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Butler County  
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CHAPTER 22  
CODE OF ORDINANCES  
SUBDIVISION AND LAND DEVELOPMENT  
ORDINANCE

June 20, 2006

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**ORDINANCE NO. 2006-1**

**AN ORDINANCE OF THE TOWNSHIP OF FORWARD, BUTLER COUNTY, PENNSYLVANIA, AMENDING AND SUPERSEDING ITS SUBDIVISION AND LAND DEVELOPMENT REGULATIONS BY CLARIFYING, UPGRADING AND UPDATING ITS PRESENT REGULATIONS FOR ALL DEVELOPMENTS PROPOSED AFTER THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, the Township of Forward is empowered to adopt comprehensive subdivision land development regulations under the authority of the Pennsylvania Municipalities Planning Code; and

**WHEREAS**, the Forward Township Planning Commission has proposed a comprehensive revision and update of the current Township of Forward Subdivision and Land Development Regulations;

**WHEREAS**, the Butler County Planning Commission has been given at least thirty (30) days prior notice of the text of said proposed changes; and

**WHEREAS**, a public hearing was held by the Township of Forward Board of Supervisors for the purpose of taking public input and comment on the proposed regulations;

**WHEREAS**, the Board of Supervisors of the Township of Forward believe it is in the best interest of the safety, health and welfare of the residents of the Township of Forward to adopt the proposed Regulations.

**NOW, THEREFORE**, be it ordained and enacted and it is hereby ordained and enacted by the Township of Forward, Butler County, Pennsylvania, as follows:

**SECTION 1:** Chapter 22 of the Code of Ordinances of the Township of Forward, Butler County, Pennsylvania is hereby amended and superseded in its entirety, as referenced specifically in Chapter 22, Code of Ordinances, Subdivision and Land Development Ordinance, dated June 20, 2006:

**CHAPTER 22  
SUBDIVISION AND LAND DEVELOPMENT  
TABLE OF CONTENTS**

**Part 1**

<b>Title, Scope and Purpose .....</b>	<b>1</b>
§101. Title .....	1
§102. Purpose.....	1
§103. Grant of Power. ....	1
§104. Application of Regulations.....	2
§ 105. Types of Subdivisions and Developments Governed By this Chapter. ....	2

**Part 2**

**Definitions**

§201. Definitions.....	4
§202. Specific Definitions.....	4

**Part 3**

**Plan Format**

§300. Submission of Plans .....	14
§301. Ultimate Layout.....	14
§302. Restrictions.....	14
§303. Layout Requirements. ....	14
§304. Preliminary Plan Application Submission .....	15
§305. Required Information on Preliminary Plans.....	16
§306. Final Plan Application Submission. ....	18
§307. Required Information on Final Plans .....	20
§308. Required Documents for Final Plan Approval .....	21
§309. Post—Final Plan Review Activity. ....	22
§310. Subdivision or Development of Ten (10) Lots or Less .....	24
§311. Changes in Procedure.....	24

**Part 4**

**General and Specific Requirements for Subdivision and Land Development**

§401. Application of Standards.....	25
§402. Land Requirements.....	25
§403. Easements for Public Service Utilities and Drainage Ways.....	26
§404. Street Lighting.....	27
§405. Restrictions.....	27
§406. Street Design Requirements .....	27
§407. Lot and Block Requirements.....	32
§408. Erosion and Sedimentation Control .....	35
§409. Departure from the Regulations .....	39
§410. Road and Sidewalk Construction .....	39

**Part 5**

**Required Improvements**

§501. General ..... 42  
§502. Survey and Property Lines ..... 42  
§503. Monuments and Markers..... 42  
§504. Streets ..... 42  
§505. Curbs and Gutters..... 43  
§506. Sidewalks..... 43  
§507. Sanitary Sewerage System. .... 44  
§508. Water Supply and Hydrants. .... 45  
§509. Storm Drainage..... 46  
§510. Street Name Signs ..... 46  
§511. Street Trees..... 46  
§512. Filing Plans and Profiles..... 46  
§513. Departure from the Regulations. .... 46

**Part 6**

**Mobile Home Parks**

§601. Environmental, Open Space and Access Requirements..... 47  
§602. Water Supply..... 51  
§603. Sewage Disposal..... 52  
§604. Electrical Service..... 53  
§605. Toilet, Washroom and Laundry Facilities..... 53  
§606. License..... 54

**Part 7**

**Multi-Family/Mixed Development Option**

§701. Requirements for Multi-Family/Mixed Development. .... 55

**Part 8**

**Administrative Procedures**

§801. Pre—Application Procedure..... 59  
§802. Preliminary Plan Application ..... 59

**Part 9**

**Floodplains**

§901. Application of Flood Plain Regulations. .... 62

**Part 10**

**Stormwater Management**

§1001. Purpose. .... 63  
§1002. Applicability..... 63

§1003.	Definitions .....	63
§1004.	Review and Inspection. ....	63
§1005.	Liability; Maintenance of Retention Areas, .....	63
§1006.	Wet or Swampy Areas,.....	64
§1007.	Installations to Control Flow of Water.....	65
§1008.	Design Standards.....	66
§ 1009.	Run-Off Restrictions. ....	66
§1010.	Design Storm; By-Pass Facilities. ....	67
§1011.	Retention Area Design. ....	68
§1012.	Grading Requirements.....	73
§1013.	Exclusions to Storm Water Management Control Plan Development. ....	73
<b>Part 11</b>		
<b>Variances</b>		
§1101.	Criteria for Favorable Consideration.....	75
§1102.	Procedures for Consideration. ....	75
<b>Part 12</b>		
<b>Amendment Procedures</b>		
§1201.	Initiation. ....	77
§1202.	Procedures for Consideration. ....	77
<b>Part 13</b>		
<b>Prohibitions, Penalties, Enforcement, Fees and Injunctive Proceedings</b>		
§1301.	Unlawful Recording and Sale of Lots. ....	78
§1302.	Penalties.....	78
§1303.	Enforcement .....	78
§1304.	Injunctive and Other Proceedings .....	79
<b>Part 14</b>		
<b>Access Management</b>		
§ 1401.	Access Management Regulations Adopted.....	80
<b>Part 15</b>		
<b>Recreational Land Developments</b>		
§1501.	Design Standards and Other Requirements.....	81
§1502.	Application to Existing Developments.....	85
<b>Part 16</b>		
<b>Certificates and Approvals</b>		
§1601.	Owner's Adoption .....	86
§1602.	Corporation Adoption.....	87
§1603.	Individual Acknowledgment .....	88
§1604.	Corporation Acknowledgment .....	89

§1605.	Title Clause (No mortgage).....	90
§1606.	Title Clause (Mortgage Clause) .....	91
§1607.	Surveyor’s Certification (required). .....	92
§1608.	Local Authority Stipulation (required).....	93
§1609.	Local Authority Stipulation (required).....	94
§1610.	Local Planning Commission Approval (required). .....	95
§1611.	County Planning Commission Review (required).....	96
§1612.	County Conservation District Approval (required).....	97
§1613.	Proof of Recording (required). .....	98

**Part 1**  
**Title, Scope and Purpose**

**§101. Title.** This Chapter shall be known and may be cited as “The Forward Township Subdivision and Land Development Ordinance.”

**§102. Purpose.** This Chapter is adopted for the following reasons:

1. To comply with the requirements of Act 247, the Pennsylvania Municipalities Planning Code, as amended;
2. To promote the public health, safety, and general welfare of the residents;
3. To assure that the arrangement of each subdivision or development conforms to the harmonious and orderly development of the Township;
4. To guarantee that streets in and bordering each subdivision are coordinated with the Township circulation system and are of such widths, grades and locations as to accommodate prospective traffic and facilitate fire protection;
5. To make certain that sewage disposal and water supply utilities are provided in sufficient capacity to serve future needs in and near each subdivision or land development;
6. To provide easements of adequate size and in the proper locations for storm drainage and public utilities;
7. To prevent erosion damage, unnecessary destruction of natural plant materials or unnecessary movement of earth;
8. To assure the residents of the municipality that all subdivisions and developments will be approved based on an established public policy, objectively and uniformly enforced; and
9. To provide a precise, simple procedure for review of subdivision and development plan proposals by the Township and ease the process of conveyance of title of tracts of land.

**§103. Grant of Power.**

1. Section 501 of Article V, “Subdivision and Land Development” of Act 247, “The Pennsylvania Municipalities Planning Code”, as amended, allows municipalities to regulate subdivision and land development within their boundaries.

2. The Board of Supervisors delegates the Township Planning Commission to act as its agent in the administration of this Chapter and any subsequent amendments thereto, although final decisions in matters at issue and enforcement shall remain with the Board of Supervisors, guided by the Planning Commission's recommendations.

3. Any challenges to the validity or interpretations of any portion of this Chapter, any appeals from disapproval of a proposed subdivision or development plan, or any allegations that a subdivision or development plan approved by the Township has not been or is not being carried out in accordance with the approved documents shall be taken to the County Court of Common Pleas in the event satisfaction is not gained by appeal to the Board of Supervisors.

#### **§104. Application of Regulations.**

1. On and after the effective date of this Chapter, no lot may be divided; no lot in a subdivision may be sold, transferred or conveyed, no permit to erect, alter, repair or remove any building upon land in a subdivision may be issued and no buildings may be erected in a subdivision or development plan unless and until a subdivision plan or land development plan has been approved by the Board of Supervisors, after recommendation of the Planning Commission, and recorded, and until the improvements required by this Chapter have either been constructed or guaranteed, as required by this Chapter.

2. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements adopted for the protection of the public health, safety and welfare.

3. This Chapter is not intended to annul or interfere with existing laws or ordinances or with private restrictions placed upon property by deed, covenant or other private agreement, or with restrictive covenants running with the land to which the Township is a party, except that where this Chapter imposes greater restrictions upon land and development than are imposed or required by such existing provisions of law, ordinance, contract or deed, it shall be interpreted that they are in addition to the restrictions of such other existing regulation or ordinance.

4. In the event that two (2) or more regulations in this chapter are in conflict with one another, the more stringent or higher regulation shall apply.

#### **§105. Types of Subdivisions and Developments Governed By this Chapter.**

1. Subdivision — A subdivision is the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership of building or lot development, except that the subdivision by lease of land for agricultural purposes only into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be

permitted by simple recording without subdivision review.

2. Land Development — A Land Development is:

- a. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving,
  - i. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - ii. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
- b. A subdivision of land;

## **Part 2 Definitions**

**§201. Definitions.** For the purpose of this Chapter, certain terms or words used herein shall be interpreted as follows, terms or words not defined herein shall be defined as provided in Act 257 “The Pennsylvania Municipalities Planning Code”:

1. The word PERSON includes a firm, association, organization, partnership, trust company, or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular; words of the masculine gender include feminine gender; words of feminine gender include masculine gender.
2. The word SHALL is mandatory, the word MAY is permissive;
3. The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
4. The word LOT includes the words PLOT and PARCEL.
5. The term SUBDIVISION is defined in this section and also includes any division of a parcel or area of land by improvement, into two or more units although the owner does not transfer legal or equitable title or any interest therein to any certain portion thereof, (for example, row houses or semi—detached dwellings retained for rental purposes).
6. The words “used” or “occupied” include the words “intended, designed, maintained, or arranged to be used, occupied, or maintained.”

### **§202. Specific Definitions.**

**APPLICANT** – A landowner or developer who has submitted a subdivision or drainage plan or filed an application for the approval to engage in any applicable activities defined in this ordinance.

**BLOCK** - a parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage, or a combination thereof.

**BUILDING LINE** - a line which designates the minimum distance that a building must be erected from a street right-of-way. Said line is a specified distance from, and generally parallel to, the street right-of-way line, or lines, upon which the lot abuts.

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

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

**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 planned residential development, not including streets, off-street parking areas, and areas set aside for public facilities.

**COMPREHENSIVE PLAN** - those coordinated plans which have been prepared and adopted by the Planning Commission for the guidance of the physical and other generally advantageous development of the Township and includes the objectives of the Township concerning its future development; a plan for land use; a plan for movement of people and goods; a plan for community facilities and utilities; and a statement indicating the relationship of the Township and its proposed development to adjacent municipalities and areas.

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

**CULVERT** – A structure with appurtenant works which carries a stream under or through an embankment or fill.

**CUT** - an excavation; the material removed in excavation; the difference between a point on the original ground and a designated point of lower elevation on the final grade.

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

**DESIGN STORM** – The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g. a 10-year storm) and duration (e.g. 24-hours), used in the design and evaluation of stormwater management systems.

**DETENTION BASIN** – An impoundment structure designed to manage stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate.

**DEVELOPER** - an individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity, (or agent hereof), that undertakes the activities covered by these regulations, particularly the drawing up of the subdivision plan or a land development showing the layout of the land and the public improvements involved therein. Inasmuch as the subdivision plan is merely a necessary means to the end of assuring satisfactory development, the term “developer” is intended to include the term “subdivider,” “owner” and “builder” even though the persons involved in successive stages of the project may vary.

DEVELOPMENT – Any man-made change to improve or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DWELLING UNIT - any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

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

ENGINEER - a person licensed to practice in the Commonwealth of Pennsylvania as a registered professional engineer or registered surveyor.

EROSION - the natural process by which the surface of the land is worn away by the action of water, wind or chemical action.

EQUIVALENT DWELLING UNIT – a single family residence, whether stand-alone or part of a multi-family structure, apartment building, townhouse, or other structure or the equivalent non-residential structure that produces 400 gallons per day of wastewater flow.

EROSION AND SEDIMENTATION CONTROL PLAN - a plan setting forth the methods to prevent accelerated erosion and sedimentation resulting from earthmoving activities including, but not limited to, excavations, embankments, land development, subdivision development, and the moving, depositing or storing of soil, rock or earth.

EXCAVATION - any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting there from.

FILL - any act by which earth, sand, gravel, rock or any other similar material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting there from.

FLOOD – A general but temporary condition of partial or complete inundation of normally dry land area from the overflow of streams, rivers or other waters of this Commonwealth.

FLOODWAY – The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provide by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed – absent evidence to the contrary – that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

FLOOD PLAIN - the area along a natural watercourse which is periodically overflowed by water there from.

GENERAL FLOOD PLAIN AREA – The 100 year floodway and that maximum area of land that is likely to be flooded by the 100-year flood, as shown on the flood plain maps.

GRADE – A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein.

(TO) GRADE – to finish the surface of the roadbed, top of embankment or bottom of excavation.

IMPERVIOUS SURFACE – A surface that has been compacted or covered with material to the extent that it is highly resistant to infiltration by water, including, but not limited to, conventional impervious surfaces such as paved streets, roofs, compacted stone, and sidewalks. In addition, the following shall be considered impervious surfaces when used by motor vehicles: graveled areas, paver blocks, and cobblestone.

IMPOUNDMENT – A retention or detention basin designed to retain stormwater runoff and

IMPROVEMENTS - those physical changes to the land necessary to produce usable and desirable land from raw acreage including but not limited to grading, paving, curb, gutter, storm sewers and drains, improvements to existing watercourses, sidewalks, street signs, crosswalks, shade trees, sodding or seeding, monuments, water supply facilities, and sewerage disposal facilities.

INDIVIDUAL STORM WATER MANAGEMENT PLAN – A plan required under this ordinance to be submitted with the building permit application, or a subdivision plan and all non-residential developments, to show how compliance with the provisions of this ordinance and the County Watershed Storm Water Management Plan, if any, will be accomplished.

INLET – A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

LAND DEVELOPMENT – Any of the following activities:

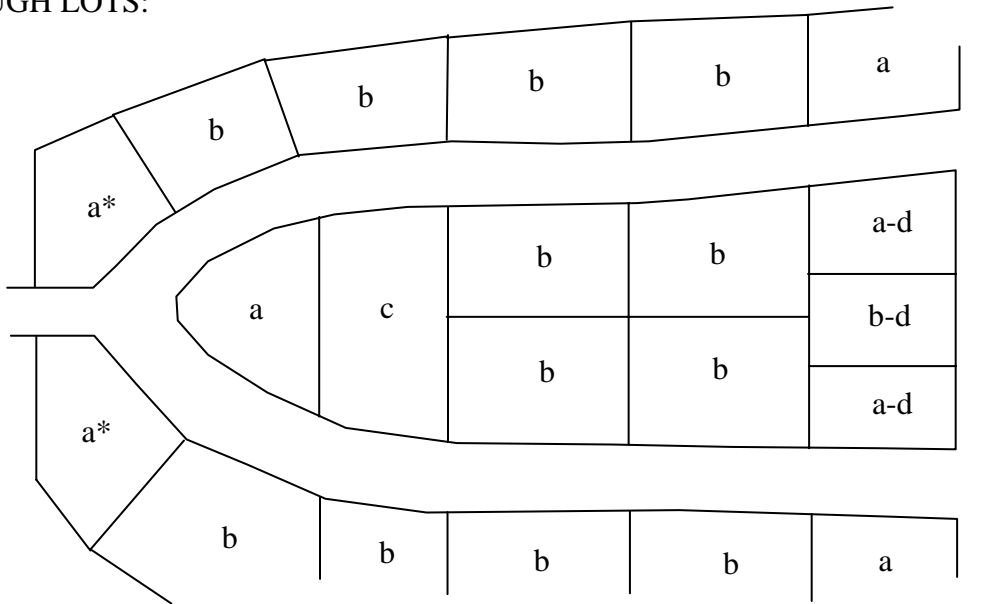
1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving,
  - a. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure or
  - b. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose

of streets, common areas, leaseholds, condominiums, building groups or other features;

2. A subdivision of land.

LOT - a building site that is described by reference to a recorded plat or by metes and bounds, which has direct legal access to a street or has access to a street over an easement approved by the Board of Supervisors, and is intended as a unit for transfer of ownership or development. (See also §201 hereof.)

LOT TYPES - The following diagram illustrates terminology used in these regulations with reference to CORNER LOTS, INTERIOR LOTS, REVERSED FRONTAGE LOTS AND THROUGH LOTS:



- (a) CORNER LOT, means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of lot meet an interior angle of less than 135 degrees. See lots marked a\* in the diagram.
- (b) INTERIOR LOT, means a lot other than a corner lot with only one frontage on a street other than an alley.
- (c) THROUGH LOT, means a lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as DOUBLE FRONTAGE LOTS.

REVERSED FRONTAGE LOT, means a lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot (See a-d and b-d diagram).

MAINTENANCE GUARANTEE – Any financial security, acceptable under Article V of the Pennsylvania Municipalities Planning Code, which may be accepted by a municipality or Butler County for the maintenance of any improvements required by this Ordinance.

MAJOR SUBDIVISION – Any subdivision not classified as a minor and/or simple subdivision; specifically those creating more than ten (10) parcels of land including the residential or remaining tract/parcel. For the purpose of this Ordinance, all land developments shall be considered a major subdivision, regardless of whether or not it includes an actual subdivision of land (See Land Development).

MINOR SUBDIVISION – The subdivision of land into not more than ten (10) parcels, including the residential property, located on an existing improved public street/road that does not involve the construction, installation, or dedication of new streets, utilities, or other public improvements.

MOBILE HOME – A transportable, single family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The term does not include recreational vehicles or travel trailers.

MULTI FAMILY/MIXED DEVELOPMENT - an area of land, controlled by one landowner, to be developed as a single entity for a number of dwelling units, or a combination of residential and non-residential uses, the development plan for which does not correspond in lot size, bulk or type of dwelling, use, density, intensity, lot coverage, and required open space to the regulations established in Forward Township Subdivision Land Development Ordinance.

MUNICIPALITY - Forward Township.

OBSTRUCTION – Any structure or assembly of materials including fill above or below the surface of land or water and as activity which might impede, retard, or change flood flows. The planting, cultivation, the harvesting of field or orchard crops or the grazing of livestock including the maintenance of necessary appurtenant agricultural fencing shall not be considered an “obstruction” under this definition and shall not be subject to regulation under this ordinance.

ON LOT SEWAGE SYSTEM – An individual sewage system serving a single lot and located on the single lot it serves which uses a system of piping, tanks, or other facilities for collecting, treating or disposing of sewage into a soil absorption area, spray field, retention in a retaining tank, or into the waters of the Commonwealth.

**OUTFALL** – A point where the Municipality’s storm sewer system discharges to surface waters of the Commonwealth.

**OUTLET** – Points of water disposal from a stream, river, lake, tidewater or artificial drain.

**PARKING LOT STORAGE** – Involves the use of impervious parking areas as temporary impoundments with controlled release rates of stormwater runoff during rainstorms.

**PEAK DISCHARGE** – The maximum rate of stormwater runoff from a specific storm event.

**PERSON** – An individual, partnership, public or private association or corporation, or a governmental unit, public utility or any other legal entity whatsoever which recognized by law as the subject of rights and duties.

**PIPE** – A culvert, closed conduit, or similar structure (including appurtenances) that conveys stormwater.

**PLANNING COMMISSION** - the Planning Commission of Forward Township.

**PLAT (PLAN) FINAL** - a complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights, streets and all other improvements.

**PLAT (PLAN) PRELIMINARY** - a tentative subdivision plan, in lesser detail than a final plan, showing approximate street and lot layout as a basis for consideration prior to preparation of a final plan.

**RECREATIONAL VEHICLE** - a vehicle with or without motor power which may be towed on the public highways without a special hauling permit, or which may be driven under its own power, and which is designed for human occupancy under transient circumstances such as camping, travel, or other recreation, sometimes variously known as a “travel trailer” or a “camping trailer.” Such recreational vehicle is not used as a permanent dwelling. Leased areas for parking recreational vehicles shall meet requirements for mobile home parks.

**RELEASE RATE** – The percentage of predevelopment peak rate of runoff from a site of subarea to which the post development peak rate of stormwater runoff must be reduced to protect downstream areas.

**RETENTION BASIN** – An impoundment in which stormwater is stored and not released during the storm event. Stored water may be released from the basin at some time after the end of the storm.

**RETURN PERIOD** – The average interval, in years, within which a storm event of a given magnitude can be expected to recur. For example, the 25-year return period rainfall would be expected to recur on the average once every twenty-five (25) years.

**RIGHT-OF-WAY** - land reserved for use as a street, alley, interior walk, utility, or for other public or private purposes.

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

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

**SEWAGE SYSTEM, COMMUNITY** – A system, either privately or publicly owned, for the collection of sewage and/or industrial wastes of a liquid or semi-solid nature from two or more lots and for the treatment or disposal of the sewage or industrial waste on one or more of the lots or at any other site.

**SEWAGE SYSTEM, INDIVIDUAL** – A system of piping, tanks, or other facilities serving a single lot for collecting, treating, and disposing of domestic sewage into the soil or into the waters of the Commonwealth or by means of conveyance to another site for formal disposal.

**SIMPLE SUBDIVISION** – The subdivision of land into not more than three (3) parcels, including the residual property, located on an existing improved public street/road that does not involve the construction, installation, or dedication of new streets, utilities, or other public improvements.

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

**SOIL PERCOLATION TEST** - a method of determining the ability of soil to absorb moisture under certain conditions. It is used to measure the amount of water assimilated by the soil in inches of drop per time interval, and indicates the problems that will occur in utilization of on-lot sewage disposal.

**SOIL STABILIZATION** - the chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise insure its resistance to erosion, sliding or other movement.

**SPILLWAY** – A depression in the embankment of a pond or basin which is used to pass peak discharge greater than the maximum design storm controlled by the pond.

**STORM FREQUENCY** – The number of times that a given storm “event” occurs or is exceeded on the average in a stated period of years.

**STORM SEWER** – A system of pipes and/or open channels that convey intercepted runoff and stormwater from the other sources, but excludes domestic sewage and industrial wastes.

**STORMWATER** – The total amount of precipitation reaching the ground surface.

**STREET** - an avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used by vehicular traffic or pedestrian whether public or private. Classes of streets are as follows:

Major traffic streets are those serving large volumes of comparatively high-speed and long distance traffic. Traffic is fed into major streets by collector streets.

Collector streets are those which, in addition to giving access to abutting properties, intercept minor streets or marginal access streets and provide routes, carrying considerable volumes of traffic, to community facilities and to major traffic streets.

Local streets are those used primarily to provide access to abutting property.

Marginal access streets are minor streets, parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersection with and access on the major traffic streets.

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

**SUBAREA** – The smallest drainage unit of a watershed for which stormwater management criteria have been established in the Stormwater Management Plan.

**SUBDIVISION** - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development: provided, however, that the 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.

**SUBSTANTIAL IMPROVEMENTS** – Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damaged occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimension of the structure. The term does not, however, include either any project for improvement of a structure to comply with the existing state or local health, sanitary or safety code specification which are solely necessary to assure safe living conditions or any alteration to a structure listed on the National Register or Historic Places of the State Inventory of Historic Places.

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

TOPSOIL - surface soil and subsurface soil which presumably is fertile soil and soil material ordinarily high in organic matter or human debris.

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

WATERSHED – The entire region or area drained by a river or other body of water, whether natural or artificial.

100-YEAR FLOOD – The highest level of flooding that on the average is likely to occur every 100 years, that is, that has a 1.0 percent chance of occurring each year.

100-YEAR FLOOD PLAIN OR FLOOD PLAIN – The 100 year floodway and that maximum area of land that is likely to be flooded by a 100-year flood as shown on the flood plain maps provided by Federal Emergency Management to the municipality.

### **Part 3 Plan Format**

**§300. Submission of Plans.** For any subdivision or land development project, requiring review by the Forward Township Planning Commission, plans shall be submitted to the Forward Township Planning Commission and be in conformity with the regulations as set forth in this section together with any and all application and review fees which are established by the Board for such applications from time to time. Any and all plans, drawings, data, specifications, tabulations that are supplementary to a plan submission shall be considered as an integral part of the submission.

**§301. Ultimate Layout.** The submitted plan shall show the ultimate layout proposed for development to be considered by the Planning Commission for review and if ultimately reviewed and/or approved, for legal recording as thus shown.

**§302. Restrictions.** All restrictions affecting the use of property within the submitted proposal shall be detailed upon the plan.

**§303. Layout Requirements.** In the preparation of final plans to be submitted to the Forward Township Planning Commission for review, the following specifications and techniques shall be required unless waived by the Commission:

1. All plans shall be drawn on new linen tracing cloth or other comparable permanent material on sheets no larger than 24 inches by 36 inches (24" x 36") and contain the following general information: north arrow; key map showing project location and municipality; streets on and adjacent to the land tract with street names; proposed general lot layout and tract boundaries; sewage system information; water system information; and name, address, and phone number of contact person for the project.
2. All plans shall be drawn with waterproof black ink. All records, data, entries and statements shall be made with waterproof black ink. All signatures shall be signed with waterproof black ink. Contour lines, when shown, shall be drawn with waterproof brown ink or with diluted waterproof black ink, so that the contour lines will show faintly on a print made from the original drawing.
3. All drawings shall be drafted to a scale no smaller than one hundred (100) feet to the inch, and shall be of sufficient size to clearly show all dimensions, notations, entries, etc., however, plans should generally be drawn to a scale of fifty (50) feet to the inch. Dimensions shall be shown to the nearest one—hundredth (.01) of a foot.
4. All plans shall have the title placed in the lower right hand corner of the drawing along with a signature block containing the owner's signature.

**§304. Preliminary Plan Application Submission.** The following process shall be in effect for the submittal, review, and formal action on an application for preliminary plan approval:

1. The developer or his representative shall submit not less than four (4) copies of the documents required by this Section to the Planning Commission five (5) days before the regular Planning Commission meeting. The Planning Commission may request additional copies of the plan at its option.
2. The developer shall pay by check to the order of Forward Township a filing fee to cover the processing of his plan five (5) days before the regular Planning Commission meeting in an amount set from time to time by Resolution..
3. The developer or his representative is strongly urged to be present at the meeting when his plan is considered. The Planning Commission may, at its option, postpone review of the plan, and official receipt of the plan for the record, until a subsequent meeting at which the developer or his representative is present.
4. The Planning Commission shall review the submission as to conformance with the specific requirements of this Ordinance and all other applicable ordinances and incorporation of recommendations made at the pre-application meeting.
5. The Planning Commission shall indicate to the developer what deficiencies it notes on the plan and other recommendations it may have, all of which shall be noted in the minutes of the meeting.
6. Copies of the submission shall be sent to the Board of Supervisors, Sewage Enforcement Officer, and to the Township Engineer at the Planning Commission's option, and one copy shall be placed in the Planning Commission's files. At its option the Planning Commission may require one copy of the plan for each Planning Commission member.
7. The developer shall submit one additional copy to the Butler County Planning Commission for its review not later than one (1) week after the Forward Township Planning Commission meeting, requesting comments from the Butler County Planning Commission be sent to the Township before the Township Planning Commission's next regular meeting.
8. The Planning Commission may request the developer to submit one copy of the plan to the Butler County Conservation District and/or to the Department of Environmental Protection.
9. The Planning Commission may call and hold a public hearing on the plan after newspaper advertisement once in each of two (2) consecutive weeks, the first notice not less than fourteen (14) days before the hearing, and after notifying owners of property abutting the plan by mail.
10. The Planning Commission shall recommend to the Board of Supervisors that the plan be approved as presented, approved with conditions, or denied. The recommendation shall be noted in the minutes of the meeting, with reasons in support of the decision and the attached

conditions, if any, spelled out, and comments from the various agencies asked to review the plan sited. A letter detailing the Planning Commission's recommendation shall be sent to the developer and to the Board of Supervisors.

11. If the developer withdraws the plan by letter in writing for modification and resubmits it, the new review period shall commence upon the date of the meeting at which the plan was resubmitted. A new review fee is required with the resubmittal.

12. The Board of Supervisors shall review the recommendations of the Planning Commission and shall render a decision to approve the plan as submitted, approve it with conditions or deny it. The Board of Supervisor's decision shall be reached and the developer shall be informed no later than ninety (90) days after the Planning Commission's meeting at which the preliminary plan application was first reviewed and not subsequently denied.

13. The Board of Supervisors shall enter its decision in the minutes of its meeting, indicating the vote, conditions, if any, attached to approval or specific reasons why the plan was denied citing sections of this Ordinance. The Board of Supervisors shall send a letter to the developer notifying him of the decision, within fifteen (15) days after the meeting.

14. Failure of the Board of Supervisors to render a decision and/or to communicate it to the developer within the ninety (90) day limit shall be deemed an approval of the plan as submitted unless the developer has requested in writing to an extension of time which is granted by the Planning Commission and/or Board of Supervisors, in which case failure to meet the extended time limit shall have the same effect.

15. Approval of a preliminary application shall not be construed to constitute final approval but only an authorization to proceed with preparation of a final plan application for presentation to the Planning Commission not later than one (1) year after preliminary plan approval. The final plan may be for all or a part of the plan given preliminary approval. Failure of the developer to submit a final plan application within the one-year limit shall render the preliminary plan approval void.

**§305. Required Information on Preliminary Plans (Preliminary Plans May be Waived for Minor and Simple Subdivisions and Developments.** All plans, drawings, date specifications, etc., that are submitted to the Forward Township Planning Commission for review and approval shall be in conformance with the following specifications, submitted in duplicate, and shall include, but not be limited, to the following:

1. The title under which the subdivision or land development is to be recorded.
2. The date of the plan, the graphic scale and the north point.
3. The location of the plan by municipality, county and state.

4. The name and address of the owner of the subdivision or land development, or of his agent, if any, and of the subdivider or developer. The signature of the owner and subdivider or developer is required.
5. The name and address of the engineer or surveyor together with his registration number and seal attached. The signature of the engineer or surveyor must appear below his registration number and seal.
6. Contours of vertical intervals of two feet (2') for land with average natural slope of eight percent (8%) or less, and at vertical intervals of five feet (5') or more steeply sloping land.
7. Adequate information regarding the reference data used for elevations.
8. Proposed grading showing existing contours to remain, contours to be altered and new contours at two foot (2') interval.
9. The total acreage of the plan.
10. The plot and property lines of the proposed plan to include their courses and distances and the interior angles of their intersections with the boundary lines of adjacent property.
11. The property lines of adjacent property whether laid out as subdivisions or not, with the names of the owners of such property.
12. The names and dimensional data of proposed streets, roads or other ways which are, or will become extensions of already established streets, roads or other ways which are required to be shown. New Street names shall not duplicate or closely approximate existing street names within the Township.
13. The layout and dimensional data for all streets, roads or other ways adjacent to or abutting the plan within 200 feet of the proposed development boundaries.
14. The utilities on, or proposed for, and within 200 feet of the development showing the location, size and appropriate elevations for sanitary and storm sewers, and water mains, gas mains, hydrants, power and telephone lines, sewage lift stations, sewage disposal plants, water supplies, including private wells and storage facilities. Points of connection with existing utilities shall also be shown where applicable.
15. The approximate location, dimensions and area of all property to be reserved for public use or for use by the property owners in the development, such as parks and recreation areas.
16. The location, dimensions, and purpose of all proposed easements.
17. The proposed plan for storm drainage systems including location of storm sewers, culverts, inlets, easements, diversion terraces, sedimentation basins, etc., and a determination of the

amount of runoff from the project area and the upstream watershed area.

18. The location of prominent topographic features such as streams, drainage channels, floodplains as developed and delineated by FEMA, wooded areas and other pertinent features that may influence the design.

19. The dimensioning of individual lots within the proposed plan shall be in sufficient detail so as to enable the calculation of each lot area and lot dimensions.

20. Where multi-family development is proposed, the locations of these buildings shall be indicated showing height of each, number of dwelling units in each, minimum distances between buildings and between buildings and road rights—of—way, and proposed parking areas and number of spaces.

21. A separate street profile may be required for each established and proposed street, road or other way, showing elevations along the center line within the plan and at a distance of 200 feet beyond the plan.

22. If on—lot sewage disposal is to be utilized in the development, the developer shall submit soil percolation tests certified by the municipal sewage enforcement officer or the Department of Environmental Protection conducted in accordance with the provisions of the Pennsylvania Sewage Facilities Act, Rules and Regulations.

23. A general location map shall be submitted with the preliminary plan and shall be drawn at a scale large enough to show the location of the proposed development within the municipality and its relationship to existing community facilities, such as main traffic arteries, public transportation, schools, recreation areas, shopping areas and industrial areas.

24. All buildings, structures, storage facilities, and all existing wells and on-lot disposal systems.

**§306. Final Plan Application Submission.** The following process shall apply to the submission, review, and action taken on final plans:

1. Having successfully completed the preliminary plan application procedure, the developer shall, within one (1) year of preliminary approval, submit his final plan application in not less than four (4) copies at a regularly scheduled meeting of the Planning Commission. He shall inform the Secretary of the Planning Commission of his intent to submit at least five (5) days prior to the regular Planning Commission meeting. The submission shall consist of the documents required by this Section and may be for all or a part of the plan already given preliminary approval.

2. The Planning Commission shall review the submitted documents as to conformance with the requirements of this Ordinance. The Planning Commission will satisfy itself that conditions

attached to preliminary approval have been incorporated in the submission. The developer or his representative is urged to be present at the meeting to answer questions raised by the Commission. In the event the developer or his representative are not present and questions arise that cannot be answered, the Planning Commission, at its option, may postpone consideration of the submission and its official receipt for the record until the developer or his representative is present.

3. The Planning Commission shall indicate to the developer or his representative what, if any, deficiencies it discovers, and shall note them in the minutes of the meeting. Copies of the submission shall be distributed to the Board of Supervisors, to the Sewage Enforcement Officer, to the Township Engineer, and to the Planning Commission files.

4. The Planning Commission shall require the developer to submit one additional copy to the Butler County Planning Commission for its review not later than one (1) week after the Township Planning Commission meeting, requesting comments to be sent to the Township Planning Commission before its next regular meeting. The developer should be made aware in any case that the review of the Butler County Planning Commission is required prior to final recording.

5. The Planning Commission shall recommend to the Board of Supervisors that the plan be approved as presented, approved with conditions, or denied. The recommendation shall be noted in the minutes of the meeting, with reasons in support of the decision and the attached conditions, if any, spelled out. A letter detailing the Planning Commission's recommendations shall be sent to the developer and Board of Supervisors.

6. The Board of Supervisors shall review the recommendations of the Planning Commission and shall render a decision to approve the plan as submitted, approve it with conditions, or deny it. The Board of Supervisor's decision shall be reached and the developer informed of it no later than ninety (90) days after the Planning Commission meeting at which the final plan application was first reviewed, and the developer informed of said decision in writing within fifteen (15) days of the Board of Supervisor's decision at his last known address.

7. If the developer withdraws the plan by letter in writing for modification and resubmits it, the new review period shall commence upon the date of the meeting at which the plan was resubmitted. A new fee is required with the resubmittal.

8. The Board of Supervisors shall enter its decision in the minutes indicating the vote, conditions if any attached to approval, or specific reasons why the plan was denied, citing sections of this Ordinance relied on.

9. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the ninety (90) day limit shall be deemed an approval of the plan as submitted unless the developer has agreed in writing to an extension of time, in which case failure to meet the extended time limit shall have the same effect.

10. As a condition of final plan approval, the developer shall deposit with Forward Township a corporate bond or other security acceptable to the Township Solicitor, to be held in escrow and equal in value to one hundred ten percent (110%) of the total estimated cost, as determined by the developer's engineer and approved by the Board of Supervisors. The bond or security shall cover all improvements to be constructed to serve the approved final plan as agreed to by the developer and the Board. All required improvements shall be completed within five (5) years of the date of final plan approval unless the Board and the developer agree to a specific time extension. If the improvements are not completed within the time period or agreed upon extension, the Board shall exercise its right to use the escrow fund to complete the improvements not finished at the end of the time period or extension. In addition, the developer shall deposit with the Township an amount equal to ten (10) percent of the estimated cost of construction of the improvements to reimburse the Township for professional fees incurred for inspection, engineering, legal, overhead, and such additional costs as may be incurred by the Township during construction. The Township agrees, upon acceptance of the constructed improvements, to refund to the developer the balance, if any, of the initial or any subsequent deposit not expended. If the Township determines at any time during the construction of the improvements that the amount of money deposited by the developer is insufficient to cover the costs incurred by the Township, then the Township shall require the developer to deposit additional monies to cover payment of those costs.

**§307. Required Information on Final Plans.** All plans, drawings, data specifications, etc., that are submitted to the Forward Township Planning Commission for final review shall be in conformance with the following specifications and shall include, but not be limited, all the items listed in Section 304 as well as the following:

1. Title block in the lower right hand corner of each sheet containing the name of the subdivision or land development plan; graphic scale; date name and address of the owner of land and developer, if different; and the name and address of professional engineer or surveyor who prepared the plan. Notarized signatures of the land owner and developer, as well as the signature of the professional engineer or surveyor, must appear on the drawing above the title block.
2. Certificates and acknowledgements on one sheet.
3. North point.
4. Block and lot numbers (in consecutive order), dimensions by bearing and distances of all property lines and lot lines, area of each parcel, and total number of lots and acreage of whole development.
5. Accurate boundary lines, with dimensions and bearings which provide a survey of the tract.
6. Street right—of—way lines, street names, and pedestrian ways.
7. Accurate dimensions by bearing and distances of all Street right— of—way lines as well as

all curve data, deflection angles, lengths of arcs, points of tangent and deflection and angles of all corners.

8. Street centerlines with accurate dimensions in feet and hundredths of feet, with bearings of such street centerlines.
9. Location of all permanent existing and proposed monuments and lot markers.
10. Accurate dimensions of existing public land, and of any property to be dedicated or reserved for public, semi—public or community use, and all areas to which title is reserved by owner.
11. Easements for utilities and any limitations on such easements.
12. Widths of all rights—of—way, streets and easements.
13. Building setback lines, not less than the minimum as fixed by these regulations, or by public authority, or by deed restrictions, whichever is greater.
14. Names of owners of unplotted adjacent property and names of adjacent lot plans or development plans.
15. The Planning Commission may require the submission of the following maps at the same scale as the Final Plan:
  - A. A map showing the sewage disposal system;
  - B. A map showing the water supply system, including fire hydrant location;
  - C. A map showing the location of gas lines, electric distribution lines, telephone lines and street lights.
  - D. A map showing the design and development of recreation facilities
  - E. A map showing the location and design of group parking areas;
  - F. A map showing the location of street trees, plantings, ground cover or ground surface treatment to be undertaken by the developer;
  - G. A map showing the grading and storm drainage plan.
  - H. A map showing sidewalks and curbing.

**§308. Required Documents for Final Plan Approval.** Before final approval can be granted to the developer, he shall present to Forward Township Planning Commission and Board of

Supervisors the following:

1. Letters from the public suppliers of water and sewage disposal stating they will serve the development; or a letter from the Pennsylvania Department of Environmental Protection stating that the proposed sewage disposal system and/or water supply system to be provided by the developer meet the requirements of the Department and that the Department has approved said plans and specifications. Final approval of the Sewage Facilities Planning Module is required before final approval of the subdivision plan can be granted.
2. If the plan disturbs land surface of one (1) acre or more a Certificate from either the Pennsylvania Department of Environmental Protection or the Butler County Conservation District stating that the erosion and sedimentation control plan has been approved and that a land disturbance permit has been issued for an earthmoving activity by the Department or by the Butler County Conservation District.
3. A copy of any covenants and/or rights of easement in the form in which they will be filed as legal documents.
4. No plan shall be finally approved unless there is deposited with the Township financial security equal to 110% of the costs of any improvements, including but not limited to roads, streets, storm water detention, recreation basins, drainage facilities, buffer plantings, open space improvements, walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, which said bond or financial security shall provide for and secure to the Township the completion of the improvements within one (1) year, all as provided by the Municipalities Planning Code (53 P.S. 10509) and by law.

**§309. Post—Final Plan Review Activity.**

1. Plan Filing — The Final approved plan shall be recorded at the Office of the County Recorder of Deeds within ninety (90) days after approval or the approval shall be declared null and void. A copy of the final recorded plan complete with proof that the plan has been recorded shall be delivered to the Township within seven days of the date upon which the plan was recorded.
2. Release from Improvement Bond —
  - A. The developer shall contact the Township Engineer Before placing street base, before paving any street, or backfilling or placing any other improvements covered by the bond and shall not proceed until authorized to do so by the Township Engineer.
  - B. When the developer has completed all the necessary improvements, he shall notify the Secretary of the Township by registered mail of the completion of the improvements and shall send a copy to the Township engineer.

- C. The Board of Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township engineer to inspect all improvements.
- D. Having made his inspection the Township engineer shall file a detailed report in writing with the Board of Supervisors, not later than thirty (30) days after receipt of the authorization to proceed, with a copy of the report sent by registered mail to the developer. The report shall indicate approval or rejection of the improvements either in whole or in part. In the event that the Township engineer shall not approve or shall reject any or all of the improvements, his report shall contain a statement of specific reasons for each such failure to approve or reject. Upon receipt of the Township Engineer's report and its acceptance by the Board, the Board of Supervisors shall within five (5) days after its regular monthly meeting next succeeding receipt of the report, notify the developer in writing by registered mail, of its action relative to the Township engineer's report.
- E. If the Board of Supervisors or the Township engineer fails to comply with the time limitation provisions of this section, all improvements will be deemed to have been approved and the developer shall be released from all liability pursuant to his performance guaranty bond or other security agreement.
- F. If any portion of the improvements are not approved or are rejected by the Board, the developer shall proceed to complete the improvements so designated and upon completion the same procedure of notification as outlined above for inspection and approval shall be initiated.
- G. Nothing in this section shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board or Township engineer.
- H. If any improvements covered by the developer's bond or other security have not been installed within one (1) year of the date of final approval by the Board of the subdivision or development, unless the Board and developer mutually agree to an extension of specific length, the Board shall have the power to enforce the bond or other security by appropriate legal action and equitable remedies. If proceeds of such bond or other security are insufficient to cover the cost of installing or making repairs or corrections to all the improvements covered by bond or security and found unacceptable or left uninstalled, the Board at its option, may install such improvements and may institute appropriate legal or equitable action to recover the funds necessary to complete the improvements. All of the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of improvements covered by such security and for no other municipal purpose.
- I. The developer and the Board may agree to a program of partial release of bonds or other security as the provision of improvements proceeds. Such procedure shall leave remaining under bond or secured, at least enough credit to complete all improvements

not yet accepted.

3. Status of Improvements After Acceptance —

- A. Approval of improvements shall not constitute an acceptance of repairs or maintenance by the Board of Supervisors. All improvements shall remain in private ownership until such time as their dedication shall have been accepted by ordinance or resolution or until condemned for public use. The costs of advertising for the adoption ordinance shall be borne by the developer or the corporation requesting the adoption, except in the case of condemnation, in which case the Township shall bear such costs.
- B. As a condition of immediate acceptance by ordinance or resolution, the developer shall post a maintenance bond or other security in favor of the Township in the amount of fifteen (15) percent of the total value of all the accepted improvements to run for a period of eighteen (18) months from the date of acceptance by ordinance, such bond to guarantee replacement of all improvements damaged or destroyed because of defective materials or installation.
- C. The recording of a plan shall not constitute ground for assessment increases until such time as lots are sold or improvements are installed on the land.

**§310. Subdivision or Development of Ten (10) Lots or Less.** Plans and data involving subdivision or land development of ten (10) lots or less with no street construction or changes in existing streets or roads may generally be excused from the requirements for submission of a preliminary plan. Any residual property is considered a lot. Any further subdivision of the ten lots will require a formal preliminary plan submittal and approval. The developer shall, however, comply with the requirements for submission of a final plan as detailed in §306.

**§311. Changes in Procedure.** The Board of Supervisors may authorize or approve departures from any of the provisions and requirements set forth in this Part when in the opinion of the Board such departure is desirable or expedient.

**Part 4**  
**General and Specific Requirements For Subdivision and Land Development**

**§401. Application of Standards.** The following land subdivision principles, standards and requirements shall be applied by the Forward Township Planning Commission in evaluating the plans for proposed subdivisions and land development and shall be considered as minimum requirements.

Subdividers shall be required to show that adequate consideration has been given to the provision of adequate rights-of-way and paving on existing streets, sidewalks, and improvements to existing roads and streets that border the proposed subdivision, and reserving areas and easements for facilities normally required in residential sections, including parks, playgrounds and playfields, open space, common areas, schools, libraries, churches, and other public buildings; shopping and local business centers: rights-of-way and easements for storm and sanitary sewer facilities in those areas that cannot be immediately joined to the existing storm and sanitary sewer systems of the municipality.

**§402. Land Requirements.** Land shall be suited for the purpose for which it is to be developed in accordance with the interest and the purpose of the Township and local comprehensive plans. Land subject to hazards of life, health and safety shall not be subdivided until such hazards have been reviewed or corrected.

Land susceptible to flooding, exceptionally high water table, unstable subsurface conditions, steep or unstable slopes, presence of high voltage or high pressure overhead or underground utilities etc., shall not be approved for subdivision or development unless the hazards have been eliminated or unless the proposed plan shows adequate safeguards to protect the proposed use of the land. These safeguards include proof of ability to obtain the necessary permit for sewage disposal, proof that an adequate source of water supply exists, proof that any and all structures are sufficiently elevated above the flood plain elevation for the property, and adequate means of ingress and egress exists in the event of flooding.

All proposed subdivisions, land developments, and mobile home parks which lie within an identified one hundred year floodplain or which contain an existing watercourse or identified wetland shall strictly comply with all State and/or Federal laws and regulations including, but not limited to, the Floodplain Management Act. Floodplains, wetlands, and watercourses which are located within any proposed development shall be clearly delineated on the Plan.

Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill unless specifically warranted by terrain or location.

Subdivisions shall be laid out so as to have a sufficient amount of open space or common areas within the development.

Whenever possible, applicants shall preserve trees, groves, water— courses, scenic points, historic spots and other community assets and landmarks.

All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.

**§403. Easements for Public Service Utilities and Drainage Ways.** Adequate easements or dedications for public service utilities shall be provided for sewer, water, electric power and gas lines, and similar services; and no structure or obstruction of any kind shall be placed or allowed to be placed where it will interfere in any way with an easement.

No development plan shall be approved or construction commenced unless the public service utility involved has had ample time to review and approve the plan. It is the developer's responsibility to contact and provide the plan of the development to the utility. Exact details of service and easement requirements shall be supplied by the utility.

#### Electric Utilities

The developer shall comply with the Pennsylvania Public Utility Commission (PUC) order of July 8, 1970, which requires the electric service to residential developments to be placed underground. All subdivision and land developments in Forward Township shall comply with this order.

The electric utility easement shall be in accordance with the right—of—way specifications set forth by the electric utility who is to serve the development.

#### Natural Gas, Petroleum Products

The minimum distance from a natural gas line to a dwelling unit need be only such distance as required by the applicable transmission or distributing company. In general, there shall be a minimum distance of fifty (50) feet, measured in the shortest distance, between each proposed dwelling unit and the center line of any petroleum or petroleum products, or natural gas transmission line which may traverse the subdivision or development. This requirement may be waived or reduced where topographic conditions decrease the hazards involved.

The transmission line easement shall be in accordance with the right-of-way specifications set forth by the transmission or distributing company serving the development.

#### Drainage Way

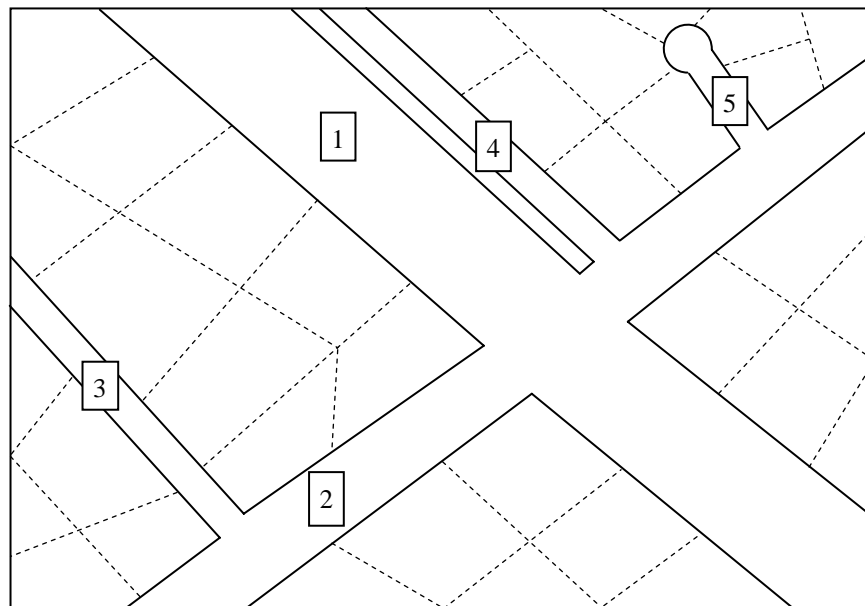
Where a subdivision or development is traversed by drainage way, watercourse, channel or stream, there shall be provided a drainage easement conforming substantially with the water line of such drainage way, watercourse, channel or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening,

relocating, improving or protecting such drainage facilities or for the purpose of installing a storm sewer.

**§404. Street Lighting.** The developer may be permitted to have installed in his subdivision or land development, street lights as the development is opened. The developer shall be responsible for the payment for the street lighting installation as determined by the electric utility. The Street lighting installation shall conform to accepted engineering safety standards and the available equipment used by the electric utility.

**§405. Restrictions.** All restrictions, including private covenants, affecting the uses of the property shall be detailed upon the plan.

**§406. Street Design Requirements.** The character and relationship of streets one to the other shall be consistent with the accompanying illustration of “Representative Street Types”.



REPRESENTATIVE STREET TYPES	
1	MAJOR STREET
2	COLLECTOR STREET
3	LOCAL STREET
4	MARGINAL ACCESS STREET
5	CUL-DE-SAC

1. General

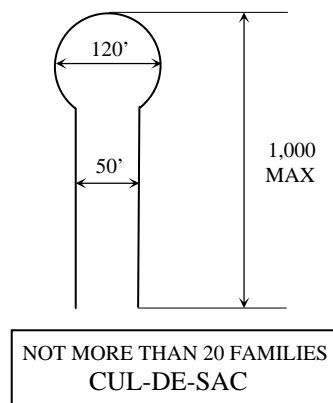
- A. Local or minor streets in a new development shall be designed to discourage through traffic.
- B. Streets shall be extended to the boundaries of the development where such extension will connect to an existing or recorded street in an adjacent subdivision or development, or represents a logical connection into undeveloped adjacent land because of topography or shape of the adjacent land.
- C. Streets shall be logically related to the topography so as to produce usable lots or areas for development, reasonable grades and preserve the amenities of the site.
- D. Where a subdivision or development abuts or contains an existing or proposed major street, the Planning Commission may require marginal access streets, reverse frontage lots or such treatment as will provide protection for abutting properties, reduction in the number of intersections with the major traffic streets, and separation of local and through traffic.
- E. If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and Street openings for such resubdivision shall be provided.
- F. In general, local and minor streets, and collector streets shall not adjoin into the same side of a major or arterial Street at intervals of less than eight hundred (800) feet.
- G. Half streets or partial streets shall be prohibited except where a proposed development abuts property along such a Street on the abutting property, the proposed development shall complete the street and it shall be recorded in the plan.

2. Design Criteria

Street Type	Minimum Right-of-Way	Minimum Cartway Width	Maximum Grade	Minimum Grade	Minimum Sight Distance <sup>(2)</sup>
Major Arterial	As prescribed by the Pennsylvania Department of Transportation				
Collector Street <sup>(1)</sup>	50 feet	30 feet	8%	0.75%	300 feet
Local Street <sup>(1)</sup>	50 feet	23 feet	12%	0.75%	250 feet
Marginal Access <sup>(1)</sup>	50 feet	23 feet	12%	0.75%	250 feet

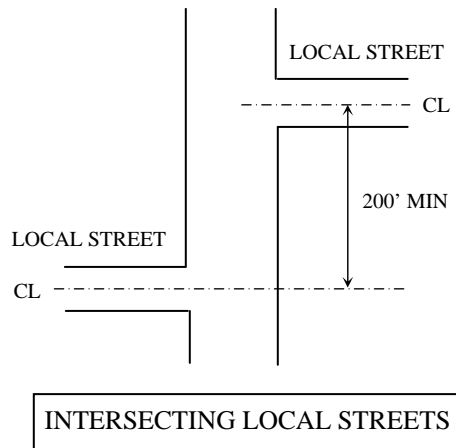
- (1) No parking is permitted on the street.
- (2) Sight distance measured along centerline of street at a height as described by PENNDOT Design Manuals.
  - a. The Township may permit the maximum grade to exceed 12 percent where it is clear that no traffic hazard will be created.
  - b. The right of way of existing roads shall be shown by dotted lines, the area between the existing and proposed right of way lines should be marked “road widening.” Where an existing street traverses or abuts the development, the entire right-of-way required by these regulations shall be provided. The right-of-way must be measured from the center line of the existing roadway.

3. Cul-de-sac — Cul-de-sac streets shall be permitted only when it is clear that through traffic at such a street end is not essential to the Street system in that area. In general, cul-de-sac streets shall not exceed one thousand (1000) feet in length where public water and hydrants are available and six hundred (600) feet in length where no public water system exists. In all cases, a minimum turning radius of 60 feet with a paved turnaround must be provided. A vehicle turn around must be constructed within seventy-five (75) feet of the entrance of the cul-de-sac over 600 feet in length.



4. Intersections —

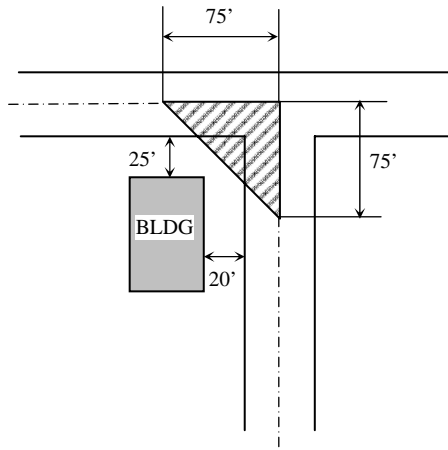
1. Street Intersections — Where two streets intersect a third street from opposite sides, the distance between the center lines of the two streets shall be not less than two hundred (200) feet, as depicted on the accompanying illustration. No more than two (2) streets shall intersect at one point.
2. Angle of Street Intersections — Streets shall intersect at ninety (90) degree angles, except where this may be impractical. Angles less than ninety (90) degrees, may be designed, subject to the approval of the Forward Township Planning Commission. However, no streets shall intersect at an angle of less than sixty (60) degrees.



3. Intersection Curve Radii — Design of curb or edge of as types of turning vehicles, likely speeds of traffic, angle of turn, number of lane, and whether parking is permitted. However, curb or edge of pavement radii must not be less than the following:

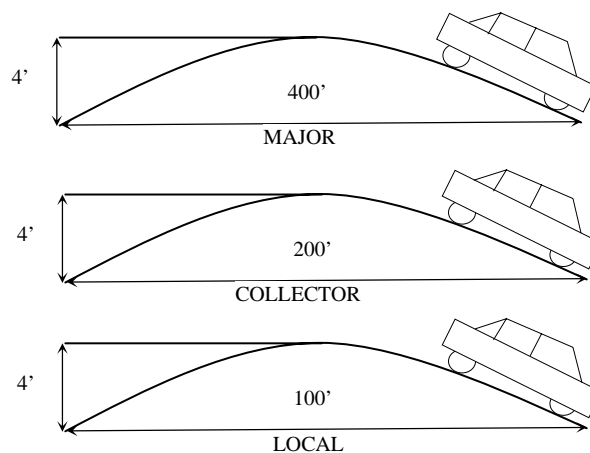
<b>Intersections</b>	<b>Minimum Simple Curve Radii</b>
Arterial with Arterial	50 feet or more determined after consultation with PennDOT
Arterial with Collector	35 feet
Collector with Collector	35 feet
Collector with Local	25 feet
Local with Local	20 feet

4. Clear Sight Triangle — At the intersection of two or more streets, the driver of a vehicle shall have an unobstructed view, to both his right and left, of at least two hundred (200) feet at arterial streets and one hundred fifty (150) feet on collector and local roads, as measured along the center lines of the intersecting streets.



CLEAR SIGHT TRIANGLE

5. Vertical Curves — All changes in Street grade for local streets shall be connected by a vertical curve having a minimum length of not less than one hundred (100) feet. Changes of street grade for collector streets shall be connected by a vertical curve having a minimum length of not less than two hundred (200) feet, while changes of street grade for major streets shall be connected by a vertical curve having a minimum length of not less than four hundred (400) feet.



VERTICAL CURVES

6. Street Names — Streets that are extensions, or obviously in alignment with existing named streets shall bear the name of the existing streets. All street names shall be subject to the approval of the Township.

7. Additional Right—of—Way Required — Provisions for additional Street width (right—of—way) may be required by the Township in specific cases for public safety and convenience; for parking in commercial and industrial areas and in areas of high density residential development; and for widening existing streets (right—of—way) where the width does not meet with the preceding requirements.

8. Private Lanes and Driveways — Private lanes and driveways shall be permitted only when the subdivider submits sufficient evidence to the Planning Commission that there can be no public interest in such private lane or driveway and when lots have no other feasible access to a public street. The Planning Commission shall require a statement on the final recorded plan that the lanes and driveways are to be opened and maintained at the expense of the subdivider. The minimum right—of—way width shall be twenty—five feet (25’).

Private lanes and driveways shall serve no more than one (1) lot. No more than one private lane or driveway shall be permitted on any property existing at the date of adoption of this Ordinance. Subsequent subdivisions shall not create new opportunities for private lanes and driveways. Private lanes and driveways entering public streets shall be graded to prevent stormwater flowing from the driveway or lane onto the paved portion of the street. The street’s gutter line shall be maintained across the driveway or lane, or stormwater may pass under, provided the gutter alignment is not compromised and the pipe under the driveway or lane is of sufficient size to carry the stormwater flow without creating ponding on the upstream end.

**§407. Lot and Block Requirements.** Lot and block requirements for proposed subdivisions and land developments submitted to the Planning Commission shall be in conformance with the following requirements.

1. Lot Requirements —

A. Lot Boundary Lines — Lot boundary lines shall be perpendicular to, parallel to, or radial to street lines, as the case may be.

B. Lot Areas — The size of lots shall conform to the following requirements:

(1) In all sections of the Township not served by a community sewage system or a community water system, each lot shall have a minimum width of 100 feet at the building line and an area of at least 43,560 square feet (1 acre) for each dwelling unit. The Township may require a lot area greater than 43,560 square feet (1 acre) if local physical conditions of the site so warrant. A second dwelling unit may be

accommodated on the lot if the minimum lot size is increased by one acre and provided the provisions of Chapter 73, Standards for Sewage Disposal Facilities, of the Department of Environmental Protection are met. Each dwelling unit shall have its own separate on-lot sewage treatment system. No lot shall have more than two dwelling units.

- (2) In all sections of the Township where either a community sanitary sewage system or a community water system, but not both, are provided or officially authorized to be installed, each lot shall have a minimum width of one hundred feet (100') at the building line, and an area of at least thirty thousand (30,000) square feet. The Township may require a lot area greater than thirty thousand (30,000) square feet if local physical conditions of the site so warrant.

A second dwelling unit on the lot shall not be permitted.

- (3) In all sections of the Township served by community sanitary sewerage and water systems, either existing or officially authorized to be installed, each lot shall have a minimum width of eighty feet (80') at the building line, and an area of at least fifteen thousand (15,000) square feet.

A second dwelling unit on the lot shall not be permitted.

- (4) Multi family residential and nonresidential lots: Lots intended for multi family residential (two or more dwelling units), or non—residential use and not served by a community sewage system or a community water system, shall have a minimum lot size of thirty thousand (30,000) square feet plus five thousand (5,000) square feet per dwelling unit after the first unit with a minimum yard width of one hundred (100) feet at the building line. Lots intended for multi family residential (two or more dwelling units), or non—residential use where either a community sanitary sewage system or a community water system, but not both, are provided or officially authorized to be installed, shall have a minimum lot size of twenty thousand (20,000) square feet plus five thousand (5,000) square feet per dwelling unit after the first unit with a minimum yard width of one hundred (100) feet at the building line. Lots intended for multi family residential (two or more dwelling units), or non—residential use served by community sanitary sewerage and water systems, either existing or officially authorized to be installed, shall have a minimum lot size of ten thousand (10,000) square feet plus five thousand (5,000) square feet per dwelling unit after the first unit with a minimum yard width of one hundred (100) feet at the building line.

- (5) Minimum Parking Standards: All multi family residential and nonresidential buildings or developments, including commercial and industrial, shall provide off street parking as required in the following Table of Minimum Parking Standards. Each parking space shall be 9 feet by 20 feet in size.

Use	Parking Spaces Required
Townhouses, garden apartments, condominiums, and other multi-family uses	2 spaces per dwelling unit
Shopping center	1 space for each 200 square feet of gross floor area
Commercial retail sales and services; office and business services,; and similar retail and wholesale uses	1 space for each 200 square feet of gross floor area
Drive in facilities for fast food and banking, including automatic banking machines	1 space per employee plus five spaces for each drive in window
Warehouses, freight terminals, manufacturing uses, research testing, and similar industries	1 space per employee on peak work shift plus one space per each service vehicle stored on site
Vehicle washing facilities	1 space per employee plus 6 spaces per bay

- (6) **Handicapped Parking Standards:** The minimum number of required accessible parking spaces shall be as shown in the following table. A minimum of twenty five percent (25%) of the required accessible parking spaces shall be van accessible. The minimum number of van accessible parking spaces shall be one

Total Parking Spaces in Lot	Minimum Accessible Spaces
1 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101 – 150	5
151 – 200	6
201 – 300	7
301 – 400	8
401 – 500	9
501 – 1,000	2% of Total
Over 1,000	20 plus 1 per 100 spaces over 1,000 spaces

C. **Building Lines (Setback)** — The following standards shall prevail:

The minimum building line shall be fifty (50) feet, measured from the required right-of-way of all present or proposed streets.

D. Corner Lots — Corner lots shall, in addition to the preceding building line requirement, provide a side yard building line of not less than twenty feet (20'), except in the rear where a minimum building line of twenty—five feet (25') shall be required. Corner lots should be approximately twenty percent (20%) larger in area to accommodate the building lines and provide sufficient yard area.

E. Double Frontage and Reverse Frontage Lots — Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet (10'), and across which there shall be no right of access be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

F. Lots on a Curve or Cul—de—sac — The arc distance on the Street right—of—way shall be not less than thirty—five feet and the minimum lot width may be measured along the building line.

G. Front on Public Street — All residential lots in subdivisions shall front on a public street or another officially approved way.

H. Minimum side yard shall be fifteen feet (15') and minimum rear yard shall be twenty feet (20').

## 2. Block Requirements —

A. In general, all blocks in a subdivision shall have a maximum length of sixteen hundred (1600) feet, and shall be not less than two hundred fifty (250) feet in length. Blocks subdivided into lots shall be two lot depths in width, except lots along a major arterial which front on an interior Street.

B. In commercial development or areas, the block layout shall conform, with due consideration to site conditions, to the best possible layout to serve the buying public, to permit good traffic circulation and the parking of cars, to make delivery and pickup efficient, to minimize the number of traffic entrances and exits on the property, and to reinforce the best design of the units in the commercial areas.

C. The block layout in industrial areas shall be governed by the most efficient arrangement of space for present and future expansion, with due regard for worker and customer access parking and site conditions.

**§408. Erosion and Sedimentation Control.** Land proposed for subdivision and land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees or other vegetative cover until an Erosion and Sedimentation Control Plan, as required by Chapter 102 of the Rules and Regulations of the

Pennsylvania Department of Environmental Protection, “Erosion and Sedimentation Control,” has been prepared. The Erosion and Sedimentation Control Plan shall be submitted to the Forward Township Planning Commission and the Butler County Conservation District for review and approval, unless a determination has been made by the Forward Township Board of Supervisors and the Butler County Conservation District that a Plan is not required.

In addition to preparing an Erosion and Sedimentation Control Plan, all persons undertaking an earthmoving activity for a subdivision or land development shall obtain a land disturbance permit before commencing any earthmoving activity, as required by Chapter 102 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection, “Erosion and Sedimentation Control.” Where an earthmoving activity involves twenty—five (25) acres or more, a land disturbance permit shall be obtained from the Pennsylvania Department of Environmental Protection, after review of the permit application by the Forward Township Planning Commission and the Butler County Conservation District. Where an earthmoving activity involves more than five acres but less than 25 acres, a land disturbance permit shall be obtained from the Butler County Conservation District.

In order to ensure that all earthmoving activities within the Forward Township are conducted in such a way as to prevent accelerated erosion and the resulting sedimentation of waters of the Commonwealth, thereby preventing pollution of such waters from sediment, and from fertilizers, pesticides and other polluting substances carried by sediment, the following standards shall apply:

1. Erosion and Sedimentation Control Plan — The Erosion and Sedimentation Control Plan shall be designed to prevent accelerated erosion and sedimentation and shall consider all factors which contribute to erosion and sedimentation including, but not limited to, the following:
  - A. The topographic features of the project area;
  - B. The types, depth, slope and area extent of the soils;
  - C. The proposed alteration to the area;
  - D. The amount of runoff from the project area and the upstream watershed area;
  - E. The staging or timetable of earthmoving activities;
  - F. Temporary control measures and facilities for use during earth moving;
  - G. Permanent control measures and facilities for long term protection;
  - H. A maintenance program for the control facilities including disposal of materials removed from the control facilities or project area; and
  - I. Stream relocation of channelization.

The Erosion and Sedimentation Control Plan shall be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques.

2. Erosion and Sedimentation Control Measures and Facilities — Erosion and sedimentation control measures and facilities shall as a minimum meet the standards and specifications of the Butler County Conservation District, as contained in the “Handbook for Earthmoving Activities and Erosion and Sedimentation Control in Butler County,” and the standards and specifications of the Pennsylvania Department of Environmental Protection, “Rules and Regulations for Erosion Control.” Considerations for erosion and sedimentation control measures and facilities shall include but not necessarily be limited to the following:

- A. Grading shall be completed so as to carry surface waters away from buildings and to the nearest street, storm drain or natural watercourse, and shall prevent the pooling of water on a lot.
- B. Where drainage swales are proposed, their grade shall be not less than one percent (1%), nor more than four percent (4%). Swales shall be sodded, planted or lined with materials and vegetation proper for such use.
- C. No final grade, cut or fill shall be permitted with a cut face steeper in slope than two (2) horizontal to one (1) vertical except under one or more of the following conditions:
- D. The materials into which the excavation is made are sufficiently stable to sustain a slope of steeper than two (2) horizontal to one (1) vertical and there shall be a written statement to that effect from a Pennsylvania licensed Civil Engineer with experience in erosion control, which shall be submitted to the County Engineer or designated representative and approved by same. This written statement shall state that the site has been inspected and that the deviation from the slope specified hereinbefore shall not result in injury to persons or damage to property.
- E. A concrete or stone masonry wall with an up slope drainage system shall be constructed according to sound, accepted engineering standards for which a Plan shall be submitted to the County Engineer or designated representative for review, and for which written approval is provided to the Butler County Planning Commission.
- F. The top and/or bottom edges of slopes shall be a minimum of three (3) feet from any property or right of way lines, streets or alleys in order to permit the normal rounding of the edge without encroachment on the abutting property, street or alley.
- G. All property lines or right of way lines, where walls or slopes are steeper than one (1) horizontal to one (1) vertical and the change in elevation is five (5) feet or more, shall have a protective fence no less than three (3) feet in height installed in stable ground. at least two feet beyond the top of the slope and shall be approved by the County Engineer or designated representative.

3. Restoration — Upon completion of the earthmoving project, all areas which were disturbed by the project including off—site borrow areas shall be stabilized so that accelerated erosion will be prevented. Any erosion and sedimentation control facility required or necessary to protect areas from erosion during the stabilization period shall be maintained until stabilization is completed. Upon completion of stabilization, all unnecessary or unusable control facilities shall be removed, the areas shall be graded and the soils shall be stabilized.

4. Responsibility of the Developer — It shall be the responsibility of the developer to submit the application for a land disturbance permit, accompanied by an erosion and sedimentation control plan and such other documents as may be required, and in addition:

A. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible;

B. Maintenance of all drainage facilities and watercourses within any subdivision or land development is the responsibility of the developer until they are accepted by the municipality or some other official agency, after which they become the responsibility of the accepting agency;

C. It is the responsibility of the developer doing any act on or across a stream, watercourse or swale, or upon the flood plain of right—of—way thereof, to maintain as nearly as possible in its present state the stream, watercourse, swale, flood plain or right—of—way during the pendency of the activity and to return it to its original or equal condition after such activity is completed;

D. No developer shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any stream or watercourse without having obtained prior approval from the Department of Environmental Protection, and/or Pennsylvania Fish Commission;

E. Where a subdivision or land development is traversed by a watercourse, there shall be provided a drainage easement of right— of—way conforming substantially with the line of such watercourse, and of such width as will be adequate to preserve natural drainage; and

F. Each developer which makes any surface changes shall be required to:

(1) Collect on—site surface runoff and dispose of at a stabilized point of discharge into the common natural watercourse of the drainage area.

(2) Handle existing and potential off—site runoff through his development by designing to adequately handle storm water runoff from a fully developed area upstream.

(3) Provide and install at his expense, in accordance with the approved Erosion and Sedimentation Control Plan, all erosion and sedimentation control measures and facilities.

**§409. Departure from the Regulations.** The Forward Township Supervisors may authorize and approve departures from any of the provisions and requirements set forth in this Section when, in the opinion of the Board, such departure is necessary and desirable.

**§410. Road and Sidewalk Construction**

**1. General.**

A. All construction, materials and workmanship shall be in accordance with the Pennsylvania Department of Transportation, Form 408, latest edition, and with the Americans with Disabilities Act, as amended, and shall be subject to review and approval by the Township and Township Engineer.

B. All work including grading, drainage, and paving shall be under the direct supervision of the Township Engineer or his authorized representative, and all costs for supervision shall be paid by the Owner/Developer prior to final acceptance by the Township.

C. A performance bond in the amount of 110% of the construction cost shall be delivered to the Township prior to the beginning of construction.

D. The Owner/Developer shall provide the Township with an eighteen month maintenance bond for fifteen percent (15%) of the construction costs of the project as surety against defective materials or workmanship which may develop during the one year period after completion and acceptance of the work performed.

E. Contractor must submit to Subdivider and/or Developer, weight slips for all materials, which will in turn be transferred to the Township Supervisors.

F. The Owner shall furnish record plans of all streets as actually constructed for the files of the Forward Township Supervisors, the cost of this to be paid by the Owner/Subdivider/Developer.

**2. Design.**

A. Paving of cartway shall be a minimum of twenty—three (23) feet in width, including eighteen (18) inch wide by six (6) inch high asphalt wedge curbs. Other curbing may be approved at the option of the Township Engineer. Township Supervisors reserve the right to grant a variance on curbing requirements upon visual inspection and recommendation by the Township Engineer,

B. Road grades shall be designed to provide adequate drainage. The minimum grade shall be three quarters of one percent (0.75%) (0.75 feet/100 feet) on any street. Maximum grades shall not exceed ten percent (12%) (12 feet/100 feet), except for short lengths which shall have prior approval of the Township and Township Engineer. All roads shall have a minimum crown of three inches.

### 3. Grading and Backfilling.

A. All fills within the roadway section shall be thoroughly compacted in eight (8) inch layers (uncompacted thickness). Rock utilized as fill material shall be broken prior to placement. Fills shall be rolled with a ten (10) ton (minimum) roller prior to placement of the succeeding layer of fill, Slopes shall be a maximum of two horizontal to one vertical unless a variance is approved by the Township. All areas within the fifty (50) foot minimum right-of-way shall be graded to the satisfaction of the Township.

B. Shoulders of berms shall be constructed so that they will be five (5) inches higher than the sub-base.

C. Sub-grade shall be properly compacted prior to placement of base course. Unsuitable sub-grade material shall be excavated and replaced with approved material and thoroughly compacted in accordance with these specifications.

D. Backfills for sewers, water lines and all other utilities shall be placed in four (4) inch layers and thoroughly compacted throughout the roadway section.

### 4. Paving.

A. A three (3) inch sub-base shall be placed and rolled.

B. A base course shall be constructed of five (5) inches in compacted thickness of bituminous concrete base course applied and rolled in two courses, three (3) inches and (2) inches respectively.

C. A one (1) inch ID-2A wearing course surface shall be placed on the prepared base.

### 5. Storm Sewer Systems.

A. On the design of storm sewer installations, special consideration shall be given to avoidance of problems which may arise from concentration of storm water runoff discharging to adjacent properties.

B. Storm sewers shall be fifteen (15) inches (minimum) reinforced cement concrete pipe with a minimum slope of one percent (1%). Inlets, endwalls and related structures shall be provided.

C. Design of sewers shall be such:

1. To permit unimpeded flow of natural water courses.
2. To ensure adequate drainage of streets.

Drainage calculations based upon Pennsylvania Department of Transportation Design Manual, Part 2, shall be prepared and submitted to the Township, This requirement may be waived by the Township on smaller projects.

D. Storm inlets shall be spaced a maximum of three hundred (300) feet. Inlets at intersections shall not be placed on radii of curbs, but on tangent sections only. Inlets shall be Pennsylvania Department of Transportation Type M. Type C or Type S inlets may be required when conditions warrant.

E. Storm manholes shall be of reinforced precast concrete construction and spaced a maximum of three hundred (300) feet. Manhole covers shall be stamped "storm."

F. Bridges and culverts shall be designed to support anticipated loads and carry expected flows unimpeded. Design of these structures shall conform to current PennDOT specifications and where necessary, permits shall be obtained from the Pennsylvania Department of Environmental Protection for stream encroachment,

6. Sidewalks. Sidewalks may be required on one or both sides of the street in all land developments if the Township feels it is desirable to continue sidewalks that are existing in adjacent subdivision, or to provide access to community facilities such as schools, shopping areas, and recreation areas

7. Sidewalks and curbs shall be constructed in full compliance with the PennDOT specifications and with the Americans with Disabilities Act (ADA).

**Part 5**  
**Required Improvements**

**§501. General.** The developer shall install, at no expense to Forward Township all the improvements, in accordance with this Part and as required by law.

**§502. Survey and Property Lines.** All surveys shall be made under the active and personal direction of a Registered Surveyor of the Commonwealth of Pennsylvania.

The property lines for a subdivision or land development shall be determined on the ground by actual survey only, said survey to be balanced and closed; and any plan showing said lines as otherwise determined (i.e., taken from other drawings, deeds, records, etc., and not actually having been determined by a survey made on the ground) will not be acceptable to the Planning Commission.

**§503. Monuments and Markers.**

1. Monuments shall be set permanently:
  - A. At the intersection of all lines forming angles in the boundary of the subdivision or land development; and
  - B. At the intersection of all Street lines.
2. Markers shall be set permanently at all lot corners.
3. Monuments shall be made of pre—cast concrete with a minimum diameter of six (6) inches and a minimum length of thirty (30) inches, and shall be set flush with the finished grade. A brass pin shall be set in the top of each monument and scored or marked to indicate the exact point of crossing of the intersecting lines.
4. Markers shall consist of magnetic metal pipes or bars at least twenty four (24) inches long and not less than three—quarters (3/4) inch in diameter. and shall be set flush with the finished grade. They shall be scored to indicate the exact point of crossing of intersecting lines.
5. Any monuments or markers that are removed shall be replaced by a registered surveyor at the expense of the person removing them.

**§504. Streets.**

1. Streets shall be graded to the full width of the right-of-way, surfaced and improved to the

grades and dimensions shown on plans, profiles and cross-sections submitted by the developer and approved by the Township.

2. Streets shall be constructed according to the latest applicable road specifications of the Township.
3. All subsurface utilities and sub-surface drainage facilities within the paved area of the street right-of-way shall be installed prior to placing the final street surface.
4. In all respects in which the standards for required Street improvements are not set forth herein or specified by the Township hereunder, the applicable standard requirements of the Pennsylvania Department of Transportation shall govern, and all work shall be performed in the manner prescribed in the standard specifications for road construction of said Department for the type of construction under consideration.

**§505. Curbs and Gutters.**

1. Every street shall be crowned to create gutter lines on each side, sloped to create a drainage course from the center of the street.
2. Curbs shall be required in major subdivisions which have a typical lot width at the building setback line of eighty (80) feet or less, and in all land developments.
3. Curbs shall be wedge—type bituminous concrete. Rolled curb and gutter shall not be used on collector and arterial streets.
4. Where curbs are not used, gutters shall be stabilized to minimize erosion.

**§506. Sidewalks.**

1. Sidewalks shall be required on both sides of the street in all major subdivisions which have a typical lot width at the building setback line of eighty (80) feet or less. Sidewalks may also be required in subdivisions where lots are greater than eighty (80) feet wide if the character of the neighborhood is such that sidewalks would be deemed necessary, or if it would be desirable to continue sidewalks that are existing in adjacent subdivisions, or to provide access to community facilities such as schools, shopping areas, and recreation areas.
2. Sidewalks shall be at least four (4) feet in width, and located within the street right—of—way. Generally, a grass planting strip should be provided between the curb and the sidewalk except where rolled curb and gutter is used, a grass planting strip shall be used. Generally, the sidewalk should commence one (1) foot inside the right—of—way line and extend toward the curb line.

3. Sidewalks shall be constructed of Portland cement concrete at least four (4) inches thick underlain by a base course of four (4) inches of crushed stone. Surfaces shall receive a non—skid finish, and be sloped for drainage.

4. Where a sidewalk network exists within 100 feet of a Plan, sidewalks shall be provided along all streets and in parking areas located within multi-family housing developments, apartment building developments and mobile home parks, and in any subdivision where public water and sanitary sewer service is provided. In addition, sidewalks may be required regardless of any other regulations in this Ordinance where there is a potential volume of pedestrian traffic. In addition, sidewalks shall be required along existing roads where lots in a development abut the existing road.

5. Sidewalks shall be constructed in full compliance with PennDOT specifications and with the latest requirements of the Americans with Disabilities Act (ADA).

6. Plans for sidewalks must be approved by the Planning Commission before any construction may be initiated.

**§507. Sanitary Sewerage System.** Every structure in any subdivision or land development connected to a water Supply shall also be connected to a sanitary sewage disposal system.

1. Where a public sewerage system exists adjacent to or within five hundred (500) feet of the subdivision or land development boundary, the developer shall connect to the public sewerage system, and shall construct the necessary interceptors, collectors and laterals.

2. Within an area of the Township not having a public sewerage system, or within an area having a public sewerage system which is not accessible to the subdivision or land development, the subdivision or land development shall be provided with one of the following methods of sewage disposal:

- A. A complete sanitary sewer system to convey the sewage to a treatment plant to be provided in accordance with the requirements of the Pennsylvania Department of Environmental Protection, with provision for the maintenance of such system and plant;
- B. On—lot individual sewage system installed in compliance with the Pennsylvania Department of Environmental Protection, “Standards for Sewage Disposal Facilities;” or
- C. In areas of the Township not presently served by public sewers but in which they are proposed to be installed within a period of two (2) years, the Planning Commission may require that capped sewer mains and laterals be installed in addition to the required on—site facilities.

3. The plans for installation of a sanitary sewer system for the subdivision or land development shall be approved by the engineer of the sewerage system to which it will be connected and the Pennsylvania Department of Environmental Protection, its agents or assigns.
4. The minimum diameter of any sewer pipe main shall be eight (8) inches and lateral lines shall have a minimum diameter of four (4) inches.
5. Storm sewers, footer drains and downspouts shall not be connected to sanitary sewers.
6. Before any sewer interceptor, collector, lateral, sewage treatment tank or subsurface absorption area is covered, it shall be inspected by the municipal engineer or municipal sewage enforcement officer for compliance with the approved plans and with the regulations of the Pennsylvania Department of Environmental Protection.

**§508. Water Supply and Hydrants.**

1. Where public water is available adjacent to or within five hundred (500) feet of the subdivision or land development, the developer shall connect to the public water system, and a letter of intent from the water utility shall be filed with the Planning Commission stating:
  - A. That the development can be served with an adequate water supply;
  - B. That sufficient static and flow pressures for fire protection are available at peak demand; and
  - C. That the proposed plans for the water supply system have been designed to meet the requirements of the water utility.
2. Where the subdivision or land development occurs in an area that has been designated by the municipality or by the authority or by the company serving it as an area to be connected within a period of two (2) years, the Planning Commission may require the developer to construct the necessary water mains and provide an interim water supply.
3. Where public water is not available, the developer shall provide individual water supply systems on each lot, or a supply system serving the entire plan or clusters of lots or buildings, acceptable to the Pennsylvania Department of Environmental Protection.
4. All water supply systems shall meet the requirements of the Pennsylvania Department of Environmental Protection as to quality, quantity and pressure.
5. Water distribution lines shall be not less than eight (8) inches in diameter.
6. Fire Hydrants shall be provided such that each existing or proposed dwelling is within 500 feet of a fire hydrant, where connection has been or will be made to a public water system.

**§509. Storm Drainage.** Storm sewers, culverts, and related installations shall be provided to permit the unimpeded flow of natural water courses, to ensure the drainage of all low points along the line of streets and to intercept storm water run—off along streets at intervals reasonably related to the extent and grade of the area drained, all in accordance with Township Road Ordinances.

**§510. Street Name Signs.** Street name signs shall be placed at all Street intersections within the development and at the intersection of existing streets and streets entering the development. The design and location shall be approved by the local municipality.

**§511. Street Trees**

1. Street trees of a deciduous hardwood type, with a minimum caliper of one and one—half (1) inches, when provided, shall be planted in the strip between the curb and sidewalk provided the planting strip is a minimum of six (6) feet wide. No Street tree shall be located within twenty—five (25) feet of any street intersection.
2. Trees selected should cause minimum interference with underground Utilities.
3. The developer shall make maximum effort to save existing trees on the property, especially large and/or specimen trees existing throughout the plan.

**§512. Filing Plans and Profiles.** Upon completion of the required improvements, plans and profiles of the improvements in the subdivision or land development as constructed shall be filed with the municipality in which the subdivision or land development is located.

**§513. Departure from the Regulations.** The Board of Supervisors may authorize or approve departures from any of the provisions and requirements set forth in this Section when, in the opinion of the Board, such departures are desirable and expedient.

**Part 6**  
**Mobile Home Parks**

**§601. Environmental, Open Space and Access Requirements.**

1. A mobile home park shall have a gross area of at least five (5) contiguous acres of land.
2. The location of all mobile home parks shall comply with the following minimum requirements.
  - A. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.
  - B. Not subject to flooding.
  - C. Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.
3. Site Drainage Requirements —
  - A. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner.
  - B. Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled.
  - C. Waste water from any plumbing fixture or sanitary sewer line shall not be deposited upon the ground surface in any part of a mobile home park.
4. Soil and Ground Cover Requirements —
  - A. Exposed ground surfaces in all parts of every park shall be paved, covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
  - B. Park grounds at all times shall be maintained free of vegetative growth which is poisonous or which may harbor rodents, insects, or other pests harmful to man.
5. Park Areas for Nonresidential Uses —
  - A. No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and wellbeing of park residents use and for the

management and maintenance of the park.

- B. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

6. Required Setbacks, Buffer Strips and Screening —

- A. Each mobile home lot shall have direct access to an approved internal mobile home park street without the necessity of having to cross any other parcel of land. Each mobile home lot shall have a minimum width of 75 feet, minimum depth of 100 feet, and minimum area of 10,000 square feet.
- B. All mobile homes shall be located at least fifty feet (50') from any park property boundary line abutting upon a public Street or highway and at least fifty feet (50') from park property boundary lines.
- C. There shall be a minimum distance of twenty—five feet (25') between an individual mobile home, including accessory structures attached thereto, and adjoining pavement of a park Street or common areas and structures.
- D. All mobile home parks located adjacent to industrial or commercial land uses shall be required to provide screening so as to block out view of such areas. Such screening may be of fencing with privacy slats or of natural growth or a combination of fences and natural growth. Natural growth shall consist of 8 deciduous trees and 28 coniferous trees per 100 feet of lot line planted in a staggered fashion inside the lot line or property line. All such screening shall be of a minimum height of six feet (6') and shall be placed adjacent to or abutting the property boundary line separating the park and such adjacent nonresidential uses.
- E. There shall be a minimum of five feet between any non-attached structure on an individual mobile home lot and the mobile home itself, and the adjacent lot line.

7. Erection and Placement of Mobile Homes —

- A. Mobile homes shall be separated from each other and from other buildings and structures by at least twenty—five feet (25') on all sides.
- B. An enclosure (skirting) of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- C. All mobile homes shall be set on a suitable foundation extending below the frost line to provide a stable foundation to withstand both the dead and live loads from the mobile home. The area under the mobile home shall be comprised of stone or concrete to safeguard against rodents.

8. Park Street System —

- A. A safe and convenient vehicular access shall be provided from abutting public streets and roads.
- B. The entrance road, or area connecting the park with a public street or road shall have a minimum pavement width of thirty-four feet (34').
- C. Surface roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:
  - (1) Where parking is permitted on both sides of the street, a minimum width of thirty—four feet (34') will be required;
  - (2) A minimum road pavement width of twenty-eight feet (28') will be required where parking is limited to one side;
  - (3) Dead end streets shall be provided at the closed end with a turn around having an outside roadway diameter of at least one hundred twenty feet (120').
- D. All parks shall be furnished with lighting unit so spaced and equipped with luminaries placed at such mounting heights, as will provide average levels of illumination for the safe movement of pedestrians and vehicles at night.
- E. Street Construction and Design Standards —
  - (1) Preparation of sub—grade — all boulders, organic material, soft clay, spongy material and other objectionable material shall be removed and replaced with approved material. The sub—grade shall be properly shaped, each five inch (5'') layer rolled and each five inch (5'') layer uniformly compacted to conform with the accepted cross section and grades.
  - (2) Construction of base — one-half ( $\frac{1}{2}$ ) to one-fourth ( $\frac{1}{4}$ ) inch of choker dust shall be spread over entire cartway. Base is to be six inch (6'') screened limestone or slag conforming to State Department of Transportation specifications placed by truck. No. 4A stone is to be used and no sandstone or gravel is authorized. Base is to be placed one (1) six inch (6'') course and rolled with three wheel minimum ten (10) ton roller. Base is to be shaped to desired cross—section and all excessive loose material removed. Greater base may be required where circumstances necessitate.

After the coarse aggregate has been thoroughly choked and set by the rolling above described, choker stone in an amount that will completely fill the voids shall be applied gradually over the surface and rolling shall be continued

while the choker stone is being spread so that the jarring effect of the roller will cause the small stone to settle into the voids of the coarse aggregate. Surface will then be swept.

Base is to be approved by the Township Supervisors or the Township Engineer.

- (3) The base shall be shot with M.C. penetrating oil.
- (4) Within one hundred feet (100') of an intersection, streets shall be approximately right or 90 degree angles. A distance of at least one hundred and fifty feet (150') shall be maintained between center lines of offset intersecting streets. Intersections of more than two streets at one point are prohibited.
- (5) A plan of the streets, showing grade and intersections shall be provided to the Township with the application for permit to operate any area under Township ordinance as a mobile home park.
- (6) Above standards may be of approved equal construction.

9. Off—Street Parking Areas —

- A. Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests.
- B. Required car parking spaces shall be located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred feet (200') from the mobile home that is intended to be served and shall consist of two (2) spaces for each mobile home.

10. Walks —

- A. All parks shall provide safe, convenient, all season pedestrian walkways of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the park streets and all community facilities provided for park residents. Sudden and abrupt changes in alignment and gradient shall be prohibited.
- B. Where pedestrian traffic is concentrated, and a common walkway system is provided, such common walkway shall have a minimum width of three and one-half feet (3½').
- C. All mobile home lots shall be connected to commonwalks, or to streets, or to driveways or parking spaces connecting to a paved street. Such individual walks

shall have a minimum width of three and one-half feet (3½’).

11. Construction of Mobile Home Lots —

- A. Mobile home lots within the park shall have a minimum area of ten thousand square feet; exclusive of road right-of-way.
- B. Each mobile home lot shall be improved to provide an adequate foundation for the placement of the mobile home, and in such a position as to allow a minimum of twenty five feet (25’) between the mobile home and the right-of-way of the park street which serves the lot.
- C. The area of the mobile home lot shall be improved to provide adequate foundation for the placement of the mobile home, and in such a position to allow a minimum of twenty five feet (25’) between the mobile home and the street right-of-way.

12. Recreational Areas –

- A. For a proposed mobile home park of fifteen (15) acres or more, not less than ten percent (10%) of the gross site area shall be devoted to recreational facilities for both passive and active recreation. Recreation areas may include, but are not limited to the following: space for community buildings, indoor recreation areas, swimming areas, hobby and repair shops, service buildings, etc.

**§602. Water Supply.**

1. An adequate supply of water shall be provided for mobile homes, service buildings and other accessory facilities as required by this Chapter. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply shall be used exclusively. Where a satisfactory public water system is not available, the development of the private water supply system shall be approved by the Pennsylvania Department of Environmental Protection or other authority having jurisdiction. The water supply shall be capable of supplying 150 gallons per day per mobile home.

2. Piping System —

- A. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and local regulations.
- B. The water piping system shall not be connected with nonpotable water or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
- C. The system shall be so designed and maintained so as to provide a pressure of not less than twenty (20) pounds per square inch under normal operating conditions, at service

buildings and other locations requiring potable water supply.

3. Water Riser Pipes —

- A. Individual water riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
- B. The water riser pipe shall have minimum inside diameter of one-half inches (½”) and terminate at least four inches (4”) above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
- C. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drains shall be diverted from the location of the riser pipe.
- D. A shut-off valve below the frost line shall be provided near the water riser pipe on each mobile home lot. Underground stop and waste valves are prohibited unless their type of manufacture and the method of installation are approved by the Township Engineer.

**§603. Sewage Disposal.**

1. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be designed, constructed and maintained in accordance with Pennsylvania Department of Environmental Protection regulations and local Township regulations.

2. Individual Sewer Connections —

- A. Each mobile home lot shall be provided with at least a three inch (3”) diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connections to the mobile home drain outlet will approximate a vertical position.
- B. The sewer connection shall have a nominal inside diameter of not less than three inches (3”), and the slope of any portion thereof shall be at least one-fourth inch (¼”) per foot. All joints shall be watertight.
- C. All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent and durable. The inner surface shall be smooth.
- D. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the site. Surface drainage shall be diverted away from the riser pipe. The rim of the riser pipe shall extend at least one-half inch (½”) above ground.

3. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of approved materials of the Pennsylvania Department of Environmental Protection, and shall have water tight joints.

4. Where the sewer lines of mobile home parks are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Protection and the Township Engineer prior to construction.

#### **§604. Electrical Service.**

1. Every mobile home park shall contain an electrical wiring system which consists of wires, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable electrical power company specifications, the most recent National Electric Code, and any other local, State or Federal codes and ordinances which may apply. Inspection by a qualified electrical inspection agency shall be made of all mobile home park electrical systems. An original copy of the electrical inspection certificate shall be submitted to Forward Township, with a copy submitted to the Butler County Planning Commission upon completion of the electrical inspection, which shall not be more than forty-five (45) days after the completion of the electrical system.

2. Main power lines shall be located underground in accordance with Pa. PUC Order Docket #99, or any amendment thereto, when feasible. All direct burial conductors or cable shall be buried at least eighteen inches (18") below the ground surface and shall be insulated and specifically designed for the purpose. Such conductors shall be located not less than one foot (1') radial distance from water, sewer, gas or communications lines.

3. Each mobile home lot shall be provided with an approved disconnect device and overcurrent protective equipment. The minimum service per outlet shall be 120/240volts AC, 200 Amperes.

4. All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

#### **§605. Toilet, Washroom and Laundry Facilities.**

1. No central toilet or washroom facilities may be constructed in any mobile home park, and each mobile home so parked therein shall be equipped with toilet and washroom facilities which shall be attached to central sewage and water facilities as provided for each lot.

2. Central laundry facilities may be permitted and such facilities shall be maintained in clean condition free from accumulation of waste water, trash or any other noxious or offensive accumulation. Such facilities may be shielded from other buildings by fence or vegetation of sufficient height to bar view.

**§606. License.** Prior to occupancy of any mobile home park, a license must be obtained from the Township as provided in Chapter 14 of the Codified Ordinances of the Township of Forward in compliance thereof.

**Part 7**  
**Multi-Family/Mixed Development Option**

**§701. Requirements for Multi-Family/Mixed Development.** Any owner of real estate may propose development of his property under the Multi-Family/Mixed Development Option provided the following requirements can be met:

1. Criteria to be Applied to the Proposal:
  - A. There is no possibility, if the property were developed under the Township subdivision regulations, that vehicular access could be provided to every dwelling lot or every residential building from streets of less than twelve (12) percent grade.
  - B. The property contains significant areas of steep slopes in excess of twenty—five (25) percent, development of which would cause severe erosion damage endangering downhill properties.
  - C. The area of property to receive new construction can be developed with a minimum of disturbance of land surface.
  - D. The property contains land designated by the Township Flood Boundary and Floodway Maps as being flood prone.
  - E. The property contains a significant stand of mature trees of a species, size and massing appropriate to be preserved.
  - F. The property is adjacent to a public recreation park or an area designated by the Township as a potential park site to serve the neighborhood of which the property is a part.
  - G. The property, because of its location in relation to neighboring properties, its shape or its access to adjacent streets, presents significant other problems for development within the Township subdivision regulations.
  - H. Any three (3) of the above criteria may qualify a property for consideration under this section.
  
2. Standards to be Applied to the Property —
  - A. Minimum Property Size shall be ten (10) Acres.
  - B. Maximum Density shall be two (2) dwelling units per gross acre — Gross acreage shall be considered as the total surface area in the tract prior, to development, excluding any

existing road rights— of—way, which shall be considered as fifty (50) feet wide.

C. Maximum Coverage of the Gross Site by Structures, Road Rights— of—Way, Parking Areas, Access Roads and Other Permanent Improvements shall be thirty (30) percent.

D. Minimum Setbacks of Development —

- (1) Structures from property boundaries that are not street rights—of—way shall be forty (40) feet.
- (2) Structures shall be set a minimum of twenty—five (25) feet from any Street rights—of—way.
- (3) Setback of parking areas, driveways and permanent at—grade recreation facilities from site boundaries:
  - (a) From property boundaries not Street rights—of—way ten (10) feet;
  - (b) From Street rights—of—way — twenty—five (25) feet.
  - (c) Parking areas designed to accommodate more than four (4) vehicles adjacent to a property boundary shall be screened from neighboring residential lots, whether next door or across the street, by a low planted hedge, seeded earth mounding, opaque fence or any combination thereof with a height of not less than three (3) feet above the level of the parking area.

E. Minimum Dimensions Between Residential Buildings Within the Property or on Lots Created Within the Property (Internal Lots)

- (1) One or two family dwellings side by side — twenty (20) feet;
- (2) Any two (2) residential buildings back to back in relation to each other or facing one another with no intervening street right—of—way fifty (50) feet;
- (3) Long walls shall be considered those walls that contain at least one—half ( $\frac{1}{2}$ ) the area of windows for any one (1) apartment or townhouse;
- (4) End wall of a garden apartment or townhouse building facing a long wall of an adjacent garden apartment or townhouse building — thirty—five (35) feet;
- (5) Minimum dimensions shall be considered as the shortest distance between two (2) buildings including balconies or other above—grade projections. A building wall shall be considered parallel to a wall of an adjacent building if the two walls form an angle of less than forty—five (45) degrees. In no case shall parallel long walls approaching the angles just described be less than forty (40) feet apart at any point.

F. Minimum Area of Single Family or Two Family Dwellings on the Ground

(1) Single family dwelling — seven hundred fifty (750) square feet;

(2) Two family dwelling — one thousand (1,000) square feet.

3. Drainage and Grading — The requirements for storm water management and erosion and sedimentation control shall be adhered to in developing a storm water drainage plan and erosion and sedimentation control plan for the property.

4. Public Utilities —

A. All structures connected to a water supply shall have a sewage disposal system approved by the Pennsylvania Department of Environmental Protection.

B. Any common sewer and water lines shall be maintained by the developer or be turned over to the Homeowners Association for maintenance upon acceptance after installation.

5. Recreation Space — Usable recreation space shall be provided on the property in an amount not less than five (5) percent of the gross site area. Recreation space shall be sloped not less than to (2) percent nor more than five (5) percent and may include permanent recreation facilities. Recreation space may be included as part of the area of common open space. Recreation space shall be contiguous space.

6. Homeowners' Associations —

A. A Homeowners' Association shall be required if any or all lots in a plan are to be sold by the developer. The text of the document establishing the Association shall be acceptable to the Township Solicitor before final approval of the plan is given. Membership in the Association shall be a condition of purchasing of a dwelling unit in the plan and such membership shall move from each seller to each subsequent buyer. Voting power in the Association shall be prorated over the total number of owned dwelling units in the plan.

B. All land not sold to private interests or deeded to a public body shall be recorded as "common open space" and shall be conveyed by the developer or his successors to the Association when the developer's interest or a successor interest ceases. Until that time the developer shall be responsible for maintenance of common open space, or the prorated portion of the total units in the development owned by him.

C. The Association shall levy and collect assessments sufficient to maintain all areas of the plan not held by individual property owners or by the Township, to pay taxes on such areas and to cover the costs of liability insurance thereon. All permanent recreation

facilities provided by the developer shall be considered a part of the Association's responsibility. Such facilities shall be available only for use of the residents and their guests. The Association shall also be responsible for maintaining access drives, parking areas, walkways, landscaping, storm drainage facilities and other improvements formerly the developer's responsibility.

D. If the Association fails to maintain the common open space or any of the improvements for which it is responsible in accordance with the agreement establishing the Association, the Township Board of Supervisors may serve written notice upon the Association indicating the specific deficiencies, requiring they be corrected within thirty (30) days, or by the time frame established in the covenants between the Association and the Township.

E. The common open space shall be indicated specifically as such on the recording drawings.

**Part 8**  
**Administrative Procedures**

**§801. Pre—Application Procedure.** Developers of land within Forward Township desiring approval of a subdivision of land or land development are recommended to submit the following information and plans to the Secretary of Forward Township at least five (5) days prior to the regularly scheduled Planning Commission meeting at which such submission will be considered and shall be present or be represented at the meeting to answer questions raised by the Commission:

1. General information to include name or names of owner or owners of record of property as contained in County assessment records, legal description of property boundaries, utilities serving the property, easements across the property by width, ownership and use, nature of the proposed development as to type and density of uses, relationship of proposed development of the property to existing adjacent development and to development in the vicinity, and proposed covenants or restrictions, if any, to be placed by the developer on the sale of lots.
2. Sketch plan showing on a topographic base map the general conception of the proposed development, indicating preliminary lot layout, approximate typical lot sizes, location of roads and main utility lines, densities in multiple family areas, if any, expressed in dwelling units per acre, location of recreation areas and of other uses within the property.

The purpose of the pre—application meeting is to acquaint the Planning Commission with the proposed development, to indicate to the developer the constraints upon development contained in this and other ordinances of Forward Township that may bear upon his proposal, and to discuss the impact of the proposal upon the Township comprehensive plan.

**§802. Preliminary Plan Application.**

1. Application Procedure — Having completed the Pre-Application Procedure, any developer & land within the municipality desiring approval of a subdivision of land or land development shall submit in not less than four (4) copies the documentation required in Section 305 above to the Secretary of Forward Township at least five (5) days prior to the regularly scheduled Commission meeting at which such submission will be considered and shall be present or be represented at the meeting to answer questions raised by the Commission relative to the application. At the option of the Planning Commission after request by the developer, the preliminary plan application procedures may be waived and the developer may proceed with final plan application provided the plan presented as a final plan includes the entire property to be ultimately developed.

The developer shall submit in not less than four (4) copies the documentation required in Section 305 below to the Secretary of Forward Township at least five (5) days prior to the regularly

scheduled Planning Commission meeting at which such submission will be considered and shall be present or be represented at the meeting to answer questions raised by the Planning Commission relative to the application.

2. Action of the Planning Commission — The Planning Commission shall review the submitted documents as to conformance with the requirements of this Chapter and other applicable municipal regulations upon development. If the Commission is satisfied that all requirements have been met in the plan, it will submit one (1) copy of the documentation to the Township Engineer for his review one (1) copy to the Board of Supervisors for its review, and one copy to the county agency for review and report together with a fee sufficient to cover the cost of the review and report which fee shall be paid by the applicant. If the Planning Commission is not satisfied that all requirements have been met in the plan, it will indicate the specific discrepancies to the developer, note the same in the official minutes of the meeting, a copy of which shall be sent to the developer, and request the developer to correct the documents to conform before again starting the Final Plan approval procedure.

3. Action by the Board of Supervisors — The Board of Supervisors shall render a decision of approval or disapproval of the proposed development plan, whether preliminary for final, not later than ninety (90) days after the date of the meeting at which the final plan was considered and not subsequently denied. The decision shall be based upon the Board's own review, including, if needed, a field visit to the property, and the review comments submitted by the Township Engineer, Township Planning Commission, and the County Planning Commission. The official decision shall be transmitted in writing to the developer at his address of record not later than five (5) days after the decision is reached indicating specifically, if the approval is denied, the reasons for denial, citing the appropriate Ordinance section, and the steps needed to gain approval. The Board of Supervisors may overrule the decision of the Planning Commission, but a final decision shall be made within the ninety (90) day period mentioned above.

4. Public Hearing — The Planning Commission may call and hold a public hearing to gather testimony relative to the development proposal but such a hearing shall be concluded within the ninety (90) day period for preliminary plan consideration. Public notice of such a hearing shall be advertised in the legal notices of a newspaper of general circulation in the Township for two (2) consecutive weeks, the first notice to appear not less than fourteen (14) days nor more than thirty (30) days prior to the hearing.

5. Failure to Render a Decision — Failure of the Board of Supervisors to render a decision and/or to communicate it to the developer within the time and in the manner required above shall be deemed an approval of the application as presented unless the developer has agreed in writing to an extension of time or change in the prescribed manner of presentation of the decision, in which case failure to meet the extended time or change in manner of presentation or communication, shall have the same effect.

6. Amendment of Ordinances Affecting Applications — From the time an application for approval of a subdivision or development is duly filed with the Secretary of the Township and while such application is pending approval or disapproval, no change or amendment of this

Chapter or others affecting development in the Township shall influence the decision on such application adversely to the developer and the developer shall be entitled to a decision in accordance with the provisions of this Chapter and others affecting development in the Township as they stood at the time the application was duly filed. However, if an application is properly and finally denied, or withdrawn any subsequent application shall be subject to any intervening changes in this or other Ordinances.

When an application has been approved or approved subject to conditions acceptable to the developer, no subsequent change or amendment to this or other Ordinances affecting development in the municipality shall be applied to influence adversely the right of the developer to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from the date of such preliminary approval.

7. Guarantee That Improvements Will Be Completed — As a condition of final plan approval, the developer shall:

- A. Deposit with Forward Township a corporate bond or other security acceptable to the Board of Supervisors after bond review by the Township Solicitor, to be held in escrow and equal to one hundred ten percent (110%) of estimated cost, as determined by the developer's engineer and approved by the Township Engineer, of all improvements to be constructed to serve the approved Final Plan (and not to be guaranteed by requirements of other Authorities) and in accordance with Section 306, Paragraph 10 above.

**Part 9**  
**Floodplains**

**§901. Application of Flood Plain Regulations.** All subdivision and land development within the Township that are wholly or partly situate in an identified flood plain area must conform to the provisions of Chapter 8 of the Code of Ordinances of the Township of Forward in addition to all other regulations herein. Any conflict between the regulations shall be resolved by having the higher or more restrictive standard apply.

## **Part 10**

### **Stormwater Management**

**§1001. Purpose.** Part 10 is intended to comply with the requirements of the Pennsylvania “Storm Water Management Act” Act No. 167 of October 4, 1978 (P.L. 864), and its regulations. The purposes of this part are to promote the general health, safety, and welfare of the community, regulate the modification of the natural terrain and alterations of existing drainage from land disturbance, new subdivisions, and new land developments in order to control erosion and sedimentation of soils and preserve stream channels and water quality, as well as provide for design, construction and maintenance of storm drainage facilities for controlling stormwater, erosion, and sedimentation and maintaining the quality of the watersheds within Forward Township.

**§1002. Applicability.** The following activities shall be regulated by Part 10:

- A. Land Development.
- B. Subdivision.
- C. Construction of new or additional impervious or semi-pervious surfaces (driveways, parking lots, etc.).
- D. Construction of new buildings or additions to existing buildings.
- E. Diversion or piping of any natural or man-made stream channel.
- F. Installation of stormwater management provisions or appurtenances thereto.
- G. Earth disturbance.

**§1003. Definitions** For the purposes of this chapter, certain terms and words used herein shall be interpreted as stated in Part 2 of this Ordinance.

**§1004. Review and Inspection.** The costs of review and inspection by the Engineer for the Township of the storm water management system as proposed by the developer shall be borne by the developer, whether or not the plan is ultimately approved. The Engineer shall review such changes as the developer may make in his plan for compliance with the Engineer’s recommendations and shall advise the Board of Supervisors whether the revised plan is in compliance or not. The Board shall direct the Engineer to inspect a storm water management area during its various stages of construction and to point out to the Contractor, the developer and Board any deviations from the design as approved.

#### **§1005. Liability; Maintenance of Retention Areas,**

1. The owner or developer shall enter into a legal agreement which shall indemnify and hold the Township harmless from any and all liability relating to storm drainage collection systems

and their discharge during construction of the system and thereafter. The owner or developer shall secure, where necessary in the opinion of the Engineer for the Township, all off-site easements for storm drainage. In the event the Township, in its sole discretion, determines that the Township shall be responsible for maintenance of a retention area, the developer shall provide permanent access easements to, into, within and around the retention area. In the event that the Township assumes maintenance, either through agreement with the developer or because the developer fails to maintain the area, the developer shall pay to the Township all costs and expenses necessary to maintain the same, but not less than fifty cents (\$0.50) for each square foot of area to be maintained, which shall be deposited in an account from which the principal and the interest shall be used only for the maintenance of the storm water management system and no other municipal purpose. The exact square foot unit price amount shall be determined by the Township when executing the maintenance agreement when the amount is agreed upon prior to actual Township maintenance. If maintenance is performed by the Township as a result of the developer's non-performance, the Township shall assess the costs of maintenance based upon actual costs incurred by the Township, but in an amount not less than the unit price of fifty cents (\$0.50) heretofore written.

2. In the event that the developer should default in regard to the aforementioned square foot maintenance agreement for whatever cause and it becomes not feasible for the Township to collect from the developer the minimum fifty cents (\$0.50) per square foot for the area to be maintained, the Township may lien each property within and served by the development plan for the individually computed pro-rata cost incurred by the Township when providing maintenance according to this provision.

3. Where it is the intention of the developer to provide maintenance and repair of a retention area, the developer shall provide the Township with a binding legal document pledging and warranting himself to continued performance, If warranted, in the opinion of the Township, the developer shall furnish the Township with an acceptable bond in an amount not less than the aforementioned minimum amount to insure future financial capability. In addition, there shall be the requirement that the development plan or subdivision plan, when presented to the Township for approval, contain the statement that each individual land owner in the development plan for which a storm water management control plan is approved, his heirs, successors or assigns share proportionately in the responsibility for maintenance and repair of the facility, should the developer fail to fulfill his obligations as set forth. The statement shall be a provision of the deed that is issued for each and every individual lot, parcel or tract within a development plan or subdivision plan when such development plan is subject to storm water management control.

**§1006. Wet or Swampy Areas**, Any delineated wetland areas shall not be drained or flooded permanently unless the proper permits are obtained from the Pennsylvania Department of Environmental Protection and the United States Army Corp of Engineers for such work.

**§1007. Installations to Control Flow of Water.**

1. Storm sewers, culverts, catch basin inlets and related installations shall be provided to insure the controlled flow of natural water courses and to guarantee the drainage of all low points along the curb or gutter lines, as well as at intervals related to slope, of all streets in or adjacent to the plan. Where driveways cross gutter lines, they shall be designed to allow passage of storm water along the gutter line or passage via a pipe below the driveway entrance of sufficient size to carry the runoff. In no case shall storm water flowing down a driveway be permitted to cross a public Street.
2. Catch basin inlets shall be double brick at least eight inches (8") in thickness, cemented both sides, or precast concrete meeting at least the standards of the current edition of PennDOT's specifications sheet RC-52. Catch basins shall be located no further apart than four hundred feet (400') along a single continuous slope, Actual spacing within the minimum limits specified shall be planned to efficiently intercept proposed surface flows.
3. Storm sewers installed shall have a minimum diameter of fifteen (15) inches and a minimum gradient of one percent (1%).
4. A storm water drainage system which is adequate to serve the needs of the proposed subdivision, land development, or mobile home park shall be constructed for same. All construction shall comply with this Ordinance, PennDOT specifications, the Pennsylvania Stormwater Management Act and with the Pennsylvania Department of Environmental Protection (where construction will affect an existing waterway). Stormwater drainage plans shall be approved by the County Engineer or designated representative before construction may commence.
5. If an adequately sized, existing storm water drainage system exists within five hundred (500) lineal feet of the proposed system, it shall be connected to same. If a developer cannot connect the proposed system with an existing system because one does not exist, an existing system is not adequately sized, or access is unattainable because of ownership, then storm drainage shall be diverted to an existing natural watercourse or as permitted by DEP and shall not drain to other property except by proper easement in compliance with this Ordinance, and shall not cause hazard to persons or property.
6. Drainage ditches or channels may be constructed by the developer, if approved by the County Engineer or designated representative, to control surface drainage. Drainage ditches and channels shall have a minimum gradient of one percent (1%) with side slopes no steeper than one vertical to two horizontal and shall be seeded with an acceptable vegetation, suitable to prevent erosion.
7. Roof drains shall be extended to a paved gutter and connected to a storm sewer system where possible. Where a connection to a system is not possible, roof drains shall be diverted to an approved drainage ditch or channel. At no time shall a roof or foundation drain be connected to a sanitary sewer system.

**§1008. Design Standards.**

1. In designing the storm drainage system the developer shall use as his guide the publication “Urban Hydrology for Small Watersheds” Technical Release No, 55, U.S. Department of Agriculture, Soil Conservation Service, January 1975, as amended. For developments larger than three acres, the SCS 24 hour, Type II Rainfall Distribution shall be used for analyzing stormwater runoff control facilities (except storm runoff collection and conveyance facilities). For development sites less than three acres, the Rational Method may be used to determine peak flows and the Modified Rational Method used for design and routing of runoff control facilities.

2. The pre-development condition of the parcel to be developed, as determined by the Engineer for the Township, shall be considered the state of the land surface on the date that the developer entered into an agreement to purchase the property. If the property has been partially or completely developed at the time of purchase, the Board of Supervisors may, at its option, require the new owner, if he proposed to redevelop or further develop the property, to take remedial action for compliance with the requirements of this paragraph regardless of the condition of the surface, the pre-development design runoff shall not be more than that generated by a pre-development land surface condition comparable to a ground runoff curve number of 75 (see tables 2-1 and 2-2 of T.R. 55). The developer may pass through storm water originating upstream of his property, but if he elects to control it, by-pass devices he installs shall be capable of handling the ten (10) year twenty-four (24) hour peak flow, and he may trade off, as compensation for such installations, control measures that would normally be required on his property provided the total control system results in equal or better protection for downstream properties.

3. The developer shall consult with the Butler County Office of the Soil Conservation Service before developing his storm drainage plans. The Township and others reviewing a storm water control plan will use discretion in considering unusual conditions, such as drainage from several basins on the same property under development.

4. A ten (10) year storm frequency shall be utilized in designing facilities serving local, commercial/industrial and marginal access ways and access roads to multiple business properties. All longitudinal and side drains and slope pipes for street, road and highway systems will also be designed considering the ten (10) year storm frequency. Culvert cross drains and any other type of drainage facility in an underpass or depressed roadway section shall be designed utilizing the following storm frequencies: Arterial Highways 25 years and Collector, Local and Other Streets 10 years. Greater design standards may be required by the Planning Commission where justified on individual projects.

**§ 1009. Run-Off Restrictions.**

1. The storm water drainage plan of a subdivision, development plan or mobile home park shall be designed to assure that after development storm water does not leave the property at a greater velocity or volume per second than before development commenced. The ten (10) year

twenty-four (24) hour peak flow (3.80 inches of precipitation in twenty-four (24) hours or as may be subsequently revised); creating slightly out-of-bank conditions in downstream drainage ways shall be the maximum release rate condition for water leaving the property. The maximum storm of record over a twenty-four (24) hour period during the preceding twenty-five (25) years (4.35 inches of precipitation in twenty-four (24) hours or as may be subsequently revised) shall be the design condition to be used in developing the storm drainage system. The difference between the twenty-five (25) year storm and the ten (10) year storm shall be stored on the property for gradual release at the ten (10) year rate.

2. The Supervisors reserve the right to require the developer to provide storage for the difference between the maximum storm of record over a twenty-four (24) hour period during the preceding one hundred (100) years (5.00 inches of precipitation in twenty-four (24) hours or as may be subsequently revised) and the twenty five (25) year storm.

3. When the area to be developed is composed of more than one watershed, and discharges from the watersheds do not occur at a common point, each watershed shall be managed separately so that no uncontrolled runoff may occur from any major portion of the developed total site.

#### **§1010. Design Storm; By-Pass Facilities.**

1. The storm water drainage system of pipes and conduits shall be designed to transport the storm water runoff generated by the twenty-five (25) year (4.35 inches of precipitation) twenty-four (24) hour peak flow storm.

2. When trade off is utilized as mentioned in §1006 above and storm drains will by-pass the storm water management control facility, pipes and conduits may be designed to transport storm water runoff generated by a fifteen (15) year (4.05 inches of precipitation) twenty-four (24) hour peak flow.

3. All runoff transported over land either by effluent from sewers or from non-sewered open lands tributary to the retention facilities shall be conveyed in planned facilities such as heavily vegetated channels or otherwise stabilized drainage ways to the storm water retention facilities. Facilities, either constructed or natural, shall be designed to carry the peak flow at non-erosive velocities,

4. Design, layout and construction of diversions shall be in accordance with the latest edition of the United States Department of Agriculture, Soil Conservation Service Engineering Field Manual, Chapter 9.

**§1011. Retention Area Design.**

1. Retention areas, as required to impede runoff, may be varied in type and form. Temporary impoundment of storm waters may be managed by said storage of water within underground facilities (i.e., as rock fills, buried conduits, etc.), on flat parking or other surface areas, on rooftops, in excavated ponds, in embankment ponds (singly or in multiples thereof), or in any combination of the above. Structural limitations of impoundment facilities shall be thoroughly reviewed by the developer and be approved by the appropriate agencies having jurisdiction.

2. Retention areas shall be designed to meet or exceed the following minimum standards and the applicable standards of the following referenced documents:

“Handbook for Earthmoving Activities and Erosion and Sedimentation Control in Butler County”, latest revised edition,

“Soil Conservation Service - Construction Specifications and Engineering Standards for Embankment Ponds”, Technical Guide Section IV, pp. 378-1 to 2378-15 dated May, 1977, or the latest revised edition,

3. Except where a permanent ponding facility is approved by the Township, all retention areas shall be designed to be drained completely.

A. Retention Area as a Parking Lot Facility -

(1) the low edge of a parking area, curbed or uncurbed, may serve the purpose of an emergency spillway to pass the overflow from a storm water retention area, provided the embankment below the edge is well stabilized with planting materials and the angle of the slope will not encourage erosion, in the opinion of the Township and other reviewing agencies. The maximum depth of water on a parking area used for storm water management purposes shall not exceed twelve inches (12’)

B. Retention Area as an Embankment Reservoir Facility -

(1) Standards -

(a) Embankment reservoirs shall be designed to service a drainage area of not more than twenty (20) acres and have a maximum depth at normal design pool of no greater than ten feet (10’). Embankments in this category shall be known as Pennsylvania Class III ponds.

(b) Prior to design or construction, a soil investigation at the site shall be carried out by the developer. A minimum of two (2) test borings taken at no greater than fifty feet (50’) on center across the site of the

proposed breastwork may be required. Test borings shall as a minimum extend to ten feet (10') below the level of the case of the impoundment at the breastwork or five feet (5') into bedrock if bedrock is encountered within the minimum ten foot (10') depth. Test hole results will be furnished as part of project approval documents.

(c) The minimum top width of the structure shall be six feet (6'). The minimum elevation at the top of the settled embankment shall be one foot (1') above the water surface in the reservoir with the emergency spillway and the settled top of the impoundment shall be two feet (2'). Initially the top of the impoundment shall be constructed ten percent (10%) higher than the designed height to allow for the occurrence of possible settlement.

(d) Fill Material - Acceptable fill material for embankment construction shall conform to permitted uses as itemized under Table 3, "Soil Interpretations for Selected Engineering Uses", as published in the Soil Survey for Developing Area in Butler County, Pennsylvania prepared by the United States Department of Agriculture (U.S.D.A.), latest revised edition.

In the event that acceptable embankment material is not available on site, the developer must arrange to provide fill material from an acceptable source off site. Pre-identification of borrow material will be required to be furnished by the developer before permits may be issued by the Township.

(e) Foundation Preparation - The foundation area for embankment shall be cleared of all trees, stumps, roots, brush, boulders, sod, topsoil and debris. All channel banks and sharp breaks shall be sloped to no steeper than 1:1. The surface of the foundation area will be thoroughly scarified before placement of the embankment material.

(f) Fill Placement - Fill shall be placed in maximum six (6) inch layers at optimum moisture content and shall be compacted to ninety-five percent (95%) original dry density.

The material placed in the fill shall be free of all sod, roots, frozen soil, stones over six inches (6") in diameter, and other objectionable material. The placing and spreading of the fill material shall be started at the lowest point of the foundation and the fill shall be brought up in the six inch (6") horizontal layers.

The distribution and gradation of materials throughout the fill shall be such that there will be no lenses, pockets, streaks or layers of material

differing substantially in texture or gradation from the surrounding material. Where it is necessary to use materials of varying texture and gradation, the more impervious material shall be placed in the upon stream and center portions of the fill.

(g) Embankment impoundments shall be constructed with a “foundation cutoff” to insure stability. The cutoff shall extend full length under the embankment fill at or slightly upstream from the embankment centerline. If deemed necessary after analysis of test boring results, it shall be extended a sufficient distance beyond the fill to insure stability and relative watertightness on the downshape terrain at the sides.

The cutoff trench shall be constructed of relatively impervious material and shall not be less than three feet (3’) in depth and three feet (3’) in width at its base. Side slopes shall be no greater than 1:1. In all cases, the cutoff shall extend into a relatively impervious layer of native material.

(h) Embankment Slopes - The combined upstream and downstream sideslopes of the settled embankment shall not be less than five horizontal to one vertical with neither slope steeper than 2:1. Slopes must be designed to be stable in all cases, even if flatter sideslopes are required.

(i) Emergency Spillway - An emergency spillway is to be provided to convey large flood flows safely past earth embankments.

The emergency spillway shall be capable of passing the flow created by the maximum storm of record over a twenty-four (24) hour period during the preceding one hundred (100) years. Five inches (5”) of precipitation in twenty-four (24) hours shall be the design condition.

Constructed earth spillways shall be trapezoidal and will be located in undisturbed or compacted earth. The sideslopes shall be stable for the material in which the spillway is to be constructed.

Earth spillways shall be designed to carry the design peak flow at non-erosive velocities. Non-erosive velocities for the vegetation to be established may be determined from Exhibit 7-3, page 7-14, of the SCS Engineering Field Manual.

(j) Pipe Conduits - Drains - Pipe conduits under or through the embankment shall be of minimum schedule 40 steel pipe, Class III reinforced concrete pipe or twelve (12) gauge full bituminous coated

corrugated metal pipe. The pipe barrel shall be placed on a firm foundation to the lines and grades shown on the plans. Selected backfill material shall be placed around the conduit in 4-inch layers. Each layer shall be thoroughly compacted with hand operated equipment to a height of two feet (2') over pipes and other structures before heavy equipment is operated over them. The invert of the pond drain shall be a minimum of three feet (3') below the lowest elevation of water impoundment in the pond. Anti-seep collars shall be installed around the pipe conduit not greater than twenty-eight feet (28') measured along the length of the pipe. Collars shall extend a minimum of two feet (2') in all directions at right angles measured from the face of the pipe. Collars of steel shall be minimum one-quarter inch (1/4") steel plate and shall be welded to the pipe conduit for the full pipe perimeter. Reinforced concrete collars shall be minimum twelve inches (12") in thickness. Collars shall be compatible with pipe materials.

(k) Pipe Conduit - Inlets - The top of the slotted riser pipe provided for draining the pond shall be not less than one-third (1/3) the maximum impoundment depth measured from the bottom of the impoundment. It shall also be a minimum of four feet (4') above the outfall invert at the inlet to the pond drain. It shall be fitted with a non-corrosive anti-vortex device and trash rack. The inlet pipe, where joined to the pipe drain, shall be firmly anchored to adequate concrete blocking to insure against flotation.

(l) Energy Dissipators - Energy dissipators shall be placed at the outlet of the pond drain pipe and at the outlet of the emergency spillway for a minimum distance of ten feet (10') from the outfalls. Dissipators shall as a minimum be constructed of stone rip-rap, nominal six inch (6") diameter. Width shall be sufficient to control the entire flow between the exit channel device.

(m) Seeding - a protective cover of vegetation shall be established on all exposed surfaces of the embankment spillway and borrow areas to the extent practicable under pre-vailing soil and climatic conditions. The embankment and spillway shall be fenced where necessary to protect the vegetation.

Sodding, seeding, liming, fertilizing and mulching shall conform to the standards for permanent seeding in the Pennsylvania Technical Guide available in SCS offices, the current Pennsylvania Agronomy Guide published by Pennsylvania State University, or in the Butler County Handbook for Earthmoving Activities and Erosion and Sedimentation Control

(n) Visual Resource Design - Ponds in areas of high public visibility are to receive careful visual design. The underlying criterion for all visual design is appropriateness. The shape and form of ponds, excavated material and plantings are to relate visually to their surroundings and to their function.

C. Retention Area as an Excavated Pond Facility -

(1) Sideslopes - Sideslopes of excavated ponds shall be such that they will be stable and shall not be steeper than two (2) horizontal on one (1) vertical (2:1).

Where surface water runoff enters the pond in a natural or excavated channel, the sideslope of the pond shall be protected against erosion by hand placed stone rip—rap.

(2) Emergency Spillway - The crest of the embankment may serve as the emergency spillway if the backslope (the downstream side) is six (6) horizontal to one (1) vertical (6:1) or flatter. Otherwise, a spillway meeting the embankment pond criteria shall be provided.

(3) Pipe Conduits - Drains and Inlets - All standards shall be applicable as heretofore written for embankment structures.

(4) Placement of excavated material - The material excavated from the pond shall be placed in one of the following ways so that its weight will not endanger the stability of the pond sideslopes and where it will not be washed back into the pond by rainfall:

(a) Uniformly spread to a height not exceeding three feet (3') with the top graded to a continuous slope away from the pond. Maximum grade shall be two (2) horizontal to one (1) vertical (2:1).

(b) Uniformly placed or shaped reasonably well with sideslopes, assuming a natural angle or repose for the excavated material behind a berm width equal to the depth of the pond but not less than twelve feet (12').

(c) Shaped to a designed form that blends visually with the landscape.

(d) Used for low embankment and leveling.

(e) Hauled away.

(5) Inclusions by Reference - all applicable portions of the written and referenced standards for embankment ponds shall apply as if herein written.

**§1012. Grading Requirements.**

1. All graded areas associated with storm water management and development shall be stabilized with erosion resisting plantings placed immediately after the completion of grading. Graded slopes produced by placing fill earth over the pre-existing surface shall be keyed into the original grade.
2. Grades of embankments resulting from preparation of building lots or sites shall not exceed one foot (1') vertical rise for every two feet (2') of horizontal run for fill slopes or one foot (1') vertical rise for every one and a half feet (1.5') horizontal run for slopes created by excavating in areas that have lain dormant for at least two (2) years, except that steeper slopes may be permitted in areas where, in the opinion of a professional engineer, as evidenced in a written report, conditions are such as to allow slopes up to a maximum grade determined by the engineers subject to the approval of the Township.
3. No grading shall occur within five feet (5') of any subdivision or development plan boundary except as is needed for the entrance of streets or to grade off land immediately adjacent to a street when establishing the finished grade street elevation.
4. All persons, partnerships or corporations intending to excavate, fill or grade land in the Township shall be required to apply for a grading permit and shall have a valid grading permit in their possession prior to the start of any grading work. Prior to the issuance of a permit, the site shall be subject to the inspection and approval of the Engineer for the Township. The costs of inspections shall be borne by the applicant at time of permit issuance. Work shall be undertaken in conformance with the requirements of this Chapter and applicable regulations of Butler County.

**§1013. Exclusions to Storm Water Management Control Plan Development.**

1. The Township Supervisors may elect at their discretion to forego storm water management development plans on a case by case basis for residential development only under the following circumstances:
  - A. The developer is an individual lot owner and the lot to be developed fronts on an existing public road of record.
  - B. The land to be subdivided does not exceed five (5) contiguous lots all of which front on an existing public road of record and the subdivision meets all other subdivision requirements as set forth in the regulations. Additional contiguous lots in excess of five (5) may be subdivided without formal storm water management control

facilities with special permission when, in the opinion of the Township, runoff generated from the proposed total development will not be in excess of a maximum allowable amount that will insure continued adequate protection for downstream developed and undeveloped lands and waterways.

- C. The land area coverage of any individual lot when fully developed according to the plan submitted, does not exceed the following maximum values: Principal Structure - 15% of lot area; Driveways, porches, parking lots & appurtenances - 15% of lot area. The remaining undeveloped portion of any individual lot shall have a land surface condition comparable to or less than around runoff curve numbers of 75 (meadow land) according to Tables 2-1 and 2-2 of Technical Release No. 55, U.S. Department of Agriculture, Soil Conservation Service, January, 1975, and as amended.

2. Development as specified under §1001 thru 1006 above is subject to the following restrictions and ongoing controls:

- A. A subdivider proposing to develop contiguous lots in excess of five (5) must provide analysis of the watershed upstream which passes through his development. Exclusion of storm water management controls may be considered if the total development does not increase runoff from that watershed beyond that generated according to the following criteria:

The volume rate of water generated by that watershed shall be computed for the twenty-five (25) year storm. Ground cover for the computation shall be based upon runoff curve number 75. Volume rate shall also be computed for the post-development runoff curve number based upon the twenty-five (25) year storm. When computations indicate a greater runoff for post-development conditions than was computed for runoff curve number 75, exclusions of storm water management development plans will not be considered.

**Part 11**  
**Variances**

**§1101. Criteria for Favorable Consideration.**

1. The Board of Supervisors may, in specific cases, authorize modifications from the provisions of these regulations that will not be contrary to the public interest but, where owing to special conditions, in a specific development or subdivision, the literal interpretation and strict application of the provisions of these regulations would cause unfair and unnecessary hardship, or the modification would achieve a greater health and safety public interest than the regulations require.
2. Generally applications for modifications shall meet all of the following conditions, unless the Board determines that one or more is inapplicable to the application:
  - A. There are unique physical circumstances or conditions present on the property including peculiar shape or exceptional topographical or other physical conditions and the reasons for which a modification is sought are due to these conditions and not the provisions of the subdivision regulations;
  - B. Because of the physical circumstances, there is no possibility that the property can be developed in strict conformity with these regulations if reasonable use is to be made of it;
  - C. The reasons for request of a modification have not been created by the applicant;
  - D. The modification, if granted, will not substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
  - E. The modification, if authorized, will represent the minimum modification that will afford relief and will represent the least modification possible of the regulation and issue.

**§1102. Procedures for Consideration.**

1. Persons requesting consideration of a modification of these regulations shall submit such request in writing, indicating specifically the regulation seeking modification and the reasons for the request along with submission of the plan. The requested modification should be indicated in writing on the plan as well. The modification request will be reviewed by the Planning Commission and the Supervisors in connection with their normal plan review and approval process.

2. In the event the normal plan review process reveals that a plan does not meet the regulations, the applicant may submit in writing a request for a modification from the regulations, along with a revised plan with the proposed modification in writing endorsed thereon. The application will provide an extension of time for the review process of the plan to allow sufficient time to consider the modification request.

**Part 12**  
**Amendment Procedures**

**§1201. Initiation.**

1. The provisions of this Chapter may from time to time be amended, supplemented, changed or repealed in accordance with the following procedure.
2. A proposal for an amendment may be initiated in either of the following ways:
  - A. By the Board of Supervisors;
  - B. By the Planning Commission.

**§1202. Procedures for Consideration.**

1. Amendments submitted to the Board by the Planning Commission shall be forwarded to the Butler County Planning Commission for recommendations at least thirty (30) days prior to the date fixed for a public hearing on such proposed amendment.
2. If the ordinance amendment has been prepared by the Board of Supervisors, then the Planning Commission and the Butler County Planning Commission shall be forwarded a copy of the proposed amendment for recommendations at least thirty (30) days prior to the public hearing on such proposed amendment.
3. The Board shall schedule a public hearing after public notice to have public comment on the proposed amendment.
4. If a proposed amendment is changed after public hearings, the Board shall hold an additional public hearing pursuant to public notice before taking a vote on the altered amendment.

**Part 13**  
**Prohibitions, Penalties, Enforcement, Fees and Injunctive Proceedings**

**§1301. Unlawful Recording and Sale of Lots.**

1. No plan of a subdivision or land development proposed for the Township shall be recorded in any public office unless or until that plan shall bear the certified approval of the Planning Commission and Supervisors.
2. It shall be unlawful for any person to sell, trade or otherwise convey or offer to sell, trade or otherwise convey any lot or parcel of land as part of or in conformity with any plan, plat or replat of any subdivision or land development unless and until said plan, plat or replat shall have been first recorded in the office of the County Recorder of Deeds.

**§1302. Penalties.**

1. Any person, partnership, or corporation who or which has violated the provisions of any subdivision or land development ordinance legally enacted by the Township shall, upon being found liable therefore in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgement.

**§1303. Enforcement.**

1. The provisions of these regulations shall be enforced by an administrator appointed by and responsible to the Board of Supervisors. He may be reimbursed at the discretion of the Board, may hold other appointive but not elective positions in the Township, and may hold similar appointive positions in several municipalities. He shall serve at the pleasure of the Board.

2. The administrator shall review proposals for subdivision and land development plans upon request of the Planning Commission or Board of Supervisors; shall issue or revoke permits at the direction of the Planning Commission or Board upon his recommendation; shall enter upon, at his discretion, subdivision and land development plans in the process of construction to evaluate compliance with the terms of approved applications; shall point out to the developer discrepancies in the development not in compliance and demand remedial action to guarantee compliance within thirty (30) days of noting the discrepancy to avoid revocation of the permit; and shall otherwise act as the Township's agent in the enforcement of these regulations.

3.. No developer, owner or agent or employee of them shall block entrance of the administrator to any subdivision or development plan in the process of development.

**§1304. Injunctive and Other Proceedings.** Notwithstanding the imposition of any penalties hereunder, the Township may institute any appropriate action or proceeding to require compliance with or to enjoin violation of the provisions of these regulations or any administrative orders or determinations made pursuant to these regulations.

**Part 14**  
**Access Management**  
**(Driveways and Drainage)**

**§ 1401. Access Management Regulations Adopted.** All subdivision of land developments regulated by this Chapter shall meet the requirements of Chapter 21 of the Code of Ordinances of the Township of Forward.

**Part 15**  
**Recreational Land Developments**

**§1501. Design Standards and Other Requirements.**

1. A campground subdivision or development shall have a gross area of at least five (5) contiguous acres of land in single ownership or under unified control.
2. All campgrounds shall provide and maintain a vegetative screening strip of planted or natural growth, along all property boundary lines. Such screening shall be at a depth of not less than twenty (20) feet, to effectively screen the area to a minimum of six (6) feet in height within a reasonable time period (one year of application approval). A planting plan specifying types, size and location of existing and proposed plant material shall be required and approved by the Board of Supervisors.
3. Recreational land development lots or camping sites in non-transient recreational land developments shall comply with the lot requirements found in § 100-24 hereof. Transient recreational land development lots or camping sites shall be a minimum of fifty (50) feet wide and seventy-five (75) feet deep and may be clustered. Gross density, however, shall not exceed a total of five (5) sites per acre in such instance (eight [8] per acre if tent/primitive type camping only). Frontages on cul-de-sacs may be varied.

Individual recreational land development lots or camping sites shall be separated from service building structures and other occupied buildings and structures by a minimum distance of fifty (50) feet. Also, notwithstanding the requirements of Section B above, no recreational vehicle or tent platform shall be located closer than twenty-five (25) feet to the street right-of-way; closer than twenty-five (25) feet to any other recreational vehicle or tent platform; or one-hundred (100) feet to any adjacent property line.

4. At least two off-street parking spaces of two-hundred-seventy (270) square feet each shall be provided for each site. At least one such off-street parking space shall be provided on each lot as required.

5. Street Requirements.

A. Non-transient recreational land developments. The street design standards contained in Article IV of this Ordinance shall apply to streets within non-transient recreational land developments.

B. Transient recreational land developments. Transient recreational land development streets shall be not less than fifty (50) feet in right-of-way width, and shall be cleared, graded and constructed as required by the Township Board of Supervisors upon recommendation of the Township Engineer, based upon the size of the development, site

conditions and type of development proposed (i.e. primitive tent camping or RV camping).

6. No individual on-site sewage or water supply shall be permitted, and all community systems for the common use of campsite occupants shall fully comply, as evidenced by approved plans, with the standards imposed by the Pennsylvania Department of Environmental Protection and Forward Township.

7. The following additional regulations shall apply to all recreational land developments.

A. Appurtenances. No permanent external appurtenances, such as carports, cabanas or patios - physically and permanently attached to the recreational unit, may be attached to any travel trailer or other recreational vehicle parked in a recreational land development, and the removal of wheels or placement of the unit on a foundation in such a park is prohibited.

B. Location. A recreational land development shall be so located that no entrance or exit from a park shall discharge traffic into a densely populated residential area exceeding one dwelling unit per acre, nor require movement of traffic from the park through such an area to obtain access to a public highway. A minimum of 150 feet of frontage on a State or Township highway shall be required.

C. Common Use Areas - A minimum of 10% of the gross site area of the recreational land development shall be set aside and developed as common use areas for open and enclosed recreational facilities. No recreational vehicle site, required buffer strip, street right-of-way, cartway, storage area or utility site shall be counted as meeting this requirement.

D. Entrances and Exits - Entrances and exits to recreational land developments shall be designed for safe and convenient movement of traffic into and out of the park, and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. The radii of curbs and pavements at intersections shall be such as to facilitate easy turning movement for vehicles with trailer attached. No intersection of an entrance and/or exit with a State or Township highway shall be located where less than 500 feet of sight distance exists in either direction along the State or Township highway, nor shall such intersection be located within 150 feet of any other intersection.

E. Parking Areas - In connection with the use of any recreational land development, no parking, loading or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, required buffer, right-of-way or any public grounds; or any private grounds not part of the recreational land development, unless the owner has given written permission for such use. Each recreational land development operator shall

provide off-street parking, loading and maneuvering space located and sealed so that the prohibitions above may be observed, and shall be responsible for violations of these requirements.

F. Occupancy - Campsites shall be used only for camping purposes. No improvement or any mobile home designed for permanent occupancy shall be erected or placed on any campsite. All recreational vehicles in the development shall be maintained in a transportable condition at all times. Any action toward removal of wheels or to attach the recreational vehicle to the ground for stabilizing purposes is hereby prohibited. Moreover, no campsite shall be occupied for more than 12 consecutive months, and no campsite shall be the primary and principal residence of the owner or any other occupant; each campsite to be used and occupied (excepting occasional guests) for camping and recreational purposes only by a single household. The Township may require any owner to remove a recreational vehicle from the campground for a period of 7 days, unless such owner can establish a prior removal within the immediately preceding 12 months. These requirements shall be attached to each campsite sale or membership in non-transient recreational land developments by restrictive covenant.

G. Records - The management of every recreational land development shall be responsible for maintaining accurate records concerning the occupancy of all campsites. The term "management" shall include associations of property owners when such are responsible for maintenance and operation of common facilities. The Township Board of Supervisors and/or its designated agents shall have access to, and the right to inspect, records for evidence of permanent residency or lack thereof. The Township Board of Supervisors and/or their designated agents shall, in addition, have the authority, when any provision of this Article is violated, to prohibit the occupancy of any and all campsites in a recreational development until the owners and/or management provide evidence of compliance with these provisions.

H. Waste Disposal - No owner or occupant of any campsite or recreational land development lot shall permit or allow the dumping or placement of any sanitary or other waste anywhere upon any campsite or elsewhere within the development, except in places designated therefore. No outside toilets shall be erected or maintained on any campsite. Plumbing fixtures within any recreational vehicles placed upon lots in the recreational land development shall be connected to the sewage disposal system for the development. Sanitary facilities, including toilets, urinals and showers, shall be provided within five-hundred (500) feet of each lot or campsite. A minimum of one toilet per sex per twenty-five (25) lots or campsites shall be provided.

I. Fences - All property lines within the development shall be kept free and open; and no fences, except as may be required by screening sections or may exist naturally, ledges or walls, shall be permitted thereon. This shall not, however, preclude the erection of fences around the perimeter of the development.

J. Nuisances - No noxious or offensive activities or nuisances shall be permitted on any campsite or lot. The management plan shall provide for limiting significant noise generating activities to specified periods of time that allowing for sleeping by neighboring residents.

K. Animals - No animals shall be kept or maintained on any campsite or lot, except the usual household pets. Pets shall be kept confined so as not to become a nuisance.

L. Garbage and Refuse Disposal - No person shall burn trash, garbage or other like refuse on any campsite. All such refuse shall be placed and kept in airtight receptacles for the same. No owner shall permit the accumulation of litter or refuse or junk vehicles on a campsite or lot.

M. Camping Accessories - Notwithstanding any provisions herein contained to the contrary, picnic tables, benches, storage sheds, fire boxes or fireplaces, and similar items of personal property, may be placed on a campsite. All personal property on a campsite shall be maintained in good condition so as not to become unsightly.

N. Ditches and Swales - Each owner shall keep drainage ditches and swales located on his campsite free and unobstructed and in good repair, and shall provide for the installation of such culverts upon his campsite as may be reasonably required for proper drainage. He shall also prevent erosion on his campsite or lot.

O. Drilling and Mining - No drilling, refining, quarrying or mining operation of any kind shall be permitted, nor shall drilling for water or digging of water wells be permitted on any individual campsite or lot.

P. Vehicle Parking - No recreation vehicle shall be parked on any street or roadway within the development.

Q. Fire Rims - Each campsite fireplace shall be provided with a fire rim of concrete construction at least eight (8) inches in height to contain the fire.

R. Water Supply - Potable water drinking fountains shall be provided within three-hundred (300) feet of each campsite and fire fighting needs shall also be addressed in the case of recreational land developments accommodating recreational vehicles by providing an emergency water source approved by the local fire department.

The operational standards contained in this section shall be incorporated in restrictive covenants attached to the deeds for lots in non-transient recreational developments and shall be made part of a management plan for any transient recreational developments, which covenants and/or plan shall be approved by the Township Board of Supervisors in its review of preliminary and final plans for the recreational development. A management plan shall be required for all recreational land developments and restrictive covenants incorporating the standards of this section shall be required of all non-transient recreational developments. This shall be in addition to the

submission requirements contained in Article III of this Ordinance. A plan or set of covenants which does not adequately provide for conformance with this Section shall not be approved and, in the case of the latter, shall provide for the establishment of a bona fide property owners association. The plan and/or covenants shall also provide the Township with the option (but not the obligation) of being a party to their enforcement and include a right for the Township to periodically inspect the development for continued compliance with the plan and/or covenants.

**§1502. Application to Existing Developments.**

1. The regulations of this Article VI shall apply to any extensions of existing recreational subdivisions and land developments, including increases in the number of lots or available spaces, even though no addition to total land area is involved. However, nothing herein shall apply to existing facilities.

**Part 16**  
**Certificates and Approvals**

**§1601. Owner's Adoption**

Know all men by these Presents, That (I or we) (name of individual owner or owners), of the Township of Forward, County of Butler and State of Pennsylvania, for ourselves, our heirs, executors, administrators and assigns, do hereby adopt this Plan as (my, our) Plan of (my, our) property situated in Forward Township and do hereby dedicate forever for public use f or highway and utility purposes, all drives, roads, lanes, ways, rights— of—way and other public highways shown upon the plan, and we release, remise and discharge the Township of Forward, its successor or assigns, of and from all liability, courses of action, claims or damages arising from or pertaining to in any manner said roads and rights—of—way.

We further agree that said plan is approved by the Township of Forward for “Planning Purposes Only” and that said township shall not issue any “Building Permits” for lots contained herein, nor shall any lots be deeded until either all of said roads and improvements in accordance with Forward Township Ordinances have been completed and accepted by said township or until the township has approved a bond with sufficient surety to guarantee construction of the same.

In Witness Whereof, We hereunto set our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

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

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

**§1602. Corporation Adoption**

Know all men by these Presents, That \_\_\_\_\_ a Partnership (or Corporation) duly registered under the laws of the Commonwealth of Pennsylvania, if the Township of Forward, County of Butler and State of Pennsylvania, for ourselves, our heirs, executors, administrators and assigns, does hereby adopt this plan as its Plan for its property situate in Forward Township and does hereby dedicate forever for public use for highway and utility purposes, all drives, roads, lanes, ways, rights— of—way and other public highways shown upon the plan, and we release, remise and discharge the Township of Forward, its successor or assigns, of and from all liability, courses of action, claims or damages arising from or pertaining to in any manner said roads, and rights—of—way.

We further agree that said plan is approved by the Township of Forward f or “Planning Purposes Only” and that said township shall not issue any “Building Permits” for lots contained herein, nor shall any lots be deeded until either all of said roads and improvements in accordance with Forward Township Ordinances have been completed and accepted by said township or until the township has approved a bond with sufficient surety to guarantee construction of the same.

In Witness Whereof, We hereunto set our hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

**§1603. Individual Acknowledgment**

COMMONWEALTH OF PENNSYLVANIA ) SS:

COUNTY OF BUTLER

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

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

SEAL

\_\_\_\_\_

Notary Public

**§ 1604. Corporation Acknowledgment**

COMMONWEALTH OF PENNSYLVANIA ) SS:

COUNTY OF BUTLER

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

(Title of Officer)

Sworn and subscribed before me this day.

WITNESS MY HAND AND NOTARIAL SEAL this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_ My Commission Expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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

**§1605. Title Clause (No mortgage).**

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

\_\_\_\_\_  
Owner

\_\_\_\_\_

**§1606. Title Clause (Mortgage Clause).**

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

I, (or We) (Name of Owner) owners of the (Name of Plan), do hereby certify that the title of this property is in the name of \_\_\_\_\_ as recorded in Deed Book Volume \_\_\_\_\_ page \_\_\_\_\_ Recorder of Deeds Office.

\_\_\_\_\_  
Witness    Owner

I, (or We) (Name of Mortgagee) mortgagee of the property embraced in this plan or subdivision, (Name of Plan), do hereby consent to the recording of said plan in the Recorders Office of Butler County, Pennsylvania and to the dedications and covenants appearing hereon.

\_\_\_\_\_  
Witness Mortgagee

**§1607. Surveyor's Certification (required).**

I, \_\_\_\_\_, a Registered Surveyor of the Commonwealth of Pennsylvania, do hereby certify that the plans shown herein are based upon actual field survey of the land described and that in my professional opinion all angles, distances and courses are correctly shown, that the monuments and markers have been set as shown on the plat and that this plan correctly represents the lots, land, streets and highways as surveyed and plotted by me for the owners or agents.

\_\_\_\_\_ SEAL  
Secretary

\_\_\_\_\_  
Signature of Surveyor

\_\_\_\_\_  
Registration Number

**§1608. Local Authority Stipulation (required).**

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

SEAL

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Secretary

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President





**§1611. County Planning Commission Review (required).**

Reviewed by the Butler County Planning Commission this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_ SEAL

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

**§1612. County Conservation District Approval (required).**

Approved by the Butler County Conservation District this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_

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Chairman

**§1613. Proof of Recording (required).**

COMMONWEALTH OF PENNSYLVANIA) SS:

COUNTY OF BUTLER

Recorded in the Recorders Office for the recording of deeds, plans, etc., in said County in Plan  
Book Volume \_\_\_\_ page \_\_\_\_

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

SEAL

\_\_\_\_\_  
Recorder

**SECTION 2:** This Ordinance is intended to supplement and be a continuation of prior regulations not as a repeal thereof.

**SECTION 3:** This Ordinance shall be effective in five (5) days.

Ordained and enacted this 20<sup>th</sup> day of June, 2006.

TOWNSHIP OF FORWARD

By: *Dawn J. Smith*  
Chairman

ATTEST;

*Mary L. McElhinney*  
Secretary