Lemont Pa.

Sept. 8, 1959

The Supervisors met at the School House in Lemont on Sept. 8, 1959 at 7:30 O'clock P.M. The following Supervisors were present, R. Clauser, J. Weaver and R. Williams. There were two other people present, Mrs. Hardy & Mr. Colwell. Mrs. Hardy wanted a Culvert Pipe put in her driveway at the property by the Resonier, the board said they would put it in for her, she is to buy the Pipe... Mr. Colwell has decided he wants a pipe put in at his parking area in front of his property, he also will buy the pipe and we will put it in. We are getting the drainage problem pretty well licked over in the Peters development. Our black topping for this year has been completed and passed final inspection. Since there were no objection to the Land Sub Division ordinance the Supervisors took the following action.

Clauser made a motion that we pass the Land Sub Division ordinance, motion seconded by Weaver. Motion unimanously passed. it will become effective 5 days after passage. The ordinance is as follows.

An Ordinance

An ordinance adopting regulation for the subdivision and development of land, the revision of the existing subdivisions and development of land, and for the laying out, construction, opening and dedication of roads, streets, sewers and other public improvements incident to the subdivision and development of land in the Township of College, Centre Co., Penna., providing for plans and drawings to be submitted in the application for subdivision, the processing of all application for subdivision including the right to modify the same before approval in the Township of College, Centre Co., Penna. and providing penalties for violations.

Whereas, By Section 1201-A, article XII-A of the act of May 1, 1933 P.L. 103, as amended, power was granted to townships of the second Class to adopt by ordinance or resolution land sub divisions regulation for the purpose of assuring sites suitable for building purposes and human habitation, the harmonious

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development of townships, open spaces for traffic, recreation, light & air and the proper distribution of population, thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens; and

Whereas, said Act of Assembly provides that such regulations may include definitions, design standards, plan requirements, plan processing, procedures, and improvement construction requirements and conditions of acceptance of public improvements.

Now, Therefore, The said Supervisors of the Twp of College, Centre Co, Penna, do ordain as follows:

Section 1: The following words and phrases, as used in this ordinance, shall have the meanings hereby ascribed thereto unless the context of them clearly indicates a different meaning:

The word "person" shall mean a natural person, association, firm, partnership or Corporation.

The word "owner" shall mean a person who is a registered owner of real estate to be Subdivided and/or developed in accordance with the provisions of this ordinance.

The word "subdivision" shall mean the division of a single lot, tract of parcel of land, or a part thereof, into two or more lots, tracts or parcels of land, including changes in street lines or lot lines for the purpose, whether immediate or future, of transfer of ownership or of building development of more than ten acres, not involving any new street or easement of access, shall be exempted.

The word "highway" shall mean the whole or any part of any public street or avenue, public road, bridge or culvert, and shall include the carriway, gutter, curb, sidewalk and the whole legal width of the right of way.

The "road" shall mean a public right of way for travel.

The term "street and/or avenue" shall mean a public right of way in a subdivision or built up community.

The singular shall include the plural and the masculine shall include the feminine and the neuter.

Section 2: It shall be unlawful for the owner of any land in the Twp of College to make a subdivision thereof or to lay out, construct, open or dedicate for public use or travel or for the use

common use of the occupants of buildings thereon, any sanitary sewer, storm sewer, water main or other facilities connected therewith unless and until a plan thereof shall have been prepared by a registered professional engineer or surveyor and submitted to and approved by the proper Twp. officials or body as hereinafter provided and in strict accordance with the provisions of these regulations.

Section 3: Plans of subdivision and drawings shall be submitted in triplicate based on a scale of not more than 100 feet per inch showing contour intervals not greater than 5 feet. Such plans shall meet the minimum Standards of F.H.A. and Penna. Department of Highways and shall bear the seal of a registered Surveyor or engineer and show the identity of the owners of adjoining properties.

Section 4: Such plan and drawings shall be accompanied by a minimum fee of $10.00 All such application shall be subject to a filing fee of $5.00 plus $1.00 per acre in the subdivision submitted for approval but in no event less than $10.00.

Section 5: All application shall be referred to the Planning Commission for recommendation. The Supervisors shall act on the application within 45 days after submission to Planning Commission and in event of approval of the plan as the recommended such plan shall be signed by the Supervisors. The Supervisors and the Planning Commission shall each retain one copy for the official township file and the approved plan shall be recorded by the owner in the office of the Recorder of Deeds of Berks Co., Penna. The Supervisors may hold public hearings prior to acting on any application after giving such notice as the Board may deem desirable in each case.

Section 6: Approval of any subdivision plans shall not be considered a acceptance of the streets nor shall the same impose any obligation on the Twp. to maintain the same. The streets and other public improvements shown on the subdivision plan may be offered for dedication to the Twp. by formal notation thereon the plan or the owner may note on the plan that such improvements have not been offered for dedication to the Twp.

Section 7: Streets offered to the Twp. for dedication may be accepted by a separate resolution recorded in the office of the Clerk of the Court of Quarter Sessions.

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Section 8: Streets will not be accepted until all requirements of the Twp. have been met by the developer, or a surety satisfactory to the Twp. has been provided in the form of a bond in such amount as estimated by the Twp. Engineer or Twp. Supervisors guaranteeing that the improvements will subsequently be installed by the owner.

Section 9: Unaccepted streets in approved subdivisions shall be private roads.

Section 10: The Supervisors expressly reserve the right to modify plans and specify the changes or modifications which they deem necessary and may make their approval subject to such alterations, changes or modifications.

Section 11: Any person who shall subdivide any lot, tract or parcel of land, lay out, construct or dedicate any street, sanitary sewer, storm sewer, or water main, for public use of travel or for the common use of the occupants of buildings abutting thereon, or shall sell any lot or erect and buildings without first having complied with all the provisions of this ordinance and the act of May 1, 1933, P.L. 103, article XII-A, Section 1201-A, as supplemented and amended, shall be guilty of a misdemeanor and upon conviction thereof such person, or member of a partnership or officer of a corporation responsible for such violation shall be penalized as provided for by the act of assembly as amended May 24, 1951, P.L. 370 Section 16.

Section 12: It is the intention of the Board of Supervisors that in event any part or section of this ordinance shall be declared illegal or invalid for any reason whatsoever that the remaining parts or sections shall be of full force and validity.

Section 13: Any part of parts of any ordinances of said Twp. inconsistent herewith are hereby repealed:

Enacted and ordained into an ordinance this 8th day of Sept. AD., 1959.

Supervisors of College Twp.
Centre Co., Penn.
Roy Clouser
Sister Weaver
Elwood G. Williams

Attested - Elwood G. Williams
Sec.

Approved: Roy Clouser
Chairman

Elwood G. Williams
Sec.