

## **ARTICLE V**

### **IMPROVEMENT AND CONSTRUCTION REQUIREMENTS**

#### Section 501 - Requirement of Developer

The developer shall provide all improvements required by these regulations.

#### Section 502 - Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval

- A. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by the Subdivision and Land Development Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by the Subdivision and Land Development Ordinance have been installed in accordance with such Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees required pursuant to Section 502.I, the Subdivision and Land Ordinance shall provide for the deposit with the municipality of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements or buffer or screen plantings which may be required. The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to section 420 of the act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law" and a copy of the financial security shall be provided to the Township.
- B. When requested by the Developer, in order to facilitate financing, the governing body or the planning agency, if designated, shall furnish the Developer with a signed copy of a resolution indicating approval of the Final Plat contingent upon the Developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvement agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the governing body; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the Developer.
- C. Without limitation as to other types of financial security, which the Municipality may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution's irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be acceptable financial security for the purposes of this section.
- D. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or

lending institution is authorized to conduct such business within the Commonwealth.

- E. Such bond or other security shall provide for, and secure to the public, the completion of any improvement which may be required on or before the date fixing the formal action of approval or accompanying agreement for completion of the improvements.
- F. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the Developer. Annually, the Municipality may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Municipality may require the Developer to post additional security in order to assure that the financial security equals said one hundred ten (110) percent. Any additional security shall be posted by the Developer in accordance with this subsection.
- G. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or Developer and prepared by a Professional Engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Municipality, upon the recommendation of the Municipal Engineer, may refuse to accept such estimate for good cause shown. If the Applicant or Developer and the Municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another Professional Engineer licensed as such in this Commonwealth and chosen mutually by the Municipality and the Applicant or Developer. The estimate certified by the third Engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third Engineer is so chosen, fees for the services of said Engineer shall be paid equally by the Municipality and the Applicant or Developer.
- H. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110) percent of the cost of completing the required improvement as established on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- I. In the case where development is projected over a period of years, the governing body or the planning agency may authorize submission of final plant by section or stages of development subject to such requirements or guarantees as to improvements in future sections or states of development as it finds essential for the protection of any finally approved section of the development.
- J. As the work of installing the required improvements proceeds, the party posting the financial security may request the governing body to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or

contractors performing the work. Any such requests shall be in writing addressed to the governing body, and the governing body shall have forty-five (45) days from receipt of such request within which to allow the Municipal Engineer to certify, in writing, to the governing body that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the governing body shall authorize release by the bonding company or lending institution of an amount as estimated by the Penn Township Municipal Engineer fairly representing the value of the improvement completed or, if the governing body fails to act within said forty-five (45) day period, the governing body shall be deemed to have approved the release of funds as requested. The governing body may, prior to final release at the time of completion and certification by its Engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.

- K. Where the governing body accepts dedication of all or some of the required improvements following completion, the governing body shall require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15) percent of the actual cost of installation of said improvements.
- L. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or Municipal Authority separate and distinct from the Municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of controlling public utility or Municipal Authority and shall not be included within the financial security as otherwise required by this Section.
- M. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Municipality shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the Final Plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: The improvement of the streets providing access to and from existing public roads to such building or buildings to a mud free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings. Any Ordinance or statute inconsistent herewith is hereby expressly repealed.

Section 503 - Release of Improvement Bond

- A. When the Developer has completed all of the necessary and appropriate improvements, the developer shall notify the municipal governing body,

in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Penn Township Municipal Engineer. The municipal governing body shall, within ten (10) days after receipt of such notice, direct and authorize the Penn Township Municipal Engineer to inspect all of the aforesaid improvements. The Penn Township Municipal Engineer shall, thereupon, file a report in writing with the municipal governing body, and shall promptly mail a copy of the same to the Developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Penn Township Municipal Engineer of the aforesaid authorization from the governing body; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Penn Township Municipal Engineer, said report shall contain a statement of reasons for such no approval or rejection.

- B. The municipal governing body shall notify the Developer, within fifteen (15) days of receipt of the Engineer's report, in writing by certified or registered mail of the action of said municipal governing body with relation thereto.
- C. If the municipal governing body or the Penn Township Municipal Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- D. If any portion of the said improvements shall not be approved or shall be rejected by the municipal governing body, the Developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- E. Nothing herein, however, shall be construed in limitation of the Developer's right to contest or question by legal proceeding or otherwise, any determination of the municipal governing body or the Penn Township Municipal Engineer.
- F. Where herein reference is made to the Penn Township Municipal Engineer, he shall be as a consultant thereto.
- G. The Applicant shall reimburse the Municipality for all reasonable and necessary expenses incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by Ordinance or Resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Penn Township Municipal Engineer or Professional Consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer or Professional Consultant to the Municipalities when fees are not reimbursed or otherwise imposed on Applicants.
  - 1. In the event the Applicant disputes the amount of any such expenses in connection with the inspection of improvements, the Applicant shall, within ten (10) working days of the date of billing, notify the Municipality that such expenses are disputed as unreasonable or unnecessary, in which case the Municipality shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the Applicant's request over disputed Professional Consultant expenses.

2. If, within twenty (20) days from the date of billing, the Municipality and the Applicant cannot agree on the amount of expenses which are reasonable and necessary, then the Applicant and Municipality shall jointly, by mutual agreement, appoint other Professional Consultant or Professional Engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
3. The Professional Engineer or Professional Consultant so appointed shall hear such evidence and review such documentation, as the Professional Engineer or Professional Consultant in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
4. In the event that the Municipality and Applicant cannot agree upon the Professional Engineer or Professional Consultant to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the Judicial District in which the Municipality is located (or if at the time there be no President Judge, then the senior active Judge then sitting) shall appoint such Engineer or Professional Consultant, who, in that case, shall be neither the Municipal Engineer nor any Professional Engineer who has been retained by, or performed services for, the Municipality or the applicant within the preceding five (5) years.
5. The fee of the appointed Professional Engineer or Professional Consultant for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand (1,000) dollars or more, the Municipality shall pay the fee of the Professional Engineer or Professional Consultant, but otherwise the Municipality and the Applicant shall pay each one-half of the fees of the appointed Professional Engineer or Professional Consultant.

#### Section 504 - Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in This Ordinance or in accordance with the approved Final Plan, the Board of Supervisors shall have the power to enforce any corporate bond, or other security by remedies. If proceeds of such appropriate legal and equitable bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may secure the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security of from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

#### Section 505 - Monuments and Markers

- A. Monuments must be set:

1. At the intersections of all street right-of-way lines and any deflection points of the right-of-way line.
2. At the intersecting corners of boundaries on subdivisions or a minimum of two (2) additional monuments set on boundary lines forming angles with one another between exterior boundary corners.
3. At such intermediate points as may be required by the Penn Township Municipal Engineer.

B. Monuments and markers shall be made of the following size and material:

1. Monuments shall be four (4) inches square or four (4) inches in diameter and shall be thirty (30) inches long. Monuments shall be made of concrete, stone or by setting a four (4) inch cast iron or steel pipe filled with concrete. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.
2. Markers shall be three-quarters (3/4) of an inch square or three-quarters (3/4) of an inch in diameter and twenty-four (24) inches long. Markers shall be made of iron pipes or iron or steel bars.

C. Markers must be set:

1. At all corners except those monumented.
2. By the time the property is offered for sale.

D. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented.

1. The monument or marker must be set that the top is at the ground level.

Section 506 - Street Surfacing

A. Streets - Streets must be surfaced to the grades and dimensions drawn on the plans, profiles and cross-sections submitted by the applicant, and approved by the Board of Supervisors. Before paving the streets surface, the applicant must install the required utilities and provide, where necessary, adequate storm water drainage for the street acceptable to the Supervisors. The pavement base, wearing surface and shoulders must be constructed according to the following specifications excepting however that for the construction of arterial roads or highways, the subdivider shall consult the Supervisors and be governed by the Pennsylvania Department of Transportation for the method of construction to be used and the design shall conform to PennDOT Pub. 242.

B. Pavement - The pavement base and wearing surface must be in accordance with, and constructed in accordance with the Pennsylvania Department of Transportation, Pub. 408, as revised to date. The following Table will outline the alternates available to the developer.

Flexible Pavements	Pavement Courses	Minor	<u>Streets</u>	
			Collector	
Option No. 1	Wearing	1 1/2"	1 1/2"	
	Binder	0"	2"	
	Base	4 1/2"	4"	
	Subbase	8"	8"	
Option No. 2	Wearing	1 1/2"	1 1/2"	
	Binder	2"	2"	
	CABC	6"	8"	
	Subbase	8"	8"	

LEGEND

- \* Wearing Superpave Asphalt Mixture Design, HMA Wearing Course, PG 64-20, 0.0 to 0.3 million ESAL's, 9.5 mm mix, SRL L.
- \* Binder Superpave Asphalt Mixture Design, HMA Binder Course, PG 64-20, 0.0 to 0.3 million ESAL's, 19.0 mm mix.
- \* Base Superpave Asphalt Mixture Design, HMA Base Course, PG 64-20, 0.0 to 0.3 million ESAL's, 25.0 mm mix.
- \* CABC Crushed Aggregate Base Course

1. For the construction of arterial roads or highways, the subdivider shall consult the Penn Township Board of Supervisors and be governed by the Pennsylvania Department of Transportation Specifications for the method of construction to be used. (Form 408, as revised to date) and to submit pavement design calculations in accordance with PennDOT Pub. 242.
2. The Penn Township Board of Supervisors shall decide if a Collector or Arterial Street is required as a direct result of the construction of his subdivision in which case the Applicant is responsible for paving the additional width required and submitting pavement design calculations in accordance with PennDOT Pub. 242.

C. Shoulders

1. All shoulders shall be constructed in accordance with PENNDOT Pub. 408, latest revision.
2. Minor roads shall be a Type 3 Shoulder as shown on RC-25 of the PENNDOT Standards for Roadway Construction, Pub. 72, latest revision.
3. Collector roads shall be a Type 1 Shoulder, Type 1-I Shoulder, or a Type I-S Shoulder as shown on RC-25 of the PENNDOT Standards for Roadway Construction, Pub. 72, latest revision.
4. Arterial roads shoulders shall be the type as determined by the Township Board of Supervisors after consulting with the Penn Township Planning Commission and the Pennsylvania Department of Transportation.

D. Driveway Entrances

1. Entrances onto Township Roads
  - a. Where a proposed driveway provides access onto a Township road the design shall prevent storm water drainage from flowing onto the Township road. The plan of the proposed access shall be submitted to the Township Engineer for review and approval.
  - b. Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, and in no case shall be less than ten (10) feet in width, the type and depths of base and

wearing surface to be the same as specified above for roadway paving. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

- c. All driveways other than the driveways referenced in (2.a) below shall require a driveway permit issued by the Penn Township Supervisors and constructed in accordance with the Penn Township Driveway Occupancy Permit Ordinance, as revised to date. This shall include driveways on Developer's Bonded Roads prior to dedication.

2. Entrances onto State Roads (PENNDOT)

- a. Where a proposed driveway provides access onto a State Highway (Legislative Route, Pennsylvania Route or United States Route) the design of such driveway access and drainage shall be prepared in accordance with the requirements of the Pennsylvania Department of Transportation and shall be subject to the approval and issuance of permits by the Department.

Section 507 - Sewers and Water

- A. Where a public sanitary sewer system is within three thousand (3,000) feet of, or where plans approved by the Municipality provide for the installation of such public sanitary sewer facilities to within three thousand (3,000) feet of, a proposed subdivision and/or land development with more than three (3) lots or equivalent dwelling units, the Developer shall provide the subdivision with a complete sanitary sewer system, including the lines and facilities necessary to connect to the existing or proposed public sewer, as designed by a Registered Professional Engineer, if, in the opinion of the Municipal Authority, on the recommendation of the Planning Commission, it is feasible. All non-residential properties shall install a water meter for verification of EDU usage in accordance with the rules and regulations of the Penn Township Municipal Authority. The design must be submitted to the Penn Township Municipal Authority for review and approval.
- B. Where the installation of a sanitary sewer system is not required, the Developer or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank, dosing tank (if applicable) and absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the "Rules and Regulations of the Pennsylvania Department of Environmental Protection" and shall be approved by the Penn Township Sewage Enforcement officer.
- C. Where a private, community sewerage system is proposed, such system shall be subject to approval of the Pennsylvania Department of Environmental Protection before approval by Penn Township. As a condition of Township approval, the Board of Supervisors, upon recommendation of the Planning Commission and Penn Township Municipal Authority may establish terms for future acceptance of such systems by the Penn Township Municipal Authority, which may include a deferral of acceptance or a permanent refusal to accept. All private community sewerage systems shall be owned and maintained by a perpetual entity and such ownership and maintenance responsibility shall be clearly established prior to Final Plan approval.
- D. Where a Municipal public water distribution system is within three

thousand (3,000) feet of, or where plans approved by the Municipality provide for the installation of such public water distribution facilities to within three thousand (3,000) feet of a proposed subdivision and/or land development of greater than three (3) lots or equivalent dwelling units the Developer shall provide the Subdivision with a complete water main distribution system, including the lines and facilities necessary to connect to the existing or proposed public water system, as designed by a Professional Engineer, if, in the opinion of the Municipal Authority, on the recommendation of the Planning Commission, it is feasible. The design must be submitted to the Penn Township Municipal Authority for review and approval.

- E. Where installation of a water distribution system is not required, the Developer or Owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Protection, as to source and installation.
- F. Water supply facilities will be designed so as to provide adequate supply and pressure for domestic use and for fire fighting purposes as determined by the Penn Township Municipal Authority.
- G. Where a private community water system is proposed, such system shall be subject to the applicable approval of the Pennsylvania Department of Environmental Protection before approval by Penn Township. As a condition of Township approval, the Board of Supervisors, upon recommendation of the Planning Commission and the Penn Township Municipal Authority may establish terms for future acceptance of such systems by the Penn Township Municipal Authority, which may include a deferral of acceptance or a permanent refusal to accept. All private community water systems shall be owned and maintained by a perpetual entity and such ownership and maintenance responsibility shall be clearly established prior to Final Plan approval.

Section 508 Storm Water Management Construction Standards & Basic Construction Criteria

- A. Construction standards of storm water management and erosion control facilities shall be in accordance with the approved plan and accompanying Specifications, if any. The construction details and standards of the following publications in their most recent revision shall control.
  - a. Erosion and Sedimentation Control Handbook of Cumberland, of Cumberland, Dauphin and Perry Counties."
  - b. PENNDOT, Form 408, Specifications.
  - c. PENNDOT, RC Series, Roadway Construction Standards.
- B. Whenever the evidence available to the Penn Township Supervisors and/or the recommendation of the Penn Township Planning Commission indicates existing surface drainage is inadequate, the subdivider shall install storm sewers, culverts, and related facilities designed by a Registered Professional Engineer, as necessary to:
  - 1. Permit the unimpeded flow of natural water courses.
  - 2. Ensure the drainage of all low points along the line of streets.

3. Intercept storm water run off along streets at intervals reasonably related to the extent and grade of the area drained.

4. Provide positive drainage away from on site sewage disposal facilities.

C. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in run off that may occur when all the property at a higher elevation in the same drainage basin is fully developed.

D. Existing Facilities

1. Where adequate existing storm sewers are readily accessible, the subdivider must connect his storm water facilities to these existing storm sewers. Where the development of a property results in the overloading of existing township storm water facilities the developer shall be responsible for replacing the facilities in accordance with Article IV.

E. Abutting Properties

1. In the design of storm drainage facilities, special consideration must be given to preventing excess run off onto adjacent properties. In no case may a change be made in the existing topography which would:

a. Result in increasing any portion of the slope steeper than one (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills, or one (1) foot of vertical measurement for two (2) feet of horizontal measurement for cuts within a distance of twenty (20) feet from the property line unless an adequate retaining wall or other structure is provided.

b. Result in a slope which exceeds a stable slope for the material involved.

2. All slopes must be protected against erosion in accordance with the "Erosion and Sedimentation Control Handbook of Cumberland, Dauphin and Perry Counties."

F. Drainage upon and On Streets

1. Upon Streets

a. In order to give proper surface water drainage upon streets, a building on a lot must be at a grade of satisfactory relationship:

1. With established street grade, or

2. With the proposed street grade where none is established.

b. A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street shall be 1/4 of an inch per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept run off. Shoulders shall have a slope of not less than 1/2 of an inch -per foot.

## G. Drainage Structures

1. Drainage structures shall be designed in accordance with the Penn Township Storm Water Management Procedures and Criteria Manual.
2. Culverts beneath paved cartway shall be constructed of Reinforced Cement Concrete Pipe, or another pipe material as approved in writing by the Penn Township Board of Supervisors.

### Section 509 - Standards for Curbs and Gutters

A. Construction of curbs and gutters within the Township shall conform to the following requirements:

1. The developer shall install curbs and gutters whenever a proposed subdivision or land development shall have an average of six (6) or more lots or dwelling units per net acre included in the project, or where any project is within one thousand (1,000') feet of any existing or recorded subdivision of land development located along the same side of a connecting street and having curbs, curbs shall be installed on lot frontages of the street. In areas where curbing is not required, suitable gutters shall be designed and installed subject to Township approval to control erosion. If curbs are to be installed, the pavement shall extend from curb to curb and shall not be less than thirty two (32') feet wide. When the Storm Water Management Plan adequately controls surface water without provisions for curbs is evident other than the density factor, the curbing requirement may be waived by the Township.
2. Construction of curbs and gutters shall be constructed according to the standards set forth in the most recent edition or revisions to PENNDOT Specification, Form 408. The type of curbs or gutters shall be determined by the Penn Township Municipal Engineer.

### Section 510 - Standards for Sidewalks

All construction of sidewalks within the Township shall conform to all of the following requirements:

1. The developer shall install sidewalks, curbs and gutters whenever a proposed subdivision or land development shall have an average of six (6) or more lots or dwelling units per net acre included in the project, or where any project is within one thousand (1000') feet of an existing or recorded subdivision or land development located along the same side of a connecting street and having curbs. Curbs shall be installed on lot frontages of the street. In areas where curbing is not required, suitable gutters shall be designed and installed subject to Township approval to control erosion. If curbs are to be installed, the pavement shall extend from curb to curb and shall not be less than thirty two (32') feet wide. When the Storm Water Management Plan adequately controls surface water without provisions for curbs is evident other than the density factor, the curbing requirement may be waived by the Township.
  - a. Sidewalks, if to be located within the right-of-way of the street, shall extend in width from curb to the right-of-way, not to exceed (6') feet in width.

- b. If sidewalks are not to be located in the dedicated street right-of-way, suitable documentation shall be submitted setting forth the ongoing ownership and maintenance responsibility of the sidewalks as well as the appropriate easements.
  - c. Sidewalks must be at least four (4') feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks must be at least five (5') feet wide and located within the street right-of-way.
- 2. Sidewalks if located within the dedicated street right-of-way shall be constructed of cement concrete in accordance with PENNDOT Form 408, as revised to date.
  - 3. Sidewalk and Curbs located within the dedicated street right-of-way shall provide curb cuts to be constructed in accordance with the latest standards of the "ADA", American Disabilities Act.

#### Section 511 - Street Name Signs

The subdivision or land development shall be provided with street name signs at all intersections. Such signs shall conform to Township specifications and shall be installed by the subdivider or developer at his expense in a manner specified by the Penn Township Engineer. Street names shall be subject to approval by the Penn Township Board of Supervisors and the postal authorities.

#### Section 512 - Planting

The appeal and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material may be added for privacy, shade, beauty of buildings and grounds.

- 1. Within any land development or subdivision consisting of over ten (10) lots, it is encouraged that street trees be planted along all streets where suitable street trees do not exist.
- 2. Street trees may be planted at intervals of not more than forty five (45) feet, or an equivalent number shall be planted in an informal arrangement.
- 3. Street trees shall not be planted opposite each other but shall alternate.
- 4. At intersections, trees shall be located no closer than seventy five (75) feet from the intersection of the street right-of-way lines.
- 5. Trees shall not be planted within any street right-of-way.

#### Section 513 - As Built Plans

- A. The subdivider or developer will furnish Penn Township with as built plans for streets, water systems, sanitary sewer systems and storm sewer systems within the subdivision or land development.
- B. Plans shall be submitted to the township office within six (6) months

after completion of the improvements and shall be certified and marked "as built" by the project Surveyor or Engineer. If the "as built" plans are not submitted within the six (6) month period, the Board of Supervisors may direct the Township Engineer to prepare the plans and bill the Developer for all associated costs.