

Honey Brook Township

Subdivision and Land Development Ordinance #109-2004

September 8, 2004

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ARTICLE I: GENERAL PROVISIONS

101. Short Title and Effective Date.

This Ordinance shall be known and may be cited as "The Honey Brook Township Subdivision and Land Development Ordinance." The Ordinance number is 109-2004. This Ordinance shall take effect as provided for by law.

102. Purposes.

The purposes of this Ordinance are:

- A. To assure sites are suitable for building purposes and human habitation.
- B. To assist orderly, efficient, integrated, and harmonious development of the Township.
- C. To coordinate proposed streets with existing streets or other proposed streets of the Township, and to assure compatibility of such streets that may be situated in both municipalities.
- D. To provide adequate open spaces for traffic, recreation, light, and air and for the proper distribution of population.
- E. To assure adequate and coordinated stormwater management, water supply, wastewater management, and other appropriate utility services.
- F. To fulfill the purposes of Article I, Section 27 (the Environmental Amendment) of the Pennsylvania Constitution, which reads: "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment. Pennsylvania's natural resources are the common property of all the people, including generations yet to come. As trustees of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."
- G. To ensure the development of land will be conducted with due regard to topography and geologic conditions, so that the highest quality environment is obtained.
- H. To regulate the subdivision and/or development of land within any designated flood plain district in order to promote the general health, welfare, and safety of the community.
- I. To require that each subdivision lot in flood-prone areas include a safe building site with adequate access; and, that public facilities which serve such uses be designed and installed to minimize flood damage.
- J. To establish standards and criteria governing the design, construction, alteration, extension, and maintenance of mobile home parks and recreational vehicle parks.
- K. To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards within the Township.
- L. To protect and conserve the value of land and buildings in the Township.

- M. To create conditions favorable to the health, safety, and general welfare of the citizens of the Township.

103. Authority

This Ordinance has been prepared under the authority and is consistent with the terms and requirements of the Pennsylvania Municipalities Planning Code (53 P.S. §10101 et seq., Act 1988-170, as amended) and is in accordance with the police power authority granted to the Township under the Second Class Township Code. It is intended to further the objectives of Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania, and of the Honey Brook Joint Comprehensive Plan.

104. Interpretation

The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other Ordinance, or regulation, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other Ordinance, or regulation impose greater restrictions than those of this Ordinance, the provision of such statute, Ordinance, or regulation shall prevail.

105. Severability

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

106. Scope and Jurisdiction

- A. From and after the effective date hereof, the Honey Brook Township Board of Supervisors shall have the authority to regulate subdivision and land development within Honey Brook Township.
- B. The Board of Supervisors shall have the jurisdiction of subdivision and land development within the Township limits. In order to aid the Board in their considerations of subdivision and land development applications, the Board hereby decrees that the Planning Commission of Honey Brook Township shall serve the following functions:
 - 1. All plans, whether major or minor, upon submission to the duly-authorized representative of the Township, shall be referred to the Planning Commission for review.
 - 2. The Planning Commission shall make recommendations to the Board concerning approval, disapproval, modification, and/or conditions for approval of such plans.

3. The Planning Commission shall make recommendations to the Board concerning the interpretation of the granting of requested modifications to provisions and standards of this Ordinance.

107. Municipal liability


The grant of a permit or approval of a plan for any proposed subdivision and/or land development to be located within any identified Flood Plain area or District shall not constitute a representation, guarantee, or warranty of any kind by the Township or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Township, or upon its officials or employees.

108. Repealer

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent that such Ordinances or parts of Ordinances are inconsistent herewith. The Subdivision and Land Development Ordinance of June 14, 1995 and Ordinance #101-2002 are specifically repealed.

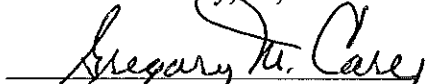
ENACTED AND ORDAINED this 8th day of September 2004.

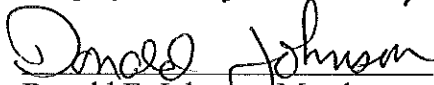
ATTEST:


Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS


D. Weston Darby, Jr., Chairman


Gregory M. Cary, Vice-Chairman


Donald E. Johnson, Member