/10	10/1/10	10/1/10	
2	10/1/10	10/1/10	10/1/10	
3	10/1/10	10/1/10	10/1/10	
				RD-06

# TYPICAL



NOT TO SCALE

# OFFSET



SIDEWALKS OMITTED FOR CLARITY PURPOSES

NOT TO SCALE

## BIG BEAVER BOROUGH

111 Forest Drive  
Darlington, PA 16815  
Tel: (724) 827-2116

## TYPICAL AND OFFSET CUL DE SAC DETAILS (COMMERCIAL)

REVISIONS			
NO.	DATE	BY	APP.
1	10/24/00		
2			
3			
4			

RD-07