

ARTICLE VI

Mobile Home Parks and Recreational Vehicle Parks

Section 600. Purpose. In accordance with Article V, Section 501 of the Municipalities Planning Code, the following regulations governing mobile home parks and recreational vehicle parks are established for the design, construction, alteration, extension and maintenance of all such parks in Honey Brook Township.

Section 601. General Requirements.

- 1.. All parks shall be free from adverse influence by swamps, marshes, garbage, or rubbish disposal areas or other potential breeding places for insects or rodents. They shall not be located in area subject to flooding, excessive noise, vibration, smoke, odor or glare.
2. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe and efficient manner to eliminate any bodies of water capable of breeding mosquitoes and other insects.
3. Exposed ground surfaces in all parts of every park shall be paved, or covered with stone screenings or other solid material, or protected with a vegetable growth that is capable of preventing soil erosion and emanation of dust during dry weather.
4. Park ground shall be maintained free of vegetation growth which is poisonous or which may harbor rodents, insects, or other pests harmful to man.
5. No part of any park shall be used for non-residential purposes, except approved uses that are required for the direct servicing and well being of the mobile home park or recreational vehicle park residents and for the management and maintenance of the park.
6. All mobile homes shall be located at least 50 feet from the ultimate right-of-way line of any public street and at least 25 feet from any other park property boundary line.

7. All mobile home parks located adjacent to industrial or commercial land uses shall be required to provide proper screening, such as fences or natural growth along the property boundary line separating park and such adjacent non-residential use.
8. An enclosure of compatible design and material shall be erected around entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
9. All mobile home parks shall comply with the current regulations of the Chester County Health Department.

Section 602. Plan of Submission. An application for preliminary or final approval of a mobile home park or recreational vehicle park shall indicate by drawings, diagrams, maps, tests, affidavits or other legal instruments the following:

1. That the parcel or lot for which application is made is held in single and separate ownership.
2. The placement, location and number of mobile home units or recreational vehicle lots and pads within the parcel.
3. The location, dimension and profiles of all drive-ways, pedestrian ways, sidewalks, and access roads, and specifications for such improvements.
4. The location, dimension, and construction material of all parking facilities.
5. The location, dimension and arrangement of all areas to be lawns, buffer strips, screen plantings and recreational areas.
6. Location and dimension of all buildings existing or proposed to be built and all existing trees over six (6) inches in caliper.
7. Proposed provisions for storm water drainage, erosion and sedimentation control, water service, electrical and other utilities, and street and on-site lighting.
8. Proposed provisions for the collection and treatment of wastewater and all approvals from the Chester County Health Department and the Pennsylvania Department of Environmental Resources.

9. All plans and drawings are to be prepared in accordance with all the provisions of Article VIII of this Ordinance.
10. Location and capacity of all fire fighting equipment.
11. Plan and location of trash and garbage collection facilities.

Section 603. Arrangement and Construction of Lots and Pads.

1. All lots within a mobile home park shall have an area of at least 8000 square feet, and a frontage of no less than 40 feet.
2. All lots designed for recreational vehicles will have an average of 800 square feet provided for each vehicle.
3. Each mobile home lot shall be graded and improved to provide a patio for the mobile home, 8 feet by 10 feet in size, and constructed of concrete, at least 6 inches in depth.
4. All mobile homes will be set back 10 feet from the edge of lot line which abuts the roadway and no mobile home shall be closer than 15 feet from another mobile home.
5. All oil tanks and oil drums shall be buried and non-visible.

Section 604. Streets, Walkways, and Off-Street Parking

1. A properly designed convenience vehicular access roadway shall be provided from abutting public highways.
 - (a) Width of roadway shall be not less than 40 feet.
2. Internal Streets: Surfaced cartways within the roadway shall be of adequate width to accommodate anticipated traffic and in any case shall meet the following minimum requirements:
 - (a) Where parking is permitted on both sides, a minimum cartway pavement width of thirty-four (34) feet will be required.
 - (b) A minimum cartway pavement width of twenty-eight (28) feet will be required where parking is limited to one side.

- (c) A minimum cartway pavement width of twenty-four (24) feet will be required where no parking is allowed.
- (d) Dead end streets shall be provided at the closed end with a turn-around having an outside cartway diameter of at least forty (40) feet.

3. Street Construction and Design Standards:

- (a) Streets: All streets shall be surfaced in accordance with Honey Brook Township specifications applicable to streets in conventional residential developments.
- (b) Grades: Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than eight (8) percent. Short runs with a maximum grade of twelve (12) percent may be permitted, provided traffic safety is assured by appropriate surfacing and adequate leveling areas.
- (c) Intersections: Within seventy-five (75) feet of an intersection, streets shall be at approximately right angles. A distance of at least one-hundred (100) feet shall be maintained between center lines of offset intersecting streets. Intersections of more than two (2) streets at one point shall be avoided.
- (d) A plan of the streets shall be provided with the application for the park permit.

4. Off-Street Parking Areas:

- (a) Off-street parking for at least one motor vehicle shall be provided at each mobile home lot and off-street parking areas for additional vehicles of park occupants and guests shall be provided where street cartways are of insufficient width for such purposes.

5. Walks:

- (a) General Requirements: All parks shall provide safe, convenient, all-season pedestrian access 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 changes in alignment and gradient shall be avoided.
- (b) Common Walk System: Where pedestrian traffic is concentrated, and a common walk system is provided, such common walks shall have a minimum width of three and one-half (3-1/2) feet.
- (c) Individual Walks: All mobile home lots shall be connected to common walks, or to streets, or to driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two (2) feet.

Section 605. Water Supply.

- 1. General Requirements: An adequate supply of water shall be provided for mobile homes, service buildings, and other accessory facilities as required by this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made hereto and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water supply system shall be approved by the Pennsylvania Department of Environmental Resources and other authorities having jurisdiction.
- 2. Source of Supply:
 - (a) The water supply shall be capable of supplying a minimum of 150 gallons per day per mobile home.
 - (b) The well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

- (c) No well-casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level, nor in any room or space above ground which is walled in or otherwise enclosed, unless such rooms, whether above or below ground, have free drainage by gravity to the surface of the ground.
 - (d) Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environmental Resources and other authorities having jurisdiction.
3. Water Storage Facilities: All water storage reservoirs or tanks shall be in accordance with the requirements of the Pennsylvania Department of Environmental Resources and other authorities having jurisdiction.
4. Water Distribution 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 non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.
 - (c) The system shall be so designated and maintained as to provide a pressure of not less than 20 pounds per square inch, under normal operating conditions, at service buildings and other locations requiring potable water supply.

5. Individual Water-Riser Pipes and Connections:

- (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 a minimum inside diameter of 1/2 inch and terminate at least four inches 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 drainage 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 their method of installation are approved by the Township.

Section 606. Sewage Disposal.

- 1. General Requirements: 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 the Pennsylvania Department of Environmental Resources and the Chester County Health Department requirements.

2. Individual Sewer Connections:

(a) Each mobile home lot shall be provided with at least a three-inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection 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 four (4) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch 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 lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least 1 inch above ground elevation.

3. Sewer Lines: 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 materials approved by the Pennsylvania Department of Environmental Resources, and shall have watertight joints.

4. Sewage Treatment and/or Discharge: Where the sewer lines of the mobile home park are not connected to a public sewer, all proposed sewage disposal facilities shall be approved by the Pennsylvania Department of Environmental Resources and the Chester County Health Department prior to construction.

Section 607. Electrical Distribution System.

- 1. General Requirements:** Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company's specifications regulating such systems.
- 2. Power Distribution Lines:**
 - (a)** Main power lines not located underground shall be suspended at least 18 feet above the ground. There shall be a minimum horizontal clearance of three feet between overhead wiring and any mobile home, service building or other structure.
 - (b)** All direct burial conductors or cable shall be buried at least 18 inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one foot radial distance from water, sewer, gas or communications lines.
- 3. Individual Electrical Connections:**
 - (a)** Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.
 - (b)** The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.
 - (c)** Where the calculated load of the mobile home is more than 60 amperes either a second outlet receptacle shall be installed or electrical service shall be provided by means of permanently installed conductors.
- 4. Required Grounding:** 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.

Section 608. Storm Water Collection. The provision of Section 510 of this Ordinance shall be applicable to all mobile home parks and recreational vehicle parks, and are accordingly incorporated by reference.

Section 609. Grading, Excavation, Erosion and Sedimentation Control. The provision of Section 518 of this Ordinance shall be applicable to all mobile home parks and recreation vehicle parks, and are accordingly incorporated by reference.

Section 610. Service Buildings and Other Community Service Facilities.

1. Applicability. The requirements of this Section shall apply to service buildings, recreational buildings and other community service facilities when constructed such as:

- (a) Management offices, repair shops and storage areas;
- (b) Laundry facilities;
- (c) Indoor recreation areas;
- (d) Commercial use supplying essential goods or services for the exclusive use of park occupants.

2. Structural Requirements for Buildings.

(a) All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

(b) All rooms containing laundry facilities shall:

- 1. Have sound resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions in lavatories and other plumbing fixtures shall be constructed of dense, non-absorbent, water-proof material or covered with moisture-resistant material.
- 2. Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than 10 percent of the floor area served by them.
- 3. Have at least one window which can be easily opened, or a mechanical device which will adequately ventilate the room.

(c) Toilets shall be located in separate compartments equipped with self-closing doors.

Section 611. Refuse Handling.

1. The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with the Pennsylvania Department of Environmental Resources regulations governing mobile home parks.

Section 612. Insect and Rodent Control.

1. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Pennsylvania Department of Environmental Resources regulations governing mobile home parks.

Section 613. Fuel Supply and Storage.

1. **Natural Gas System:**

(a) Natural gas piping systems when installed in mobile home parks shall be maintained in conformity with accepted engineering practices.

(b) Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

2. **Liquefied Petroleum Gas Systems:**

(a) Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with the rules and regulations of the authority having jurisdiction and shall include the following:

1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
2. Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

3. All LPG piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquified petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.
4. Vessels of more than 12 and less than 60 U.S. gallons gross capacity may be securely but not permanently fastened to prevent accidental overturning.
5. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the authority having jurisdiction.

3. Fuel Oil Supply Systems:

- (a) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the authority having jurisdiction when provided.
- (b) All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.
- (c) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located within five inches of storage tanks.
- (d) All fuel storage tanks or cylinders shall be securely placed and shall not be less than five feet from any mobile home exit.
- (e) Storage tanks located in areas subject to traffic shall be protected against physical damage.

Section 614. Fire Protection.

1. Local Regulations. The mobile home park area shall be subject to the rules and regulations of the Honey Brook Township fire code.
2. Litter Control. Mobile home parks shall be kept free of litter, rubbish and other flammable materials.

3. Fire Extinguishers. Portable fire extinguishers of a type approved by the fire code shall be kept in public service buildings under park control and a sufficient number shall be maintained throughout the park in readily accessible and well marked positions.

4. Fire Hydrants.

(a) Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the following requirements:

1. The water supply source shall permit the operation of a minimum of two (2), one and one-half (1-1/2) inch hose streams.
2. Each of two nozzles, held four (4) feet above the ground, shall deliver at least seventy-five (75) gallons of water per minute at a flowing pressure of at least thirty (30) pounds per square inch at the highest point of the park.

(b) Fire hydrants, if provided, shall be located within six hundred (600) feet of any mobile home, service building or other structure in the park, and shall be installed in accordance with Honey Brook Township regulations.

Section 615. Recreational Area. A recreation area or areas with suitable facilities, as deemed necessary by the Honey Brook Township Board of Supervisors, shall be constructed and maintained within the park for the use of all park residents.

Section 616. Erection of Single Mobile Homes.

1. Installation Requirements. If a mobile home is erected and maintained as a single family dwelling house outside a mobile home park, the following requirements shall be met:

- (a) The tract upon which the mobile home is installed shall conform with the minimum lot size requirement of the district or zone where located.
- (b) The mobile home shall be installed so as to conform with all front yard, side yard and rear yard set back lines applicable to immobile housing in that district or zone.

- (c) The mobile home shall be installed upon, and securely fastened to, a frost-free foundation or footer, and in no event shall it be erected on jacks, loose blocks, or other temporary materials.
 - (d) An enclosure of compatible design and material shall be erected around the entire base of the mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
 - (e) The mobile home shall be connected to public water and sewer systems, if available. If not, the owner shall provide a potable water supply from his own, or an adjacent well, and shall provide a septic system that shall meet the standards of the Chester County Health Department, and/or the Pennsylvania Department of Environmental Resources.
 - (f) The tract shall be attractively seeded, landscaped and shrubbed.
 - (g) Any garage, utility shed, or other out-building constructed on the tract shall conform with the standards applicable to such structures as contained in the Honey Brook Township Zoning Ordinance.
 - (h) Any single on-lot mobile homes shall meet the specifications for manufacture of mobile homes as set forth in United States Standards Institute Standards for Mobile Homes, USA Standard A 119.1-1969, NFPA No. 501B-1968, and any subsequent modification or amendment or such Standards.
2. Building Permit. No mobile home shall be erected on a single lot unless a building permit is first obtained in accordance with the Honey Brook Township Ordinances.
3. Recreational Vehicles. No recreational vehicles shall be erected and maintained for living purposes in Honey Brook Township except in a duly licensed mobile home park. Unoccupied recreational vehicles may be parked or stored in a private garage, carport, front, rear or side yard, but same shall not be stored or parked on a public street. If stored in a front or side yard, the unoccupied recreational vehicle shall be placed at least twenty-five (25) feet behind the ultimate right-of-way line of all streets.

Section 617. Miscellaneous Requirements.

1. Responsibilities of the Park Management.

- (a) The person to whom a license for a mobile home park is issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- (b) The park management shall supervise the placement of each mobile home on its mobile home lot which includes securing its stability and installing all utility connections.
- (c) The park management shall give the Township Building Inspector free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.
- (d) The management shall maintain a register containing the names of all park occupants. The management shall notify the Township of any additions to or deletions from the register, within one (1) week of when such additions or deletions occur. Such register shall be available to any authorized person inspecting the park. The management shall notify the Township, in accordance with State and local taxation laws, of the arrival and departure of each mobile home.

2. Removal of Mobile Homes. No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Township of Honey Brook without first obtaining a permit from the Township Tax Collector, as required by Act No. 54, 1969, of the Pennsylvania General Assembly. Such permit shall be issued upon payment of a fee of \$2.00 dollars and real estate taxes assessed against the home and unpaid at the time the permit is requested.

ARTICLE VII

Condominiums and Condominium Conversions For Subdivision and Land Development Regulations

Section 700. Purpose. In addition to all other requirements set forth in this ordinance and not in conflict with the requirements of this Article, a Declaration, a Declaration Plan and a Code of Regulations for any proposed condominium, whether to be created by new construction or by conversion of existing structures, shall be approved by the Board of Supervisors in accordance with the requirements set forth in this Article and the Unit Property Act (July 3, 1963, P.L. 196) prior to submission of these documents for proper recording to the Recorder of Deeds of Chester County. Furthermore, this Article shall provide for the revocation of an approved condominium and subsequent recording of same by appropriate means.

Section 701. The Declaration.

1. Submission. In addition to all plans required pursuant to Article IV of these regulations, five copies of the Declaration shall be submitted to the township secretary accompanied by an application for approval. The township secretary shall transmit one copy to each of the following for review and recommendations at least 30 days prior to the date on which the Board of Supervisors are to take action: Township Engineer; Township Planning Commission and the Chester County Planning Commission. The Planning Commission shall transmit the Declaration to the Board of Supervisors with its recommendations for action by the Board.
2. The Declaration shall contain the following:
 - (a) A reference to the Unit Property Act and an expression of the intention to submit the property to the provisions of the Unit Property Act;
 - (b) A description of the land and building;
 - (c) The name by which the property will be known;
 - (d) A statement that the property is to consist of units and common elements as shown in a declaration plan;
 - (e) A description of the common elements and the proportionate undivided interest, expressed as a percentage, assigned to each unit therein, which percentages shall aggregate one hundred per cent;

- (f) A statement that the proportionate undivided interest in the common elements may be altered by the recording of an amendment duly executed by all unit owners affected thereby, subject to Township approval;
 - (g) A statement of the purposes or uses for which each unit is intended and restrictions, if any, as to use;
 - (h) The names of the first members of the council;
 - (i) Any further details in connection with the property which the party or parties executing the declaration may deem appropriate, and any details and information the Board of Supervisors or the Planning Agency may require to properly review the development and to promote the public health, safety and welfare, and to protect the rights of the residents of the proposed condominium.
3. After the Declaration has been approved by the Board, the copies duly certified by the Township Secretary shall be distributed as follows:
- (a) Three copies will be returned to the applicant for his files and for submission to the Office of the Recorder of Deeds of Chester County and the County Planning Commission.
 - (b) One copy will be retained in the Township files.

Section 702. Declaration Plan.

1. Submission. In addition to all plans required pursuant to Article IV of these regulations, one copy of the Declaration Plan on linen or mylar drafting film shall be submitted to the Township Secretary together with 4 paper prints accompanied by an application for approval. The Township Secretary shall transmit one copy to each of the following for review and recommendation at least 30 days prior to the date on which the Board of Supervisors are to take action: Township Engineer, Township Planning Commission, and the Chester County Planning Commission. The Planning Commission shall transmit the Declaration Plan to the Board of Supervisors with its recommendations for action by the Board.

2. Contents of Declaration Plan. The Declaration Plan shall show the property, the location of the building thereon, the building and layout of floors of the building including the units and the common elements and the name by which the property will be known, the unit designation for each unit therein, and shall bear a certified statement of a registered architect or licensed professional engineer certifying that the declaration plan fully and accurately sets forth the foregoing.
3. After the Declaration has been approved by the Board, the copies duly certified by the Township Secretary shall be distributed as follows:
 - (a) Three copies will be returned to the applicant for his files and for submission to the Office of the Recorder of Deeds of Chester County and the County Planning Commission.
 - (b) One copy will be retained in the Township files.

Section 703. Code of Regulations.

1. Submission. In addition to all plans required pursuant to Article IV of these regulations, four copies of the Code of Regulations shall be submitted to the Township Secretary accompanied by the application for approval and shall be forwarded to the Board of Supervisors for their action. The Township Secretary shall transmit one copy to the Planning Commission for its review and recommendations at least 30 days prior to the date on which the Board of Supervisors are to take action. The Planning Commission shall transmit the Code of Regulations to the Board of Supervisors with its recommendations for action by the Board. All subsequent amendments to the approved Code of Regulations shall be submitted to the Township Secretary for approval in accordance with the requirements of this subsection.
2. Contents of Code of Regulations. The code of regulations shall provide for at least the following, and may include other lawful provisions:
 - (a) Identification of the property by reference to the place of record of the declaration and the declaration plan;
 - (b) The method of calling meetings of unit owners and meetings of the council;
 - (c) The number of unit owners and the number of members of council which shall constitute a quorum for the transaction of business;

- (d) The number and qualification of members of council, the duration of the term of such members and the method of filling vacancies;
- (e) The annual election by the council of a president, secretary and treasurer and any other officers which the code of regulations may specify;
- (f) The duties of each officer, the compensation and removal of officers and the method of filling vacancies;
- (g) Trash, refuse and garbage removal from the units and the common elements, snow removal from the common elements, police protection and security of the common elements, provision of other municipal-type services to the units and common elements, maintenance, repair and replacement of the common elements; payment of the cost of the foregoing; the council will be required to supplement any of the foregoing services customarily provided by the Township, as required by the Board of Supervisors.
- (h) The manner of collecting common expenses from unit owners which shall include a provision to the effect that all local government fines, penalties, and assessments against individual units or common elements may be imposed and liened directly against the various unit owners or common elements; without reference to any duties or functions of the council;
- (i) The method of adopting and of amending the Code of Regulations, rules governing the details of the use and operation of the property and the use of the common elements, and a requirement that all amendments to the Code of Regulations be approved by the Board of Supervisors prior to becoming effective.
- (j) Any other provisions which the Planning Commission and the Board of Supervisors may require to properly promote the Health, Safety and Welfare of the Public; and
- (k) A requirement that the Secretary of Honey Brook Township receive immediate notification of any change of the personnel comprising the council, in the officers of the council, and in the mailing address of the council.

3. Approval. After the Code of Regulations has been approved by the Board, the copies duly certified by the Township Secretary shall be distributed as follows:

(a) Three copies will be returned to the applicant for his files and for submission to the Office of the Recorder of Deeds of Chester County and the County Planning Commission.

(b) One copy will be retained in the Township files.

After an amended Code of Regulations has been approved by the Board, the copies duly certified by the Township Secretary shall be distributed as follows:

(a) One copy returned to the applicant.

(b) One copy will be retained in the Township files.

Section 704. Conversions of Rental Property or Structures to Condominiums.

1. Whenever an interest in real property or a structure is converted by the owner or owners into a condominium, the tenant or tenants occupying said property or structure under a then current lease agreement shall be given by the owner or owners an automatic extension, if necessary, of the right to occupy said property or structure as lessee or tenant for a period of one (1) year without an increase in rent from the date following notice of the proposed conversion of said property or structure to the Township by submission of a plat; provided, however, that if fifty one (51%) percent or more of the tenants or lessees occupying said property or structure approve in writing the conversion or change of said property or structure into a condominium or owner occupied property or structure, no automatic one (1) year extension of existing lease agreements shall be required; provided, however, that if a tenant's then current lease will not, by its terms or operation of law expire until more than one (1) year after submission of a plat to the Township, he shall not be required to vacate his unit until the expiration of his lease.

2. The tenant or tenants in occupancy at the time the plat is filed shall have the exclusive right to purchase or enter into an agreement to purchase their units for ninety days after filing, during which time a tenant's unit shall not be shown to a third party unless he has in writing waived his right to purchase.

3. In case any property or structure is converted into owner occupied units in violation of the Honey Brook Township Zoning Ordinance or the Township subdivision and land development regulations, in addition to other remedies provided by law, any appropriate action or proceeding, whether by legal or equitable process or otherwise, may be instituted or taken against the owner or owners to prevent such unlawful violation.
4. The provisions, restrictions, and benefits of this section may not be waived by agreement or otherwise.
5. No plat shall be approved by the Board of Supervisors of Honey Brook Township unless the owner or owners of the property or structure converting the same agree to comply with the provisions of this Section.

Section 705. Declaration of Revocation. A condominium development or conversion may be converted into a rental or fee simple property by submission of a Declaration of Revocation, signed by 100 percent of the unit owners and the holders of all mortgages, judgments or other liens affecting the units and provided that such Declaration of Revocation is reviewed and duly recorded as provided for in Sections 701.1 and 701.3. The conversion of a condominium development shall not preclude the resubmission of said property for a condominium by the procedures provided herein.

ARTICLE VIII

INFORMATION TO BE SHOWN ON SUBDIVISION AND LAND DEVELOPMENT PLANS

Section 800. Tentative Sketch. The plan does not have to be drawn to scale and is subject to the Subdivider's or Developer's discretion. Useful information for this sketch includes:

1. Tract boundary and location by deed plotting.
2. North point.
3. Existing and proposed street, lot or development layout.
4. Significant topographical and physical features, and soil classifications.

Section 801. Preliminary Plan. The plan shall show or be accompanied by the following information:

1. Drafting Standards:

- (a) The scale shall be 50 feet or less to the inch, and shall be accurate to within one part in 300, except that in a subdivision when parcels are over an acre in size, and in a land development when the total area of the development is over 25. acres, the scale may be 100 feet to the inch.
- (b) Dimensions shall be in feet and decimals, and bearings in degrees, minutes and seconds.
- (c) The courses and distances of the boundary line survey of the entire tract to be subdivided or developed shall not have an error of closure greater than one part in 2,500.
- (d) The sheet or sheets shall be one of the following sizes:

15" x 18", 18" x 30", 24" x 36" or 30" x 42". If more than one sheet is necessary, each sheet shall be the same size and numbered to show its relation to the total number of sheets in the plan, as Sheet No. 1 of 5 sheets.
- (e) Where there are two (2) or more sheets, a key map at a scale sufficient to show their relationship shall be furnished.

2. Location and Identification

- (a) A title consisting of the name and address of the subdivider, developer or builder and the Registered Engineer or Surveyor, or qualified site planner.
- (b) The name of the municipality, and subdivision or development.
- (c) The date, scale and north point.
- (d) The entire tract boundary with bearings and distances.
- (e) A key map relating the subdivision or development to at least three (3) existing intersections of Township roads.

3. Existing Features.

- (a) Within 400 feet of any part of the land being subdivided or developed - Location, names, width, radii and surface conditions of existing streets and alleys, and those shown on the Township Official Map Summary of streets and alleys, the location of water courses, floodplains, sanitary sewers, storm drains, utilities above or below the ground and other similar features.
- (b) Within the land to be subdivided or developed - Location, names, widths and other dimensions, including centerline courses, distances, and curve data, paving widths, curb lines, right-of-way and curb line radii at intersections and street location tie-ins by courses and distances to the nearest intersection, of existing and planned streets and alleys, and the location and size of existing sanitary sewers and storm drains, water courses, and drainage flows, floodplains, location and size of utilities above or below the ground and recreational areas.
- (c) Contours at vertical intervals of two (2) feet or in the case of relatively level tracts, at such lesser intervals as may be necessary for study as determined by the Planning Commission or Township Engineer. In no case shall the distance between contour lines exceed one hundred (100) feet horizontally. Benchmarks to which contour elevations refer shall be noted. Data shall refer to U. S. C. & G. S. datum.

- (d) Location and character of existing buildings, the location, species and size of trees standing alone (over six (6) inches in caliper measured at breast height), outer limits of tree masses; the location of quarries, marshland, and land subject to inundation, and other topographical features which may affect the location of proposed streets or buildings. Trees over six (6) inches in caliper which are proposed to be cut down shall be so designated on the plan.
- (e) Measured distances from the center line of streets to buildings, and large trees standing alone.
- (f) Depth of the water table shall be noted on the plan or in a separate report along with the location of the test borings. When percolation tests are required the location of the test holes shall be indicated. A soils overlay shall be shown.
- (g) Zoning requirements, or requirements of any Township Ordinance or resolution, on and adjacent to the land to be subdivided or developed.

4. Proposed Street, Lot or Development Layout

- (a) The layout of streets, alleys and cross walks including names and widths of cartway and ultimate right-of-way.
- (b) The layout and dimensions of lots and net area in a subdivision.
- (c) A reference to any land to be dedicated for public use.
- (d) Tentative grades to an existing street.
- (e) Location and size of sanitary sewers and storm drains.
- (f) All building setback lines, with distances from the ultimate right-of-way line.
- (g) Indication of any lots or areas in which a use of other than residential is intended.
- (h) Where there are existing buildings located on the land being subdivided or developed, the buildings that are to be demolished shall be indicated.

- (i) A statement on the plan shall show: The number of acres being subdivided or developed; the number of lots or units; the type of buildings; character of buildings, lineal feet of new streets, lineal feet of streets to be widened and the number of acres being dedicated for public use.

5. Proposed Improvements.

- (a) Tentative cross section and centerline profiles for each proposed or widened street shown on preliminary plan, including profile for proposed sanitary sewers and storm drains, showing manholes, inlets, and catch basins.
- (b) Preliminary design of any bridges, culverts or other structures and appurtenances which may be required.

6. Certificates. When approved the preliminary plan must show:

- (a) The signature of the subdivider, developer or builder certifying his adoption of the plan.
- (b) The signature of the Township Secretary certifying that the Township Supervisors approve the plan on the date shown.

7. Grading, Erosion and Sedimentation Control Plan.

- (a) A Grading, Erosion and Sedimentation Control Plan prepared in accordance with Section 518 shall be submitted as part of the Preliminary Plan Submittal.

Section 802. Final Plans.

1. Improvement Construction Plan.

- (a) Drafting Standards. The same standards shall be required for an improvement construction plan as for a preliminary plan, except that the horizontal scale of the plan and profile shall be 40 feet or 50 feet to the inch, and the vertical scale of the profile shall be 4, 5, or 10 feet to the inch, whichever is most convenient; however, both horizontal and vertical scales shall agree (Vertical 1"=4'; Horizontal 1"=40' etc.).
- (b) Information to be Shown. The plan shall contain sufficient information to provide working plans for the construction of the proposed streets, or any portion thereof, including all appurtenances, sewers, and utilities, shown on the approved preliminary plan, from one existing or approved street to another, or in the case of a cul-de-sac, to its turnaround and shall include:

- (1) Horizontal Plan. The horizontal plan shall show details of the horizontal layout as follows:
 - (a) Information shown on the preliminary plan pertaining to the street to be constructed.
 - (b) Beginning and end of the proposed immediate construction.
 - (c) Stations corresponding to those shown on the profile.
 - (d) Elevation of the curb at tangent points of horizontal curves at street or alley intersections and at points approximately 10 feet apart on the curved curb.
 - (e) Location and size of sanitary sewers and lateral connections with distances between manholes, of water, gas, electric and other utility pipes or conduits, and of storm drains, inlets, and manholes.
 - (f) Location, type and size of curbs, and widths of paving.
 - (g) Location and species of street shade trees and location and type of fire hydrants and street lights.
- (2) Profile. The profile shall be a vertical section of the street with details of vertical alignment as follows:
 - (a) Profiles and elevations of the existing and proposed grades along the center lines of proposed streets.
 - (b) Profile of sanitary sewer with a profile over the sewer of the present and finished ground surface showing manhole locations with stations beginning at the lowest manhole.
 - (c) Profile of storm drain showing manhole and inlet locations.
- (3) Cross Section. The cross section shall comply with Township standards and specifications as minimum requirements. It shall show a typical cross section across the street or alley with details of grading and construction as follows:

- (a) ultimate right-of-way width and the location and width of paving within the ultimate right-of-way.
- (b) Type, depth and crown of paving.
- (c) Type and size of curb.
- (d) When sidewalks are required, grading of sidewalk area should be carried to the full width of the ultimate right-of-way and slopes of cut or fill extended beyond the ultimate right-of-way.
- (e) Location, width, type and depth of sidewalks, when required.
- (f) Typical location, size and depths of sewers and utilities.

2. Record Plan.

- (a) Drafting Standards. The same standards shall be required for a record plan as for a preliminary plan. All lettering and lines should be so drawn as to be legible if the plan should be reduced to half size.
- (b) Information to be Shown. The plan, which may constitute a portion only of an approved preliminary plan, shall show:
 - 1. A title, as required for a preliminary plan.
 - 2. Courses and distances sufficient for the legal description of all the lines shown on the plan. The error of closure shall not be greater than one part in 2,500.
 - 3. Names of abutting owners; names, locations, widths, and other dimensions of streets, including center line courses, distances, and curve data; descriptive data of ultimate right-of-way lines not parallel with or concentric with a center line; and location tie-ins by courses and distances to the nearest intersections of all existing, planned and approved streets, alleys, easements, recreational areas and other public improvements, within the land to be subdivided or developed.

4. All lots are to be deeded to the side of public ultimate rights-of-way so that a single deed may be drawn to the governing body for the dedication of streets by the subdivider, developer or builder.
5. Evidence that the plans are in conformity with zoning, building, sanitation and other applicable Township ordinances and regulations. In any instance where such plans do not conform, evidence shall be presented that an exception has been officially authorized.
6. Location, material, and size of monuments with reference to them.
7. Building setback lines with distances from the ultimate right-of-way lines.
8. Restrictions in the deed affecting the subdivision of the property, or development of the property.
9. Location and species of trees to be planted as per Section 514, unless provided on a separate landscaping plan.

(c) Certificates. When approved, the record plan must show:

1. The signature and seal of the Registered Engineer or Surveyor, certifying that the plan represents a survey made by him, that the monuments shown thereon exist as located, and that all dimensional and geodetic data details are correct.
2. The signature of the subdivider, developer or builder certifying his adoption of the plan.
3. The signature of the Township Secretary certifying that the Township Supervisors approved the plan on the date shown.

Section 803. Land Development Plans.

1. A tentative, preliminary, and final plan of a plat of land development shall be required and shall be presented in conformance with the requirements enumerated in Sections 800, 801, and 802 of this Article as they are applicable to land development plans.

2. In addition a land development plan shall include the following:
 - (a) All covenants relating to use.
 - (b) Man-made features for the use of two or more prospective occupants.
 - (c) Lot size.
 - (d) Zoning classification and applicable standards with which compliance is necessary for granting final approval.
 - (e) Type of dwelling.
 - (f) Density and/or intensity of use.
 - (g) Lot coverage.
 - (h) Use of the development.
 - (i) Location and placement of accessory structures and facilities.
 - (j) Streets, pedestrian ways, and parking facilities.
 - (k) Common open space and trees.
 - (l) Public facilities.
 - (m) A site utilization scheme.
 - (n) Specifications for required improvements and changes to be effected upon the existing terrain or existing structures thereon.

Section 804. Minor Subdivision Plans.

1. Drafting Standards. The same standards shall be required for a minor subdivision plan as for a preliminary plan (see Section 801, Paragraph 1).
2. Information to be Shown. The same information shall be shown on a minor subdivision plan as for a record plan (see Section 802, Paragraph 2(b)).
3. Certificates. The same certificates shall be shown on a minor subdivision plan as for a record plan (see Section 802, Paragraph 2(c)).

ARTICLE IX

Fees, Conditions of Acceptance and Penalties

Section 900. Fees and Costs. The subdivider or developer shall be required to furnish a bond or escrow fund and to pay the following fees and costs:

1. Preliminary Plan. \$50.00 if three (3) or less lots or dwelling units appear on the plan; if more than three (3) lots or dwelling units appear on the plan the fee shall be \$50.00 plus \$10.00 for each lot or dwelling unit; in either case the fees of the Chester County Planning Commission for review shall also be paid by the subdivider or developer.
2. Final Plan. No fee will be charged for filing an Improvement Construction Plan or a Record Plan, unless no preliminary plan has been filed, in which case the fees established for Preliminary Plan will be charged. In addition, the subdivider, developer or builder will be required to furnish a bond, in an amount and with such surety as shall be approved by the Township of Honey Brook to guarantee the payment of:
 - (a) Engineering Services. The services of the Township Engineer, as provided in these rules and regulations. In addition all costs for other engineering and professional certification as deemed necessary.
 - (b) Material and Facilities Tests. The actual cost of all material or other tests required by this Ordinance.
 - (c) Inspection. Twenty (\$20.00) dollars per hour for each hour or portion thereof the Township Inspector or other duly authorized person is engaged on the work.
 - (d) Dedication. Legal fees, advertising and other costs involved in the dedication of streets and public improvements to the Township.
 - (e) Legal Services. The services of the Township Solicitor for legal services incidental to the preliminary approval of plans of each subdivision or development, or section thereof, and the approval thereof, and shall also pay for legal services required by the Township which may arise by reason of the approval of such plans of each subdivision or development, or section thereof.

(f) Method of Payment. The fees and costs required to be paid by this Section shall be promptly paid to the Township upon the submission of bills thereof to the subdivider or developer by the Township from time to time. To the fees and costs required to be paid the Township by this Section there shall be added the sum of four (4) percentum which the subdivider or developer shall pay to the Township as reimbursement to the Township for the collection of such fees and the disbursement thereof.

3. Minor Subdivision Plan. The same fees as required for a preliminary plan shall be paid for a minor subdivision plan.

Section 901. Conditions of Acceptance.

1. Conditions. The Township shall have no obligation to take over and make public any street or other improvement unless:
- (a) The required improvements, utility mains and laterals, and monuments, shown on an approved plan or plans have been constructed to all Township requirements.
 - (b) It is established to the satisfaction of the Township Supervisors that there is a need for the improvements to be taken over and made public.
2. Acceptance. The Township shall have no responsibility with respect to any street or other improvement, notwithstanding the use of the same by the public, unless the street or other improvement is accepted by ordinance or resolution of the Township Supervisors.
3. Guarantee. The applicant shall guarantee for a period of two (2) years from the date of the ordinance accepting dedication, to maintain the stability of all materials and work and to promptly make good and replace all poor or inferior materials and work and to remedy all defects in materials or workmanship, all shrinkage, settlement or other faults of any kind whatsoever arising therefrom, at his own expense, and to the satisfaction of the Township Engineer, when notified in writing to do so by the Township Engineer, and in order to secure the guarantee as herein required, the Township shall be assured by means of a proper guarantee in the form of a bond, with surety satisfactory to the Township, or the deposit of funds or securities in escrow in the amount equal to five (5%) percent of the completion guarantee posted by the owner with the Township.

Section 902. Penalties. Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract or parcel or land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this act and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding one thousand dollars (\$1000) per lot or parcel or per dwelling unit within each lot or parcel. All fines collected for such violations shall be paid over to the municipality whose ordinance has been violated. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transfer from such penalties or from the remedies herein provided.

ARTICLE X

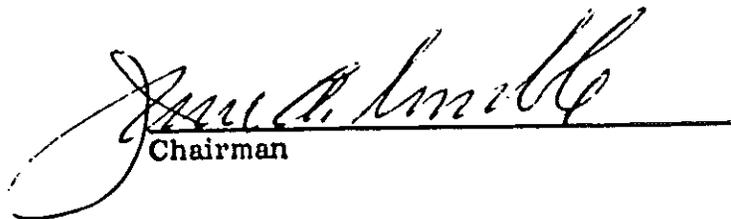
Amendments

Section 1000. Amendment Procedure. The Board of Supervisors of Honey Brook Township may, from time to time, amend, supplement, change, modify, or repeal this ordinance by proceeding in the following manner. The Board of Supervisors by resolution adopted at a regular or special meeting, shall fix the time and place of a public hearing on the proposed amendment and cause thirty (30) days notice thereof to be given as follows:

1. By publishing a notice thereof for two weeks in one newspaper of general circulation in the Township.
2. The notice shall state the general nature of the proposed amendment and that full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing.
3. Whenever a proposed amendment affects a particular property, then there shall be posted upon said property or premises at such place or places as the Board of Supervisors may direct, notice of said proposed amendment.

Section 1001. Referral to Planning Commission. All proposed amendments before adoption shall be referred to the planning commission, at least thirty (30) days prior to the public hearing, for recommendation and report, which shall not be binding.

Approved by the Board of Supervisors of Honey Brook Township and enacted into an Ordinance this 5th day of August, 1976.


Chairman

Attest:


Secretary