

ARTICLE I

PREAMBLE

SECTION 100 SHORT TITLE

This Ordinance shall be known and may be cited as "The East Pikeland Township Subdivision and Land Development Ordinance of 2001.

SECTION 101 PURPOSE

The Ordinance is designed:

- A. To accomplish a coordinated development of the Township, thereby creating conditions favorable to the health, safety and general welfare of the citizens in conformance with the East Pikeland Township Comprehensive Plan;
- B. To secure sites suitable for building purposes and human habitation while protecting the soils, vegetation, quality of the waters and other elements of the ecology;
- C. To provide for the general welfare by guiding and protecting amenity, convenience, future governmental, economic, practical, and social and cultural facilities, development and growth, as well as the improvement of governmental processes and functions.
- D. To guide uses of land and structures, type, location and layout of streets, recreation public grounds and other facilities;
- E. To allow innovative, quality subdivision design; and
- F. To encourage desirable development of the Township in a manner consistent with the goals and objectives of the Comprehensive Plan and other ordinances of East Pikeland Township.

SECTION 102 INTERPRETATION

The provisions of this Ordinance shall be held to be the minimum requirements for the promotion and protection of the above stated purposes. Where the provisions of this Ordinance impose greater restrictions than those of any other applicable ordinance or regulation, the provisions of this Ordinance and its standards and specifications shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, ordinance or

regulation shall prevail.

SECTION 103 CONTROL

All subdivision and land development within East Pikeland Township is subject to the provisions of this Ordinance and all plats of land intended for subdivision or land development must first be submitted to the Board of Supervisors of East Pikeland Township for approval.

A. Subdivision and Land Development Control

No land development, subdivision or resubdivision of a lot, tract or parcel of land shall be effected, and no street, sanitary sewer, storm drain, water main or other facility in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting hereon, except in strict accordance with the provisions of this Ordinance.

B. Sale of Lots, Issuance of Building Permits, Erection of Buildings or On Site Improvements

In a subdivision or land development, no lot may be used, or sold, no building permit may be issued, and no building or other structure may be erected, unless and until a final plan for such subdivision or land development shall have been approved and duly recorded, and a grading plan, including a complete conservation plan for erosion and sediment control, has been duly approved, and until either the required on site and/or public improvements in connection therewith from the lot or building to an existing improved street, or otherwise, shall have been constructed or the Township has been assured, by means of a proper performance guarantee in the form of an acceptable bond, letter of credit or deposit of funds or securities in escrow sufficient to cover the cost of all required public and on-site improvements, as estimated by the Township Engineer, that such public and on-site improvements will subsequently be installed by the subdivider or owner of the property. Where, owing to unusual and specific conditions, a literal enforcement of any of the provisions of this section would result in unnecessary hardship, such reasonable exceptions thereto may be made by the Township Supervisors in accordance with Section 704 of this Ordinance, as will not be contrary to the interests of the public or property owner involved or adjacent thereto, in which case the issuance of a permit, or erection of a building, or other structure may be permitted subject to such conditions and safeguards as may be imposed to assure adequate streets and other public improvements, and adequate conservation and other on-site improvements.

SECTION 104 VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any other part thereof.

SECTION 105 REPEALS

The East Pikeland Township Subdivision and Land Development Ordinance enacted May 1, 1991, as amended, and Part 14 of the Code of Ordinances of the Township of East Pikeland, Mobile Homes and Mobile Home Parks, are hereby repealed. All other ordinances, resolutions and parts thereof inconsistent herewith, to the extent of such inconsistency, are hereby repealed.

SECTION 106 EFFECTIVE DATE

This Ordinance shall take effect five (5) days after the signing of this Ordinance by the East Pikeland Township Board of Supervisors.

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