AN ORDINANCE OF THE TOWNSHIP OF CLEARFIELD

OF THE COUNTY OF BUTLER

PENNSYLVANIA

ORDINANCE #11-26-01

Revised August 2001

Revised December 2015

Revised November 2026

ORDINANCE NO. 11-26-01

An Ordinance establishing comprehensive Subdivision and Land Development Regulations for Clearfield Township, Butler County, Pennsylvania, and providing for the administration, enforcement and amendment thereof, in accordance with the provisions of the Pennsylvania Municipalities Planning Code (Act 2476 of 1968, as amended by Act 93 of 1972 and Act 170 of 1988), and for the repeal of all ordinances in conflict therewith.

WHEREAS, the Pennsylvania Municipalities Planning Code (hereafter the Code empower municipalities to enact a Subdivision and Land Development Ordinance, and to provide for its administration, enforcement and amendment; and

WHEREAS, the Board of Supervisors of Clearfield Township deems it necessary for the purpose of protecting and promoting the public health, safety and general welfare of the residents and property owners of the Township to enact such an ordinance, and

WHEREAS, the Board of Supervisors, in compliance with the Code, has requested the Clearfield Township Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, the Planning Commission has prepared this Subdivision and Land Development Ordinance in accordance with the provisions of the Code, and has submitted its report to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has given due public notice of a public hearing to receive comments upon the proposed Subdivision and Land Development Ordinance, and has held such public hearing; and

WHEREAS, all requirements of the Code with regard to the preparation of the proposed Subdivision and Land Development Ordinance by the Planning Commission, and to the Subsequent action by the Board of Supervisors have been met;

WHEREAS, Ordinance #10-09-01 Road Standards is hereby repealed with adoption of this Subdivision and Land Development Ordinance.

WHEREAS, Ordinance #24-01-01 Solar Energy Ordinance is hereby repealed with adoption of this Subdivision and Land Development Ordinance and not effecting any Resolutions or Fee Schedules.

WHEREAS, Ordinance #23-05-01 Wind Energy Ordinance is hereby repealed with adoption of this Subdivision and Land Development Ordinance and not effecting any Resolutions or Fee Schedules.

NOW, THEREFORE, Clearfield Township does hereby adopt and exercise all the powers set forth in the Pennsylvania Municipalities Planning Code and all other powers passed by the Legislature of the Commonwealth of Pennsylvania conferring powers to regulate the use of land, and the Board of Supervisors does hereby establish and enact this Subdivision and Land Development Ordinance for Clearfield Township as follows:

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ARTICLE I
PURPOSE AND SCOPE

Section 101 Short Title

This Ordinance shall be known as the "Clearfield Township Subdivision and Land Development Ordinance."

Section 102 Purpose of Ordinance

This Ordinance has been enacted for the following purposes:

102.1 To assist the public in the harmonious, orderly, efficient and integrated development within Clearfield Township;

102.2 To assure that proposed development sites are suitable for building purposes and human habitation;

102.3 To secure equitable handling of all subdivision plans by providing uniform procedures and standards;

102.4 To implement the Clearfield Township Comprehensive Plan and support the objectives of the Clearfield Township Hazard Mitigation Plan;

102.5 To support Clearfield Township's efforts to promote economic prosperity and economic opportunities for citizens throughout the county;

102.6 To promote development consistent with the character of municipalities under the jurisdiction of this Ordinance;

102.7 To minimize impacts of development on the township's physical and social environments and on adjoining landowners and the community;

102.8 To ensure that streets in and bordering a subdivision, land development, manufactured home park or recreational vehicle park shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection;

102.9 To ensure that easements or right-of-ways shall provide adequate drainage and utilities;

102.10 To ensure that reservations, if any, by the developer of any area designed for use as public grounds shall be of suitable size and location for their designed uses;

102.11 To ensure that land which is subject to natural and/or man-made hazards either shall be made safe for the purpose for which such land is proposed to be used, or that such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace; and

102.12 To promote the preservation of Clearfield Township's natural and historic resources and prime agricultural land.

Section 103 Authority

The Clearfield Township Subdivision and Land Development Ordinance is enacted and administered under authority of the Pennsylvania Municipalities Planning Code (hereinafter referred to as "MPC"), Act 247 of 1968, as re-enacted and amended.

Section 104 Jurisdiction of Ordinance

104.1 Plans for subdivisions, land developments, manufactured home parks and recreational vehicle parks or campgrounds and approved by the Clearfield Township Supervisors in accord with this Ordinance before they may be recorded by the Butler County Recorder of Deeds.

104.2 The aforementioned review and approval are in addition to, does not supersede, and does not release any party from compliance with those approvals required by other applicable ordinances, resolutions or regulations of Clearfield Township, Butler County Planning Commission, the Commonwealth of Pennsylvania or the United States Government. It shall be the responsibility of the applicant to comply with other applicable laws, rules or regulation

104.3 Duties of the Board of Supervisors and Planning Commission Relative to this Ordinance

The Board of Supervisors reserves to itself final approval authority on all subdivision and land development plans. The Board shall not act until it has received recommendations from the Planning Commission, and until it has allowed the Butler County Planning Commission at least forty-five (45) days to review and to comment upon each such subdivision and land development plan. The Board shall call and hold a public hearing on each amendment proposed for this Ordinance after soliciting both the Township and County Planning Commissions for recommendations, and before voting to adopt or reject the amendment. The Board shall also appoint an administrator to enforce the Ordinance according to its literal terms and to assist the Planning Commission in its review of plans.

Section 105 Application and Scope of Regulations

105.1 Within municipalities under the jurisdiction of this Ordinance, no subdivision or land development of any lot, tract or parcel of land shall be made, no manufactured home or recreational vehicle park shall be initiated or altered, no street, sanitary sewer, storm sewer, water main or other improvements in connection herewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Subdivision and Land Development Ordinance

105.2 Within municipalities under the jurisdiction of this Ordinance, no lot in a subdivision may be sold or leased, no permit to erect or move any building upon land in a subdivision or land development plan may be issued, and no building, permanent or temporary, may be erected in a subdivision or land development plan unless and until a subdivision or land development plan has been approved in accordance with the requirements of this Ordinance and recorded in the office of the Butler County Recorder of Deeds, and until the improvements required by this Ordinance, in any part of the approved plan, have either been constructed or guaranteed by a form of surety meeting the requirements of this Ordinance.

105.3 This Ordinance shall not apply to any lot or lots, subdivision or land development plan created and lawfully recorded prior to enactment of this Ordinance. However, the development of individual lots shall be in accordance with the provisions of this Ordinance. Any lot, subdivision

or development plan illegally recorded or not legally recorded prior to enactment shall not be given legal status by enactment of this Ordinance.

105.4 Any redivision or combining of lots or adjustment of lot lines within a plan previously approved and/or recorded, or any rearrangement of structures, parking areas, access points, graded land surfaces or other elements within a development plan, shall be subject to the provisions of this Ordinance.

Section 106 Types of Subdivisions and Land Developments

The Clearfield Township Subdivision and Land Development Ordinance regulates the types of subdivisions and land developments specified in the following table.

TABLE – TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS			
Type	Description	Submission	Recommended by
Minor Subdivision	A subdivision as defined by this Ordinance which includes creation of any number of lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.	Minor Subdivision Final Plan	Planning Commission
Major Subdivision	A subdivision as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.	Major Subdivision Final Plan	Planning Commission
Land Development with No Public Improvements	A land development as defined by this Ordinance which does not involve installation of public improvements regulated by this Ordinance.	Minor Subdivision Final Plan	Planning Commission
Land Development with Public Improvements	A land development as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.	Major Subdivision Final Plan	Planning Commission
Manufactured Home Park	A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more manufactured home lots for the placement thereon of manufactured homes.	Major Subdivision Final Plan	Planning Commission
Recreational Vehicle Park	A plot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by the general public for recreational vehicles as temporary living quarters for recreation or vacation purposes.	Major Subdivision Final Plan	Planning Commission
Note: The Planning Commission shall review and render decisions on all requests for modifications or waivers for subdivisions or land developments to supervisors.			

ARTICLE II
DEFINITIONS OF WORDS AND PHRASES

Section 201 General Interpretations

Unless otherwise expressly stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated:

- The particular shall control the general.
- Words in the singular include the plural.
- Words in the plural include the singular.
- Words in the past tense include the present and future.
- Words in the future tense include the present.
- Words in the present tense include the future.
- The words "shall" and "will" are mandatory; the word “may” is permissive.
- The word "person" includes a corporation, trust, company, unincorporated association and a partnership as well as an individual or any legal entity.
- Definitions followed by “(MPC)” are taken from the PA Municipalities Planning Code as in effect at the time of enactment of this Ordinance and shall remain consistent with any amendments to such definitions in said act hereafter enacted.
- Words generally found in legal terminology and not otherwise defined in Section 202 shall have the same meaning in this Ordinance as in a standard dictionary.

Section 202 Meanings of Words and Phrases

ACCESS DRIVEWAY - A driveway, turnout or other means of providing for the movement of vehicles to or from the public roadway.

ACCESS LANE - That portion of a parking lot that abuts and provides access to each individual parking space in the lot.

ACCESS POINTS - The locations along the edge of a lot or property abutting a street provide the authorized vehicular entry into the lot.

ACCESS ROAD OR ACCESS WAY - Any road or access way extending from a Township Road, Private Road or State Road onto private land.

ACCESSORY SOLAR ENERGY SYSTEM - An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

ACOUSTAL BLANKET - A fabric placed around a site or object that assists in the abatement of noise and acts as an absorbent and noise blocker. The fabric is resin coated to withstand weather, moisture and the more demanding outdoor applications.

ADMINISTRATOR - The individual appointed by and responsible to the Board of Supervisors (but not a supervisor himself) to administer and enforce this Ordinance.

ADMENDMENT - A change in these regulations, including addition of new requirements, revision of existing requirements or deletion of obsolete requirements, necessitating public hearings and formal adoption by the Township before becoming effective.

APPLICANT - A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

APPLICANT - Any landowner or developer, person, partnership, operator, company, corporation or other entity and its subcontractors and agents who have an interest in real estate for the purposes of development.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

APPLICATION, PRELIMINARY - A formal request by a developer containing information required by these regulations to be used as a basis by the Township in granting preliminary approval of a subdivision or plan.

APPLICATION, FINAL - A formal request by a developer containing information required by these regulations to be used as a basis by the Township in granting final approval of a subdivision or plan.

APPROVAL, PRELIMINARY - An acknowledgment by the Township that the preliminary plan application conforms to all the requirements of these regulations and that the developer is free to proceed to preparation of the final application.

APPROVAL, FINAL - An acknowledgment by the Township that the final plan application conforms to all the requirements of these regulations and that the developer is free to record the plan as approved.

ARTERIAL STREET OR ROAD - Primary function to deliver traffic from collector roads to highways or expressways, and between urban hubs at a relatively high level of service, connecting collector and local routes to regional highways.

BEARINGS AND DISTANCES - The direction that a property boundary or other line points relative to magnetic north and the distance of the line measured in feet.

BOARD OF SUPERVISORS - The duly elected governing body of Clearfield Township.

BUILDING, OCCUPIED BUILDING - A structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property. When separated by "party walls," each portion of such structure shall be considered a separate building.

BUILDING PERMIT - A document issued by the Township attesting that a proposal for construction meets all requirements of this Ordinance and other applicable development ordinances in force and allowing such proposed construction to commence.

CERTIFICATE OF OPERATION - Written approval, where required, issued by the appropriate State or regulatory agency authorizing a developer to operate public water and sanitary sewerage systems within a manufactured home park.

COMMON AREA - That area in a subdivision or land development including common open space, owned and leased and maintained by an association or other combination of persons for the benefit of all residents of the subdivision or land development and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the use of all dwelling unit owners.

COMMON OPEN SPACE - A parcel or parcels of land or an area of water or a combination of land and water within a development site and designed and intended for the use or enjoyment of all residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. (MPC)

COMPRESSOR - A device that raises the pressure of oil and/or natural gas and/or their by-products. Compressors are any devices that create a pressure differential to move or compress a liquid, vapor, or a gas. Any such device used alone or in a series to adequately move a liquid, vapor or a gas is considered a compressor.

COMPRESSOR STATION - A facility designed and constructed to compress natural gas that originates from an oil and gas well or collection for such wells operating as a midstream facility for delivery of oil and gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks, and other equipment.

COMMUNITY SEWAGE DISPOSAL OR WATER SUPPLY SYSTEM - A utility system constructed by a developer to serve his plan in conformance with these regulations and the requirements of the State Department of Environmental Resources, such system to be operated by the developer until or unless taken over by a public authority.

CONTOUR - An imaginary line connecting all points with the same elevation above or below a fixed base point whose elevation is known.

CORNER LOT - A property that abuts two adjacent streets that intersect at one corner of the property.

COUNTY PLANNING COMMISSION - The Planning Commission of Butler County, Pennsylvania.

CURB CUT - The designated point of vehicular entry into a lot or property approved by Penn DOT if access is to a State highway.

DATA CENTER - A building or buildings ace occupied primarily by computers and/or telecommunications and related equipment where digital information is processed, transferred and/or stored, primarily to and from offsite locations. This use does not include computers or telecommunications related equipment that is secondary and customarily incidental to an otherwise permitted use on the property, such as servers associated with an office building. This use shall also include cryptocurrency mining, transaction processing, and server farms. A Data Center may include Data Center Accessory Uses.

DATA CENTER ACCESSORY USE - Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines; domestic and -non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include energy generation systems used or intended to be used to supply power the Data Center during normal operations.

DATA CENTER AND ENERGY TECHNOLOGY CAMPUS ("DCET") - A DCET includes all of the real estate owned, controlled, leased or otherwise occupied which comprises the development of Data Center(s); Data Center Accessory uses; Backup Generators; all other systems, equipment, piping, conduit and other ancillary equipment, structures and other appurtenances that are incidental to and/or needed for the construction, support, operation, repair, maintenance; and/or protection of a Data Center and its surroundings; and preserved land and undeveloped land comprising the tract upon which the DCET is built.

DENSITY - The measure of intensity of use, usually referring to the maximum number of dwellings or apartments permitted per acre on a property, or to the minimum amount of land area required on a property for each dwelling or apartment.

DETENTION FACILITY - A concave area on the land surface designed and constructed to receive storm run-off from higher elevations and release water at a controlled rate to retard the possibility of flooding downstream.

DEVELOPER - Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development. (MPC)

DEVELOPER AGREEMENT - legal contract between two or more parties that outlines the terms and conditions for the development of a specific project, typically related to real estate, infrastructure, or business ventures. It details the responsibilities of each party, including financial contributions, timelines, scope of work, and the division of risks and rewards. Development agreements are often used in situations where one party (such as a developer) will undertake the planning, construction, or improvement of a project, while others (such as landowners, municipalities, or investors) provide support, funding, or resources. (MCP)

DEVELOPMENT PLAN - The provisions for development, including a planned residential development, a plan of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan," when used in this Ordinance, shall mean the written and graphic materials referred to in this definition. (MPC)

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to: buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, storm sewers, drains, improvements to water courses, sidewalks, street signs, crosswalks, planting shade trees, seeding, sodding, monuments or other property markers, water supply facilities and sewage facilities, filling, grading, excavation, mining, dredging, and drilling operations in, when conducted within the context of subdivision and land development activities as defined by the PA Municipalities Planning Code.

DOUBLE FRONTAGE LOT - A lot that abuts two (2) streets that do not intersect adjacent to the lot.

DRAINAGE - The removal of surface water or groundwater from land by drains, grading or other means, including control of runoff to minimize erosion and sedimentation during and after construction or development.

DRILLING - Any digging or boring of a new or existing well to explore, develop, or produce oil, gas or other hydrocarbons, or to inject gas, water or any other fluid or substance into the earth.

DWELLING - A group of connected rooms in a building for the exclusive residential use of one (1) family, containing cooking, food storage, bathing and toilet facilities.

EASEMENT - A right granted by a landowner for limited use of private land for public and quasi-public purposes, including the installation of utilities and stormwater drainage. The landowner shall not make use of said private land in a manner which violates the right of the grantee.

ELEVATION - The vertical distance that one point or line is above or below another point or line, often expressed in contours.

ENGINEER - An individual registered as a professional engineer by the Commonwealth of Pennsylvania.

EROSION - The accelerated removal of surface materials by action of natural elements.

EROSION AND SEDIMENTATION PLAN - Follow BMP State Guidelines.

ESCROW FUND OR ACCOUNT - An interest-bearing note, established by a developer at a financial institution, of an amount required to guarantee completion of improvements to be constructed in his plan and payable to the Township if the developer fails to complete the improvements within the time stipulated in the plan approval.

EXCAVATION - Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocation or bulldozed and any conditions resulting there from.

EXISTING CONDITIONS - Improvements already present on a property and adjacent to it, and topographical and drainage arrangement prior to the start of development.

EXISTING MANUFACTURED HOME PARKS - A manufactured home park previously approved and granted permits by the authority of the Commonwealth of Pennsylvania and the Township and in actual operation as of the effective date of this Article. Also, the term "existing park" shall mean those lots within an approved park that are complete developed, including, but not limited to, the completed construction of all roads, drainage facilities and other amenities required by the permit or applicable ordinances(s), with all utilities installed and available for immediate use or occupancy as manufactured home sites as of the effective date of this Article, or parks for which plans have been previously submitted to the Township and approved by all appropriate governmental agencies prior to adoption of this Article.

FACILITY OWNER - The entity of entities having an equity interest in the facility, including their respective successors or assigns.

FACILITY OWNER - The entity or entities having an equity interest in the Wind Energy Facility or any other facility, including their respective successors and assigns.

FAMILY - An individual or two (2) or more persons related by blood, marriage, adoption or foster placement.

FILL - Earth, sand, gravel, rock or any other material that is placed, pushed, dumped, pulled, transported or moved to a new location above the original surface of the ground or on top of a stripped surface and shall include the conditions resulting there from. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

FLOODPLAIN - A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source, as identified by the Federal Emergency Management Agency (FEMA).

FORESTRY - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. (MPC)

FRONTAGE - The edge of a property abutting a public street. When a property abuts two (2) or more streets, frontage shall be considered the edge abutting the principal street to which the property has access.

GARBAGE - All wastes, including animal and vegetable offal, except sewage and body wastes.

GAS - Refers to natural gas or any constituents thereof. GLARE: The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GLARE - The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GOVERNING BODY - The Board of Supervisors of Clearfield Township.

GRADING - The process of mechanically changing the original earth surface to accommodate new construction.

GRADING PLAN - A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities, described by materials, grades, contours and topography.

GROSS SITE ACREAGE - The total area contained within the perimeter boundaries of the tract of parcel. Area of each parcel of land to be sold to the nearest square foot or one hundredth of an acre.

HAZARD MITIGATION PLAN - Clearfield Township's adopted and approved mitigation plan as developed under 44 CFR Part 201, or most current guidelines, as amended from time to time.

HEALTH AUTHORITY - The legally designated health regulatory authority of the Commonwealth of Pennsylvania or Butler County.

HIGHWAY OCCUPANCY PERMIT - Authorization issued by Penn DOT allowing a property owner specific access to a State maintained highway, and required before a building permit for development of the property may be issued.

HOMEOWNER'S ASSOCIATION - An organization to which owners of all properties sold within a plan are required to belong, when common open space, community utility systems, driveways and parking areas, and/or recreation areas and facilities are a part of the approved plan. The association, whose by-laws are subject to approval by the Township Solicitor, is charged with the maintenance of all commonly held lands and improvements as well as legal, insurance and auditing expenses, and has the power to assess all the owners equally for its expenses on an annual basis.

HYDRIC SOILS - Soils saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper soil profile.

HUB HEIGHT - The distance measured from the surface of a wind energy foundation surface to the height of the wind turbine hub, to which the blade is attached.

IMPERVIOUS SURFACE - Any building, roof or paved surface that does not permit the passage of storm water into the ground below.

IMPROVEMENTS - Physical man-made changes to a property needed to prepare the property to receive the used proposes for it.

IMPROVEMENT BOND - A guarantee, backed by the developer's collateral held in escrow, that improvements agreed upon as a condition of final plan approval will be carried out as specified and as required by these regulations.

LAND DEVELOPMENT - Any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

   i. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

   ii. The division or allocation of lane or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of developing streets, common areas, leaseholds, condominiums, building groups or other features;

2. A subdivision of land.

3. Development in accordance with Section 503(1.1) of the MPC.

LANDOWNER - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition) or a lessee if he is authorized under the lease to exercise the rights of the landowner.

LAND, SUBJECT TO FLOODING - Land that lies within the one hundred (100) year flood plain as shown on the Township's flood hazard boundary maps prepared by the Federal Insurance Administration.

LANDSCAPING - The combination of natural materials and earth grading that create a setting for a land development. Such materials shall be provided and permanently maintained by the land developer, who may use materials already present on his site, and may include evergreen and deciduous trees, shrubbery, ground cover, grass and/or stone surfaces. Landscaping may be used to screen or buffer adjacent residential property from business premises and may include fencing or constructive walls.

LOT - A designated parcel, tract or area of land established by a plot or otherwise permitted by law, and to be used, developed or built upon as a unit. A buildable lot is one whose area, width, shape and/or topography make it suitable to develop in accordance with this ordinance. A non-buildable lot is one that is being severed from one parcel of land to be attached to an abutting parcel when the intent is not to create a lot for separate sale and development.

LOT LINE - Any of the boundaries of a lot or other parcel of land described on the lot's deed by bearings and distances.

LINE, SETBACK - A line generally parallel to a lot line, at a distance from the lot line in accordance with the yard, perimeter or setback requirements of this ordinance.

LOT AREA - The total horizontal ground area of a lot expressed in acres or square feet and computed exclusive of any portion of the right-of-way of any public or private thoroughfare, street, road, alley or easement of access of use; but including any easement for essential service.

LOT DEPTH - The mean horizontal distance between the front and rear lines of a lot.

LOT, DOUBLE FRONTAGE - A lot which abuts streets in both the front, rear and/or side yards.

LOT, FLAG - A lot not fronting on a public roadway for which access is provided to the public roadway by means of a narrow strip of land.

LOT LINE REVISION - A subdivision plan in which existing property lines are moved, relocated or removed and in which a new lot may or may not be created.

LOT, REVERSE FRONTAGE - A lot extending between and having frontage on an arterial street and a local access street, and with vehicular access solely from the latter.

LOT WIDTH - The mean horizontal distance between the side lot lines measured at its widest and narrowest points.

MANEUVERING LANE - Similar to an access lane, but the part of a parking area that permits vehicles to position themselves to enter and leave individual parking spaces.

MAINTENANCE BOND - A guarantee, backed by the developer's collateral held in escrow, that improvements, upon completion to the Township's satisfaction, will be maintained for a stipulated time period at no Township expenses at duration as set by the Township as determined by industry standards.is

MINERAL EXTRACTION - the removal of any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracitic and bituminous coal, coal refuse, peat and crude oil and natural gas.

MANUFACTURED HOME- A transportable, single-family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designated to be joined into one (1) integral unit capable of again being separated for repeated towing, which arises at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MODULAR HOME and/or DOUBLE WIDE - A manufactured home consisting of two (2) sections connected horizontally at the site that retain their individual chassis for possible future movement.

MODULAR HOME, EXPANDABLE - A manufactured home with one (1) or more room sections that fold, collapse or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

MANUFACTURED LOT - A parcel of land in a manufactured home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single manufactured home.

MANUFACTURED HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more manufactured home lots for the placement thereon of manufactured home.

MANUFACTURED HOME PLAT - The plan layout for a manufactured home park, whether preliminary or final.

MANUFACTURED STAND OR PAD - That part of an individual manufactured home space that has been reserved for the placement of a manufactured home including, but not limited to, any structure on or appurtenant to a manufactured home space that provides utility service connections for a manufactured home.

MODULAR OR MANUFACTURED UNIT - A factory fabricated transportable building unit designed to be used by itself or to be incorporated with similar units into a modular structure at a permanent building site to be used for residential, commercial, educational or industrial purposes.

MODIFICATION - A grant by the Board of Supervisors upon recommendation of the Township Planning Commission allowing a developer to deviate from the regulation normally in force on his property because unusual conditions not created by the developer are present making development extremely difficult, and the deviation if permitted will not downgrade the neighborhood and will be the minimum affording him relief.

MODULE - A proposal to provide sewage disposal for a property, a development plan or a subdivision when such proposal involves a private, public or community sewer system.

MONUMENT - A permanent precise indication, established by a registered surveyor, of points at changes of direction in the boundary of a subdivision or development plan, or at points of change of direction in street right-of-ways within or on the boundary of the plan.

MULTI-FAMILY DWELLING BUILDING - A building containing three (3) or more apartments (dwelling units), whether such apartments each have direct access to the outside at grade (attached dwellings) or have access to interior common hallways and stairs to the outside (an apartment building.)

NET SITE ACREAGE - The total area contained within the perimeter boundaries of the tract or parcel, minus the land required for street right-of-ways, off-street parking areas, retention ponds and service buildings.

NON-PARTICIPATING LANDOWNER - Any landowner except those on whose property all or a portion of a Wind Energy Facility is located pursuant to an agreement with the Facility Owner or Operator.

NUCLEAR - Relating to the nucleus of an atomic nucleus or a cell used in or produced by a nuclear reaction such as fission.

OCCUPIED BUILDING - A taxable structure, residence, school, hospital, church, public library or other building used for public gathering that is occupied or in use when the permit application is submitted.

OFF-SITE SERVICES - Systems that convey sewage for treatment off the property on which the sewage for treatment off the property on which the sewage is created, or provide potable water from a source off the property.

OFF-STREET PARKING - Accommodation not within a public street for storage and maneuvering of motor vehicles.

OIL AND GAS DEVELOPMENT - The removal, exploration, investigation, development or transportation of oil and natural gas resources and related compounds for sale or other commercial purposes, including the structures and necessary equipment to accomplish the removal, and specifically includes Oil and Gas Drill Sites and Oil and Gas Processing Facilities.

OIL AND GAS DRILL SITE - The oil and gas drill site shall consist of the area occupied by the facilities, structures, and equipment necessary for or incidental to the drilling or operation of an oil or gas well excluding compressor stations, oil and gas metering stations/above ground gathering facilities and processing facilities.

OIL AND GAS METERING STATIONS/ABOVE GROUND GATHERING FACILITIES - A system used to measure all oil and/or natural gas entering or exiting the pipeline system to provide accurate and continuous gas measurements and/or regulate gas pressure and delivery volumes.

OIL AND GAS PROCESSING FACILITY - A facility that receives oil and/or natural gas and associated hydrocarbons from a truck, railway car, or pipeline system serving one or more wells, which processes, compresses, condenses, pressurizes, separates, deals with Dew Point Control or gas quality related issues or otherwise treats oil and/or natural gas making it suitable for, among other things, pipeline transmission, or which removes and separates or adds other materials, products, and impurities to or from the oil or gas, and which may or may not include compressor stations, cooling facilities, storage tanks and related equipment and facilities.

ON-SITE SEWAGE DISPOSAL OR WATER SUPPLY - An independent utility system designed to accommodate only the property on which it is located.

OPERATOR - A person, partnership, company, corporation, or entity including its subcontractors and agents who are responsible for the day-to-day operation and maintenance of a facility.

OWNER OF RECORD - The individual or corporation whose name appears on the records of the County Recorder of Deeds as the current owner of a property.

PARCEL - A portion of land surface in one ownership surrounded by a boundary line that closes on itself; may also be called a tract or lot.

PARENT TRACT - The entire original property from which a subdivision is or was created.

PARKING AREA - The portion of a lot or parcel set aside for motor vehicle storage in a multi-family, public, semi-public, commercial or industrial development.

PARKING SPACE - The location in a parking area laid out for storage of one (1) motor vehicle.

PARTY-WALL - A common wall separating two residential or two non-residential units.

PENNDOT - The Pennsylvania Department of Transportation.

PERMIT - Includes written approvals, in whatever form as issued by the appropriate State regulatory agency and/or the Township Board of Supervisors.

PERSONS - Any individual, firm, trust, partnership, public or private association or corporation or other entity.

PIN - A permanent indication, established by a registered surveyor, of points at the corners of lots in a subdivision plan or at points of changes of direction along lot lines.

PLANNING COMMISSION - The Planning Commission of the Township of Clearfield.

POLITICAL SIGN - A sign which displays or identifies an individual, individuals, slate of candidates, or political party standing or running for election in a primary or general election event for a federal, state, county, or local municipal office, and/or sign supporting, opposing, or commenting upon a referendum issue placed upon the ballot for consideration by the general voting public in either a primary or general election.

PRELIMINARY PLAN - The documentation presented by a developer to the Township in support of a subdivision or land development plan for preliminary consideration under the terms of these regulations.

PRESERVATION OR PROTECTION - When used in connection with natural or historic resources, shall include a means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources. (MPC).

PRINCIPAL SOLAR ENERGY SYSTEM - An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

PRIME AGRICULTURAL LAND - Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey. (MPC)

PRIVATE LANE - A privately-owned roadway permitted by this Ordinance to serve a maximum of four (4) lots and provide access for said lots to a public street.

PRIVATE STREET - A street, including the entire right-of-way which is privately owned and maintained by a single party or through private agreement.

PRIVATE ROAD - A vehicular access to a property as an easement over the land from which the property was subdivided, approved in accordance with the requirements of this Ordinance.

PROPERTY OWNER - See "landowner."

PROTECTED USE OR PROTECTED STRUCTURES - Any habitable structure, public buildings, healthcare facilities, camps, public parks, buildings for community recreation services, private or public education, spectator entertainment or sports, exhibition and convention facilities, major health services, religious assemblies, or facilities used for public gatherings and/or any taxable structures. This term shall not include a structure:

1. Owned by a grantor or lessor who has signed an agreement granting surface rights to drill a well and/or erect and maintain an oil & gas compressor station, oil and gas metering stations/above ground gathering facilities, pipelines and processing facilities.
2. Whose owner (or occupants) has (have) signed a waiver relieving the Operator(s)from implementation of the measures established in this Ordinance.

PUBLIC BUILDING - Any building or habitable structure used or designed to and intended to be used for gathering purposes such as deliberation, entertainment, amusement, or health care. Public buildings include, but shall not be limited to, schools, theaters, assembly halls, auditoriums, mortuary chapels, dance halls, exhibition halls, office buildings, government use facilities, gymnasiums, libraries, restaurants, stores, and healthcare facilities.

PUBLIC IMPROVEMENTS - All streets, lanes, driveways, parking, sidewalks, curbs, water and sanitary sewer systems, stormwater management facilities, landscaping, and other facilities required by this Ordinance to be installed for a subdivision or land development.

PUBLIC HEARING - An advertised meeting called by a Township elected or appointed body and open to the public at which testimony is gathered on a proposal for development or a revision to these or other development regulations in order to assist the Township in reaching a decision of approval or disapproval of the proposal or revision.

PUBLIC NOTICE - A notice published in accordance with the 2nd Class Township Code

PUBLIC SEWER AND WATER SYSTEM - A system operated by a public authority or authorities appointed by the Township or group of municipalities served by the system, with power to issue revenue bonds, construct such systems, and operate them, as well as extensions built by others but dedicated to the authority to operate.

PUBLIC STREET/ROAD - A street including the entire right-of-way dedicated for public vehicular use which has been accepted for maintenance by the municipality or the Commonwealth of Pennsylvania.

RATE OF RUNOFF - The number of cubic feet of water that passes a given point during one (1) second within a swale, drainage-way or stream.

RADIOLOGICAL- of or relating to radiology relating to nuclear radiation.

RECORDING - The act of registering with the County Recorder of Deeds a subdivision or land development plan which has received final approval by the Township.

RECORDING DOCUMENTS - The final approved plan and any restrictive covenants that are recorded by the developer after which he may commence development, but only in compliance with such recorded plan.

RECREATION AREA

ACTIVE - those areas designated, developed and equipped for such organized activities including, but not limited to, swimming, basketball, volleyball, tennis, handball, badminton, baseball, football, soccer, children's play areas and similar endeavors.

PASSIVE - those functional areas left in a natural state or landscaped for walking, sitting, nature study and other passive uses.

RECREATIONAL VEHICLE - A vehicle with or without motor power that may be towed on the public highways without a special hauling permit, or maybe driven under its own power and is designed for human occupancy under transient circumstances such as camping, travel or other recreation, sometimes variously known as a "travel trailer."

RECREATIONAL VEHICLE PARK OR CAMPGROUND - A land development that is designed, constructed or used to accommodate two (2) or more self-propelled or towed vehicles that contain sleeping, cooking and/or bathroom facilities for temporary occupancy, plus support services, including but not limited to laundry, waste disposal, recreation and retail sales for campground customers, but not including sales and servicing of recreational vehicles.

REDIVISION - The rearranging of property lines or the combining of several properties into one or more new properties.

RENTABLE SPACE - All the enclosed space in a building that is subject to the payment of rent to the landowner by individual renters as well as commonly used areas and facilities in the building available to, and to the benefit of, the individual renter.

RESIDUAL WASTE - Garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining, drilling or agricultural operations and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous.

RESTRICTIVE COVENANT - A recorded private agreement legally binding successor owners of a property to certain conditions regarding use of the property stipulated by the original owner, such stipulations being more restrictive that these or other Township or State regulations, and enforceable for a set number of years after recording.

REVERSE FRONTAGE LOT - A lot that abuts a public highway but whose access is to a second road which also abuts the lot.

REVIEW PERIOD - The time frame extending from the day of filing a plan, whether preliminary or final, until the plan has been finally approved or rejected or approved with conditions applied by the Township that are acceptable to the landowner.

RIGHT-OF-WAY - Land dedicated or reserved and shown on a subdivision or land development plan for use as a public or private street, private drive, alley or crosswalk, which may also be used by sewer, water, storm sewer, electric, gas, telephone, cable system(s) or other special use. The right-of-way includes the entire area reserved or dedicated for the intended use.

RUNOFF - The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SANITARY SEWER CONNECTION - The sanitary sewer connection shall consist of all pipes, fittings, and appurtenances from the drain outlet of structure or building to the inlet of the corresponding sewer riser pipe.

SANITARY SEWER RISER PIPE - The sanitary sewer pipe is that portion of the sewer lateral which extends vertically to the ground elevation and terminates at the structure or building.

SECTIONAL HOME - A dwelling made of two (2) or more modular units factory fabricated and transported to a permanent home site where they are put on a foundation or pad and joined to make a single house.

SEDIMENTATION - The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited, or remains suspended in water, it is usually referred to as "sediment."

SENSITIVE RECEPTORES - Buildings or structures occupied for any of the following uses: residential uses, schools, preschools, daycare centers (adult or child), long term care facilities, retirement and nursing homes, community centers, places of worship, parks with active recreation improvements (excluding trails), campgrounds and dormitories.

SERVICE OR RECREATIONAL BUILDING - A structure housing operational, office, recreational, park maintenance and other supplemental permitted facilities built to conform to required Township standards for location and use.

SETBACK LINE - A line describing the boundary of the area on a property within which construction can occur, the line being parallel with the property boundaries and set back from them a distance prescribed by these regulations.

SEWAGE DISPOSAL - The process of collecting and treating waste water, with on-lot disposal filtering water through soil layers to be cleansed before entering the water table, and treatment plants employing chemicals and mechanical processes to neutralize the water before allowing it to enter a stream.

SEWAGE ENFORCEMENT OFFICER - An individual appointed by the Township and certified by the Commonwealth who is charged with enforcing the regulations of the Department of Environmental Protection within the Township relative to individual on lot and community sewage disposal systems.

SIGHT DISTANCE - The extent of unobstructed vision, in a horizontal or vertical plane, along a street.

SOLAR EASEMENT - A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR ENERGY - Radiant energy (direct, diffuse and/or reflective) received from the sun.

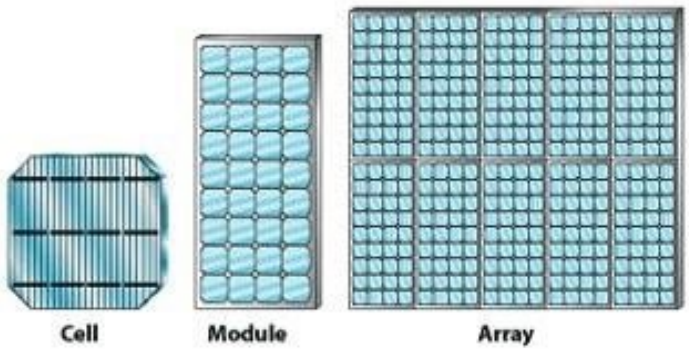
SOLAR PANEL - That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR RELATED EQUIPMENT - Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

1. SOLAR ARRAY: A grouping of multiple solar modules with purpose of harvesting solar energy.

2. SOLAR CELL: The smallest basic solar electric device which generates electricity when exposed to light.

3. SOLAR MODULE: A grouping of solar cells with the purpose of harvesting solar energy.



STORM DRAINAGE SYSTEM - An arrangement of swales, conduits, underground pipes and/or impoundment basins designed to collect storm water, control its flow and direct it to a stream or established drainageway.

STORM WATER MANAGEMENT - The process of controlling storm water run-off from paved or covered surfaces to prevent the rapid release of large volumes of water at high velocity that would damage lower properties through flashflooding, erosion or sediment deposition.

SUBDIVISION - The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SURVEYOR - An individual who is registered to practice land surveying in the Commonwealth of Pennsylvania.

SWALE - A continuous depression across the land surface that carries storm water from higher to lower elevations and eventually to a storm pipe or stream.

TOE OF SLOPE - The toe is the transitional area between the lower edge of a graded sloped surface and the adjacent horizontal ground.

TOPSOIL - Natural materials on the ground surface prior to any grading, including decomposing residue of plant debris supportive of plant germination, usually at least one (1) foot in depth.

TRACT - See PARCEL.

TRAFFIC IMPACT MITIGATION - An assessment of traffic generated by a new or expanded development plan, and specific remedies to minimize congestion and maximize safety on the roads that provide access to the development.

TOWNSHIP - Refers to the Clearfield Township Board of Supervisor(s) or assigned representative(s) thereof

TURBINE HEIGHT -The distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane.

USE - The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

WATER CONNECTION - the water connection consists of all pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system.

WATER IMPOUNDMENT, FRESH - A lined depression, excavation, pit, or facility situated in or upon the ground, whether natural or artificial used to store fresh water.

WATER IMPOUNDMENT, WASTE- A lined depression, excavation, pit, or facility situated in or upon the ground, whether natural or artificial used to store wastewater including but not limited to brine, fracturing fluid or residual waste.

WATER SERVICE PIPE - The water service pipe consists of all pipes, fittings, valves and appurtenances from the water main.

WATER SUPPLY - The source of a potable supply and, if a public or community system the means of treating, storing and distributing the potable supply. Water supply implies an adequate, continuing supply at sufficient pressure to all present and expected future customers.

WETLAND - Any ground area meeting the criteria of appropriate state or federal agencies to be a wetland.

WIND ENERGY FACILITY - An electric generating facility, whose main purpose is to supply electricity, consisting of one or more Wind Turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

WIND TURBINE - A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformer, if any.

YARD - The area of a lot between the property line and the parallel adjacent setback line within which buildings or any part of them cannot be placed.

ARTICLE III
ADMINISTRATION

Section 301 Responsibility and Liability

The provisions of this Ordinance are designed to establish standards which, when consistently enforced, will achieve the purposes cited in Section 102 of this Ordinance. The degree of protection sought by the conditions and requirements of this Ordinance for the present and future residents and landowners within Clearfield Township is considered reasonable for regulatory purposes. This Ordinance in no way implies that compliance with the minimum requirements for subdivisions, land developments, manufactured home parks and recreational vehicle parks will render such subdivisions, land developments or manufactured home/recreational vehicle parks free from inconveniences, conflicts, dangers, and damages. Therefore, this Ordinance shall not create liability on the part of the individual members of the Clearfield Township Planning Commission or board of supervisors, or any officer, official, appointee or employee of Clearfield Township or the Clearfield Township Planning Commission for any damages that may result from reliance on this Ordinance, or any administrative decision lawfully made thereunder.

Section 302 General Administration

This Ordinance shall be administered by the Clearfield Township Planning Commission whose powers and duties are specified herein. The Clearfield Township Planning Commission shall be the point of contact for communications and receipt of applications and plans under this Ordinance, and for ensuring orderly and expeditious processing of subdivision and land development applications and plans.

Section 303 Interpretation of Ordinance

When interpreting and applying the Clearfield Township Subdivision and Land Development Ordinance, the provisions contained herein shall be considered the minimum requirements necessary for the promotion of health, safety and general welfare of the public.

Section 304 Conflict

304.1 Where any requirement, provision or standard of the Clearfield Township Subdivision and Land Development Ordinance conflicts with any other ordinance, rule or regulation or other provision of law, of the municipality in which the land proposed for subdivision or land development is located, or Butler County, the Commonwealth of Pennsylvania or Federal statutes, then the most restrictive provision or that provision imposing the highest standards shall govern.

304.2 Where any requirement of the Clearfield Township Subdivision and Land Development Ordinance conflicts with the provisions of deed restrictions, covenants, or other agreements, or with restrictive covenants running with the land to which Clearfield Township is a party, then the most restrictive requirement, or that requirement imposing the highest standard shall govern. In the case of private deed restrictions or covenants where Clearfield Township is not a party to such agreements or provisions, the enforcement of such restrictions or covenants shall be the responsibility of the private parties.

Section 305 Modifications and Waivers to Ordinance (Variance)

305.1 The Clearfield Township Planning Commission may recommend a modification or a waiver of one or more of the requirements, criteria or standards contained in this Ordinance for the following reasons, provided that such modification or waiver will not be contrary to the public interest or the purposes (Section 102) of this Ordinance:

305.1.1 Hardship: The literal enforcement of one or more requirements in this Ordinance will cause undue hardship because of peculiar conditions pertaining to the land in question and the modification or waiver is the minimum necessary to afford relief. Financial hardship is not and will not be considered a hardship. The burden of the proof of hardship lies solely on the applicant and must be demonstrated to the satisfaction of the Clearfield Township Planning Commission before a modification or waiver due to hardship is; or

305.1.2 Alternative: An alternative standard can be demonstrated to the satisfaction of the Clearfield Township Planning Commission, with input from the County or Municipal Engineer, where required, to provide equal or better results.

305.1.3 A request for a waiver or modification shall be submitted by the applicant in writing along with the applicant's initial plan submission and shall be considered part of the plan. The request shall state in full the grounds and facts of the hardship or evidence of equal or better result on which the request is based, and the provision or provisions of this Ordinance involved, and the minimum modification necessary for remedy.

305.1.4 All variance requests of the subdivision and plans of land development submitted to the Clearfield Township Planning Commission shall be accompanied by a fee in accordance with a schedule of fees established and adopted by resolution of the Clearfield Township Board of Supervisors.

305.1.5 All decisions on modifications and waivers requested for any type of plan, subdivision or land development, major or minor, shall be rendered by the Clearfield Township Planning Commission to the Clearfield Township Supervisors.

305.2 Clearfield Township shall keep a written record of all actions on requests for modifications or waivers.

Section 306 Amendments to Ordinance

306.1 The Clearfield Township Board of Supervisors may amend this Ordinance by appropriate action taken in accordance with the Municipalities Planning Code.

306.2 The amendment, upon enactment, may be incorporated into the official Clearfield Township Subdivision and Land Development Ordinance by reference or insertion into the existing text with the same force and effect as if duly recorded therein.

Section 307 Recordkeeping

Clearfield Township shall maintain a public record of all applications and plans submitted under this Ordinance along with correspondence, findings, recommendations, and actions related thereto.

Section 308 Validity of Ordinance

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

Section 309 Fee to Accompany Application for Review and Approval of Plans

309.1 All applications of plans of subdivision and plans of land development submitted to the Clearfield Township Planning Commission shall be accompanied by an application fee in accordance with a schedule of fees established and adopted by resolution of the Clearfield Township Board of Supervisors.

309.2 Fees may include necessary and reasonable costs of reviewing applications in accordance with the PA Municipalities Planning Code.

309.3 Where a plan of subdivision or land development has for any reason been denied by the Butler County Planning Commission or Clearfield Township, a resubmission or revised submission of an application for said subdivision or land development shall be considered a new application and shall be required to pay a fee as set forth in the current Clearfield Township schedule of fees.

309.4 All fees shall be made payable to the Clearfield Township Treasurer. All fees submitted are nonrefundable, and the approval or rejection for any reason of any plan of subdivision or land development shall not be reason or cause for the return of any fee submitted.

Section 310 Enforcement

Under authority of the PA Municipalities Planning Code, Clearfield Township may institute preventive and enforcement remedies to ensure compliance with this Ordinance. Authorized remedies and associated requirements and procedures shall be as prescribed by the PA Municipalities Planning Code.

Any person, firm, or corporation who shall violate any provision of this article, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this article continues or each section of this article which shall be found to have been violated shall constitute a separate offense.

ARTICLE IV
PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS

Section 401 Types of Subdivisions and Land Developments

The Clearfield Township Subdivision and Land Development Ordinance establishes Minor Subdivisions, Major Subdivisions, and Land Developments, including Manufactured Home Parks and Recreational Vehicle Parks, and sets forth herein review and approval procedures for each.

401.1 Minor Subdivision: A Minor Subdivision shall be a subdivision as defined by this Ordinance which includes creation of any number of lots or other divisions of land, or which includes lot line revisions, and which does not involve installation of public improvements regulated by this Ordinance.

401.1.1 A Minor Subdivision Final Plan shall be required for a Minor Subdivision.

401.1.2 An application for Minor Subdivision Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 501 for a Minor Subdivision Plan.

401.2 Major Subdivision: A Major Subdivision shall be any subdivision as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance.

401.2.1 A Major Subdivision Final Plan shall be required for a Major Subdivision.

401.2.2 Applications for Major Subdivision Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 502 for a Major Subdivision Plan.

401.3 Land Development No Public Improvements: A Land Development as defined by this Ordinance which does not involve installation of public improvements regulated by this Ordinance shall meet the following application requirements:

401.3.1 A Minor Subdivision Final Plan shall be required.

401.4 Land Development with Public Improvements: A Land Development as defined by this Ordinance which involves installation of public improvements regulated by this Ordinance, including any Manufactured Home Park or Recreational Vehicle Park, shall meet the following application requirements:

401.4.1 An application for a Major Subdivision Final Plan approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 502 for a Major Subdivision Development with Public Improvements: Applications for final approval shall contain plan drawings and be accompanied by required information and documentation as specified in Section 502 for a Major Subdivision Final.

Section 402 Pre-Application Conference

402.1 A prospective applicant or the Clearfield Township Planning Commission may request a pre-application conference for the purposes of providing an early exchange of information, promoting a mutual understanding of the character of a development and the applicable

regulations of this Ordinance, and expediting the application and review process. At the mutual consent of the parties, the prospective applicant may meet with the Clearfield Township Planning Commission.

402.2 At the pre-application conference, the prospective applicant may present a sketch plan of the proposed subdivision plus information and other maps showing land characteristics, the number and sizes of lots, proposed public improvements, and other information about elements of the proposed subdivision or land development.

402.3 The preparation of or discussion at a pre-application conference of a sketch plan or other maps or renderings does NOT constitute a filing of either a Preliminary or Final Plan. Pre-application conference discussions are advisory only and shall not bind Clearfield Township to commence a formal review or to approve any proposed plan.

Section 403 Subdivision and Land Development Review Procedures

403.1 Applications for Preliminary Plans and Final Plans shall be submitted to the Clearfield Township Planning Commission. Submission shall be accompanied by payment of the required application fee.

403.2 The Planning Commission shall review and render a decision of approval or denial of the application at their monthly scheduled meetings. The Planning Commission will attempt to review within fifteen (15) days of receipt of the application to recommend changes ahead of their regularly scheduled meetings. An application shall not be accepted as filed until it is found by the Planning Commission to be complete including all plans, information, and the application fee required by this Ordinance. All plans must be submitted fifteen (15) days prior to Planning Commission meeting.

403.3 The Planning Commission shall review the application for compliance with the requirements, standards, and criteria of this Ordinance, and provide a report of compliance to the Clearfield Township Supervisors noting any elements of the proposed subdivision or land development that do not comply with this Ordinance.

Section 404 Subdivision and Land Development Decision

404.1 The Butler County and Clearfield Township Planning Commissions shall render a recommendation to the Clearfield Township Board of Supervisors which shall have authority to render decisions for Subdivisions and Land Developments.

404.2 The Butler County and Clearfield Township Planning Commissions shall render a recommendation to the Clearfield Township Board of Supervisors which shall consider action on applications for Preliminary Plans and Final Plans at a regular or special meeting.

404.3 The Board of Supervisors shall render one of the following decisions:

404.3.1 Approve an application which complies with the requirements, standards, and criteria of this Ordinance and for which modifications or waivers were granted by the Planning Commission where appropriate.

404.3.2 Deny an application which does not comply with the requirements, standards, and criteria of this Ordinance, and for which neither modifications nor waivers were granted by the Board of Supervisors.

404.3.3 Approve the application with conditions designed to remedy compliance deficiencies or assure compliance with this Ordinance. An approval with conditions may include modifications or waivers granted by the Board of Supervisors. Upon completion of the conditions specified for approval, the Clearfield Township Board of Supervisors will verify the specified conditions have been satisfied and the date of the completion will be the plan approval date.

404.4 The Board of Supervisors shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Board of Supervisors next following the date the application is considered filed in accordance with Section 403.2, provided that should the next regular meeting occur more than thirty (30) days following the filing of the application, the said 90-day period shall be measured from the 30th day following the date the application is considered filed.

404.5 The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to the applicant's designated representative last known address.

404.6 When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.

404.7 When the application is approved with conditions, the decision shall specify the conditions being imposed. The conditions must be accepted by the applicant in writing within fifteen (15) days of the date the decision was communicated via certified mailed to the applicant. If the applicant rejects or fails to accept the conditions, the conditional approval shall be automatically rescinded, and the application denied.

404.8 Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner specified shall be deemed an approval of the application, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

Section 405 Final Plan Requirements

405.1 A Final Plan for a major subdivision or a land development that has been previously granted Preliminary Plan approval shall conform to the approved preliminary plan and any conditions made in the approval of it.

405.2 Approval of a Final Plan shall not constitute authorization to commence construction. Prior to construction start, all necessary municipal permits, approvals, agreements, and sureties must be secured by the developer.

Section 406 Signatures and Recording

406.1 The affixing of the signatures of the Chairman of the Board of Supervisors and others as required by Article V, shall render the final plan application ready for recording.

406.2 The final approved plan with all signatures attached shall be recorded at the office of the Butler County Recorder of Deeds within ninety (90) days after the date of final approval as noted on the recording drawing, or the approval shall be declared null and void.

406.3 It shall be unlawful for anyone to make any change whatsoever to a plan after final approval and before recording.

406.4 The recording of a plan shall not constitute grounds for assessment increases until such time as lot(s) are sold and/or improvements are installed on the land.

406.5 The applicant shall provide a paper copy of the officially recorded Final Plan to the host municipality secretary for municipal files.

406.6 Whenever subdivision and land development plan approval are required by the local municipality, the Recorder of Deeds of Butler County shall not accept any subdivision or land development plan for recording unless such plan officially notes the approval of Clearfield Township and includes signatures indicating review by the Clearfield Township and Butler County Planning Commission.

406.7 The Clearfield Township Planning Commission and Supervisory Board shall affix their signatures to indicate approval of Final Plans under this Ordinance in accord with Section 406.1, and to indicate review of subdivision plans in accordance with Article IX.

ARTICLE V

PLAN REQUIREMENTS

Section 501 Minor Subdivision Final Plans – Required Content and Information

All applications for Minor Subdivision Final Plan approval submitted under the Clearfield Township Subdivision and Land Development Ordinance shall meet specifications and standards and include content and information specified on the accompanying Minor Subdivision Final Plan Checklist.

Minor Subdivision Final Plan Checklist

A Minor Subdivision Final Plan shall be submitted for all Minor Subdivisions.

Plan Title _____

Applicant Name _____

The checklist below indicates the content which must be included on the Minor Subdivision Final Plan and information which must be submitted accompanying the plan. Failure to provide required information may result in rejection of the application.		✓
A.	**Plans shall be professionally prepared according to the following specifications**	
1.	Plans shall be drawn at a scale of one-inch equals fifty feet (1"=50'). The scale may be reduced or enlarged, with concurrence of the Clearfield Township Planning Department, where practically appropriate for the size and character of the subdivision.	
2.	Plans shall be drawn on 24" x 36" tracing paper or stable dimension clear plastic material, a mylar or paper.	
3.	Plans shall be drawn with waterproof black ink, and all records, data, entries and statements thereon shall also be made with the same type of ink or reproducible typing.	
4.	All components of the application must also be submitted electronically – application form, plan sheets, and accompanying documents. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
5.	All plan sheets shall be the same size, and be numbered relative to the total number of sheets (ie., 1 of 5, etc.)	
6.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	

B.	Plans shall include the following content	
1.	Title block including:	
	a. Name of proposed subdivision including the words “Minor Subdivision Final Plan”.	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s).	
	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	
2.	North point.	
3.	Scale displayed in graphic and written form.	
4.	Vicinity map showing the proposed subdivision in relation to surrounding features including parent tract boundary, municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.	
5.	Streets and alleys serving the proposed subdivision, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, stormwater management facilities, water mains and fire hydrants, and on-lot sewage disposal systems, E& S Erosion & Sedimentation Control.	
	d. Telephone conduit line, electric power transmission lines, oil and natural gas wells and lines, and other significant manmade features.	
	e. PA One Call Serial #.	
7.	Statement requiring a maintenance agreement between and among all future property owners along any proposed private lane or private road accepting responsibility for the maintenance and upkeep of the private road and noting the fact that such statement shall be included on the deed of each parcel along such private road.	
8.	Existing deed restrictions or covenants affecting development of the tract.	

9.	Owners' names and county parcel ID numbers of abutting properties and properties across adjacent roads.	
10.	Proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. Building and yard setback lines prescribed by this Ordinance where the municipality has no zoning ordinance. (Do not include building and yard setback lines for development in municipalities that administer a zoning ordinance.)	
	c. The total area of each lot.	
	d. Number to identify each lot.	
11.	Proposed easements and right-of-ways with purposes indicated.	
12.	Primary survey control points or benchmarks and location and description of survey monuments and markers.	
13.	Proposed means of providing sanitary sewerage in accordance with this Ordinance and the Pennsylvania Sewage Facilities Act (Act 537), indicating either:	
	a. Service connection to a public sanitary sewerage system, including a letter from the operating authority indicating ability to serve.	
	b. The proposed location and type of on-lot sewage disposal facilities, including documentation of approval from the host municipality, its sewage enforcement officer, and the PA Department of Environmental Protection.	
14.	Proposed well or water source or a plan of the public water distribution system, if proposed.	
15.	The Clearfield Township Planning Commission may request the applicant to provide additional information requested in writing to the Planning Commission by the host municipality.	
16.	Certifications, seals, and signatures in accord with Article IX of this Ordinance.	
16.	Butler County review/recommendation letter.	
17.	Payment of the required application fee.	

Section 502 Major Subdivision Final Plans – Required Content and Information

All applications for Major Subdivision Final Plan approval submitted under the Clearfield Township Subdivision and Land Development Ordinance shall be submitted for all Major Subdivisions, Land Developments which involve installation of public improvements, Manufactured Home Parks, and Recreational Vehicle Parks regulated by this Ordinance, shall meet the specifications and standards and include content and information specified on the accompanying Major Subdivision Final Plan Checklist.

Major Final Plan Checklist

A Final Plan shall be submitted for all Major Subdivisions, all Land Developments, and all Manufactured Home Parks and Recreational Vehicle Parks.

Plan Title _____

Applicant Name _____

	The checklist below indicates the content which must be included on the Final Plan and information which must be submitted accompanying the plan. Failure to provide required information may result in rejection of the application.	✓
A.	**Plans shall be professionally prepared according to the following specifications**	
1.	Plans shall be drawn at a scale of one-inch equals fifty feet (1”=50’). The scale may be reduced or enlarged, with concurrence of the Clearfield Township Planning Department, where practically appropriate for the size and character of the subdivision or land development.	
2.	Plans shall be drawn on 24” x 36” tracing paper or stable dimension clear plastic material, a mylar or paper.	
3.	Plans shall be drawn with waterproof black ink, and all records, data, entries and statements thereon shall also be made with the same type of ink or reproducible typing.	
4.	All components of the application must also be submitted electronically – application form, plan sheets, and accompanying documents. The files shall be in .PDF format submitted by email or by a medium compatible with current technology.	
5.	All plan sheets shall be the same size, and be numbered relative to the total number of sheets (ie., 1 of 5, etc.)	
6.	Plans shall be drawn and surveys performed in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Surveyor, and Geologists Registration Act," and accepted surveying and civil engineering practices. Plans shall contain the signature and seal of the professional that prepared the plan.	

B.	Plans shall include the following content	
1.	Title block including:	
	a. Name of proposed subdivision including the words “Final Plan”.	
	b. Location by municipality, county, and state.	
	c. Name(s) and address(es) of the owner(s).	
	d. County parcel ID number.	
	e. Name and address of the Registered Professional that prepared the plan.	
	f. Date the plan was prepared.	
2.	North point.	
3.	Scale displayed in graphic and written form.	
4.	Vicinity map showing the proposed subdivision in relation to surrounding features including parent tract boundary, municipal boundaries, existing and proposed roads or streets, other significant developments, and major physical features.	
5.	Streets and alleys serving and adjacent to the proposed subdivision or land development, including name, right-of-way widths, and cartway widths.	
6.	Existing features on the tract, including:	
	a. Watercourses, identified FEMA floodplains, wetland areas, and other significant natural features.	
	b. Buildings and land use.	
	c. Sanitary sewers, stormwater management facilities, water mains and fire hydrants, water wells and on-lot sewage disposal systems.	
	d. Telephone conduit line, electric power transmission lines, oil and natural gas wells and lines and other significant manmade features.	
	e. PA One Call Serial #.	
7.	Contours at vertical intervals of two (2) feet for land areas with slope of ten percent (10%) or less, and at five-foot (5’) intervals for land areas with a slope of greater than ten percent (10%).	
8.	Existing property lines, easements and right-of-ways, the purpose for which the easements or right-of-ways have been established, and the Butler County recorded instrument number for recorded easements.	
9.	Statement requiring a maintenance agreement between and among all future property owners along any proposed private road accepting responsibility for the maintenance and upkeep of the	

	private road and noting the fact that such statement shall be included on the deed of each parcel along such private road.	
10.	Existing deed restrictions or covenants affecting development of the tract.	
11.	Owners' names and county parcel ID numbers of abutting properties and properties across adjacent roads.	
12.	For proposed subdivisions, proposed lots, including:	
	a. Lot boundaries with distances displayed in feet and decimal parts thereof, and bearings displayed in degrees, minutes, and seconds.	
	b. Building and yard setback lines prescribed by this Ordinance where the municipality has no zoning ordinance. (Do not include building and yard setback lines for development in municipalities that administer a zoning ordinance.)	
	c. The total area of each lot.	
	d. Number to identify each lot.	
13.	For proposed land developments:	
	a. Proposed buildings and structures including location and configuration, ground level floor area, total floor area, number of stories, height, proposed use, and number and types of dwelling units.	
	b. For manufactured home parks and recreational vehicle parks, proposed layout of manufactured home lots and recreational vehicle lots.	
	c. Points of access from adjacent streets or roads, internal driveways and circulation pattern, and parking and loading areas with spaces shown and number of spaces indicated.	
	d. Walkways and pedestrian circulation.	
	e. Service and waste/recycling storage and disposal areas.	
	f. Landscape plan.	
	g. Outdoor lighting plan.	
14.	Proposed easements and right-of-ways with purposes indicated.	
15.	Proposed streets and alleys with names and including:	
	a. Location and width of right-of-ways.	
	b. Location and width of cartways.	
	c. Location and width of sidewalks.	

16.	Boundary lines of proposed street and alley right-of-ways, easements, and other right-of-ways showing accurate dimensions, bearings, deflection angles, radii, arcs, and central angles of all curves.	
17.	Primary survey control points or benchmarks and location and description of survey monuments and markers.	
18.	Proposed means of providing sanitary sewerage in accordance with this Ordinance and the Pennsylvania Sewage Facilities Act (Act 537), indicating either:	
	a. Service connection to a public sanitary sewerage system, including a letter from the operating authority indicating ability to serve.	
	b. The proposed location and type of on-lot sewage disposal facilities, including documentation of Act 537 planning approval.	
19.	Proposed well or water source, or a plan of the public water distribution system, if proposed, including a letter from the operating authority indicating ability to serve where connection to an existing system is proposed.	
20.	A plan for stormwater and stormwater retention facilities to be provided to meet requirements of the applicable municipal stormwater management ordinance.	
21.	Reservations of ground for public or common use.	
22.	The Clearfield Township Planning Commission may request the applicant to provide additional information requested in writing to the Planning Commission, including but not limited to a Traffic Impact Mitigation Plan and/or Developer Agreement to be recorded at the Recorder of Deeds office.	
23.	Certifications, seals, and signatures in accord with Article IX of this Ordinance.	
24.	Butler County review/recommendation letter.	
25.	Payment of the required application fee.	
26.	Where the preliminary plan covers only a part of the applicant's entire holding and the applicant has intentions for further development, a sketch shall be submitted of the prospective development of the remainder of the land.	
27.	If the applicant intends to undertake and complete proposed public improvements required by this Ordinance after preliminary plan approval and prior to final plan submission, the applicant shall submit engineering and construction information required by Section C of the Major Subdivision Final Plan Checklist.	

C.	Plans shall include the following construction drawings in sufficient detail for proposed improvements required by this Ordinance	
1.	Plan and profile sheets for all streets with horizontal and vertical alignments and existing centerline profiles along with the location and size of storm sewers inlets, and invert elevations.	
2.	Typical cross-sections of roadways and sidewalks.	
3.	A plan showing the size and material of water pipes and location of valves and fire hydrants.	
4.	A plan showing the location of manholes, invert elevations, grades and sizes of sanitary sewers	
5.	A final grading plan showing proposed contours at vertical intervals of two feet (2').	
6.	A sedimentation and erosion control plan approved by the Butler County Conservation District.	

ARTICLE VI

DESIGN STANTARDS

Section 601 Application of Standards

601.1 The following minimum design standards and requirements shall be applied by the Clearfield Township Planning Commission in evaluating plans for proposed subdivisions and land developments.

601.2 Clearfield Township reserves the right to require standards in excess of the minimum requirements if warranted to protect the health, safety, and welfare of the community.

Section 602 General Requirements

602.1 Land which is unsuitable for development because of hazard(s) to life, health, safety and/or property shall not be subdivided and/or developed until such hazard(s) have been eliminated or unless adequate safeguards against such hazards are provided for in the development plan. Such hazards may include but are not limited to land subject to flooding, subsidence, unstable surface conditions, slope greater than sixteen percent (16%), landslide, known pollution or contamination with threatening substances as determined by the U.S. Environmental Protection Agency, or other hazards identified in the Clearfield Township Hazard Mitigation Plan.

602.2 Subdivisions and land developments shall be designed to avoid excessive movement of earth and excessive disturbance of natural features, vegetation, waterways, historic sites, and other community assets and landmarks. Where documented environmentally significant vegetated or other natural areas exist, the subdivision or land development shall minimize disturbance of the vegetation and natural conditions.

602.3 Subdivisions and land developments shall be designed to be harmonious with existing nearby neighborhoods and the community as a whole.

602.4 Subdivisions and land developments shall be done in a manner that will not bar adjacent property owners from access to public streets and/or private right-of-ways or access easements or otherwise preclude the development of surrounding land areas. All easements are to have a minimum forty (40) foot building setback.

Section 603 Lot Requirements

The following general provisions shall apply to all proposed lots:

603.1 Lots shall comply with the size requirements specified herein and be generally sufficient in size and shape to accommodate the proposed development or use. Lots that contain non-buildable or constrained lands, such as utility lines, water bodies, wetlands, floodplains, or steep slopes, shall be made large enough to provide suitable area for the intended use of the lot without encroaching on the non-buildable or constrained lands.

603.2 Every lot in a subdivision shall abut an existing street, a street proposed in the same subdivision plan proposing the lot, or a proposed private lane, as provided for in Section 606. Lots may be developed abutting private lanes in existence prior to the enactment of this Ordinance provided

the private lane meets the specifications of this Ordinance and the total number of existing and proposed lots served by the private lane does not exceed the maximum permitted by this Ordinance.

603.3 Flag lots as defined by this Ordinance are permitted, provided the main body of the lot – the "flag" - shall meet the lot area and yard requirements of Section 604, and provided the access strip - the "pole" - shall meet the following requirements.

603.3.1 The access strip shall be a fee-simple part of the flag lot, and shall not be a separate parcel, right-of-way, or easement, and shall not be used for any purpose other than the location of an access driveway and/or utility easement.

603.3.2 The access strip shall connect directly to an existing street, or a street proposed in the same subdivision plan proposing the flag lot.

603.3.3 The access strip shall have a minimum width of fifty (50) feet where the main body of the flag lot is two (2) acres in size and a minimum width of fifty (50) feet where the main body of the flag lot is over two (2) acres in size.

603.4 A proposed lot not meeting the minimum lot requirements of this section and intended to be conveyed and adjoined to an adjacent property is permitted, provided the following note shall be placed on the plan: *Lot #___ is not a separate building lot and is to be conveyed and become part of adjoining land of (name of landowner)*. Both the lot created in effect by combination with an adjoiner and the remnant lot shall comply with applicable lot area requirements.

Section 604 Lot Area and Yard Requirements

Proposed subdivision lots and land developments shall comply with the area, width, yard, and setback requirements the following provisions shall apply.

604.1 Minimum lot area and setback dimensions shall be measured from right-of-way lines where lots abut a street or private lane. No lot area or setback dimensions shall be computed including land located within a street or private lane right-of-way.

604.2 The frontage width of lots abutting a cul-de-sac shall be determined as the width at the building line.

604.3 In order to provide sufficient light, air, access and an orderly design, all lots and land developments proposed shall meet the criteria outlined in the following Table:

TABLE OF LOT AREA AND YARD REQUIREMENTS SECOND CLASS TOWNSHIPS WITH NO ZONING ORDINANCE					
	Minimum Lot Area	Minimum Lot Width at Building Line	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback
Single Family Dwellings with On-Lot Sewage	87,120 sq. ft. 2 acres	100 ft	40 ft	20 ft	20 ft
Multiple Family Dwelling with on-lot sewage	43,560 sq. ft. (1 acre) per DU plus 3,630 sq. ft. per DU after the fourth DU	100 ft	40 ft	20ft	20 ft
Other Land Development Types (except as otherwise specified herein)	2 acres	100 ft	40 ft	20 ft	20 ft
Existing parcel under 2 acres	Sewage-Primary site and Alternate site are to meet DEP rules and regulations. Must meet all minimum building and setbacks as defined in this table. Township reserves the right to deny testing if dwellings reach a certain point. If parcel is to re-subdivided or lot line revision, parcel must meet the 2-acre minimum requirement.				
Recreational Vehicle Parks	10 acres	As specified in Article VI			
Manufactured Home Parks	10 acres	As specified in Article VIII			
Roads, Streets, Right-of-Ways, Lanes, Private Drives, Private Lanes, Easements, Alleys	40 ft from all Right-of-Ways				
Butler County Agricultural Land Preservation Program Guidelines set additional standards for subdivisions of properties having agricultural land conservation easements.					
All structures shall not be over 35’ in height.					

Abbreviations used in table:

DU = Dwelling Unit

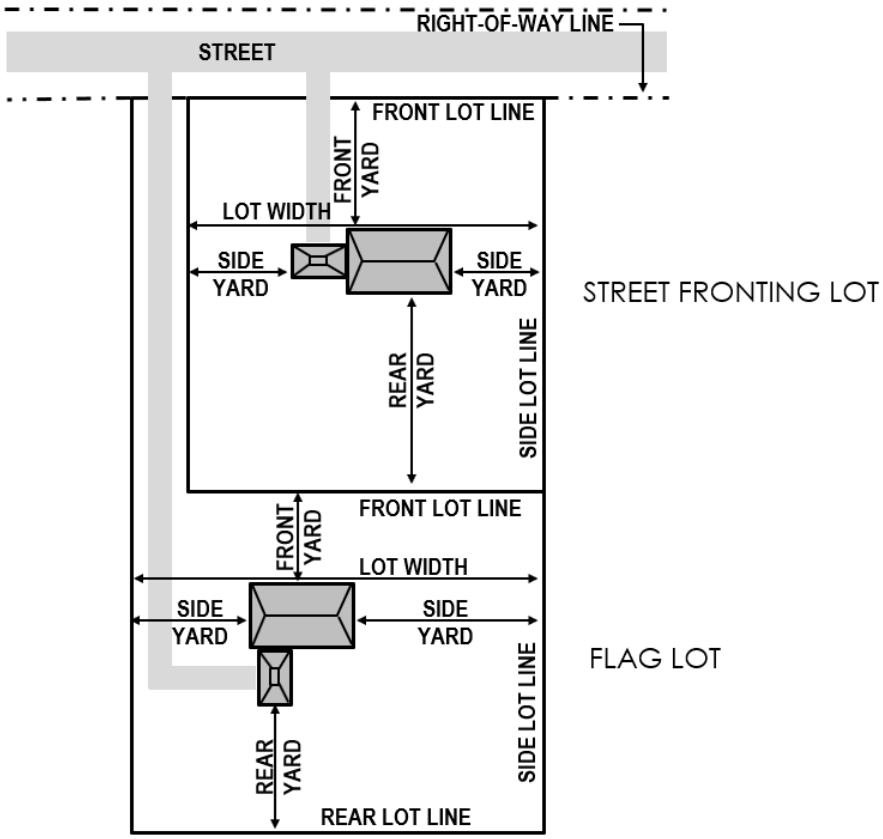
GLA = Gross Leasable Area

604.3.1 A modification of the minimum front yard setback may be granted by the Clearfield Township Planning Commission for infill development in predominantly developed areas. If granted, the modification shall permit the minimum front yard to be established as the average front yard setback of existing principal structures on the same side of the street as the subject property either:

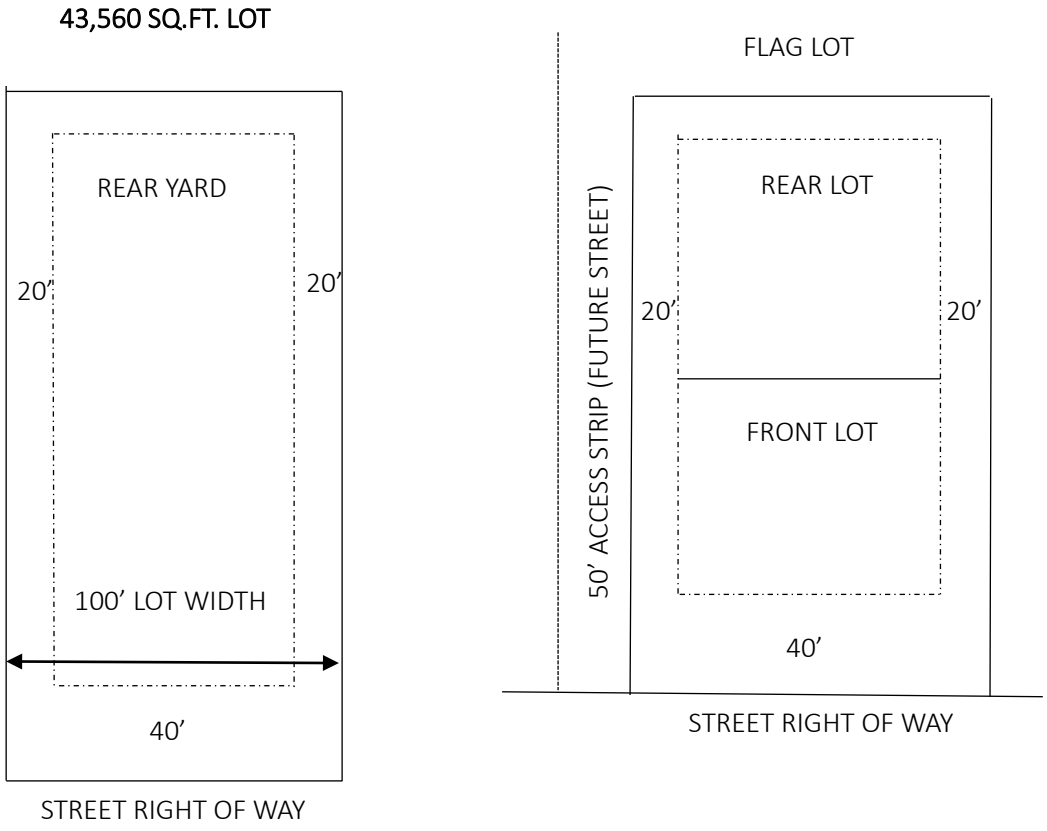
604.3.2 Within a block area not exceeding five hundred (500) linear feet between two (2) intersecting streets within which the subject property is located; or

604.3.3 In the absence of typical block development in open or rural areas, within eight hundred (800) linear feet of the subject property boundary line in either direction.

604.4 The following diagram identifies reference points for lot and yard requirements.



MINIMUM LOT DIMENSIONS



MINIMUM LOT WIDTH MEASURED AT FRONT SETBACK LINE

AREA OF LOT TO BE USED IN COMPUTING LOT AREA INCLUDES PROPERTY SETBACK LINES

Section 605 Street Requirements

Proposed streets shall conform to the Clearfield Township adopted comprehensive plans, and county, regional, and state road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.

605.1 Streets shall be logically related to the topography to achieve usable lots and reasonable grades, and to minimize earth moving and disturbance of natural features.

605.2 Proposed streets shall be integrated into and be an extension of existing or proposed street systems in the immediate area of the proposed development.

605.3 When the subdivision includes lots or remnant tracts or adjoins unsubdivided property, any of which are large enough for further subdivision into streets and lots, new streets or reserved

right-of-way not less than fifty (50) feet in width shall be provided at location(s) suitable to enable future access, connection and development. All flag lots must have a fifty (50) foot wide roadway frontage for driveway access.

605.4 Streets shall be extended to the boundary of a subdivision or land development if connection can be made to an existing or recorded street on adjacent property.

605.5 Where a subdivision plan abuts or contains an existing or proposed arterial street, Clearfield Township may limit access to the arterial street or require local access streets, reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduction in the number of intersections with arterial streets, and separation of local and through traffic.

605.6 Cul-de-sac and Dead-End Streets

605.6.1 Cul-de-sac streets may be permitted when through traffic at such a street end is not essential to the existing or future street system in that area, or to the development of adjacent properties in the area.

605.6.2 The length of cul-de-sac streets shall not be less than two hundred fifty (250) feet measured from the center of the turn-around at the closed end to the centerline of the intersecting street at the other end.

605.6.3 The turnaround shall have an outside pavement radius of not less than forty (40) feet and a right-of-way radius of not less than an additional fifty (50) feet .

605.6.4 The minimum grade of the turn-around portion of the cul-de-sac shall be graded for positive drainage.

605.6.5 No street shall terminate at a dead-end without a cul-de-sac turnaround.

Section 606 Private Lanes

Private lanes as defined by this Ordinance shall be permitted only under the following specific conditions.

606.1 Private lanes shall be limited to provide service to and access by a maximum of four (4) lots and meet Clearfield Township specifications and setback requirements for public right-of-way.

606.2 All lots served by private lanes shall front on the private lane and contain a minimum of two (2) acres in area (87,120 square feet) exclusive of land in any recorded right-of-way.

606.3 Private lanes must connect directly to an existing public street or a public street proposed in the same subdivision plan proposing the private lane.

606.4 Private lanes shall meet the following specifications:

606.4.1 The right-of-way width shall be a minimum of fifty ((50) feet.

606.4.2 The cartway width shall be a minimum of twenty (20) feet).

606.4.3 The cartway shall be constructed of a compacted subbase designed to be mud-free and generate a minimum of dust.

606.5 All grading, drainage, base course and other improvements on the right-of-way of any private lane shall be carried out in a manner that will accommodate future upgrading to municipal or County standards with a minimum of cost and modification.

606.6 No lots in addition to the maximum of four (4) lots shall be approved until the private lane providing access is paved and upgraded to meet the specifications for a local street prescribed in this Ordinance. Lots for such additions may then be developed consistent with applicable dimensional requirements outlined in this Ordinance.

606.7 Maintenance and liability associated with all private lanes approved under this provision shall be, and remain, the responsibility of abutting property owners until such time as the private lane is dedicated for public use. Plans submitted for final approval shall contain language guaranteeing such maintenance by abutting property owners and holding Clearfield Township harmless. The following provisions shall be included in all maintenance agreements:

606.7.1 Access to and from the private lane to abutting recorded lots shall be perpetual;

606.7.2 Such ingress and egress to and from the private lane shall be considered a private covenant attached to each abutting property;

606.7.3 Shared maintenance responsibilities of each property owner shall be clearly defined and pro-rated costs identified;

606.7.4 Reference to the recorded maintenance agreement shall be noted on the subdivision or land development plan and included in the property deed; and

606.7.5 A copy of the maintenance agreement shall be submitted with the initial subdivision or land development plan where a private lane is proposed.

Section 607 Street Design Specifications

All proposed streets shall be designed and constructed according to the specifications prescribed in the accompanying Table of Street Specifications and the provisions in this Section, and, where not specified herein, with the current edition of Publication 408 of the Pennsylvania Department of Transportation (PennDOT).

TABLE OF STREET SPECIFICATIONS			
Specification	Arterial Streets	Collector Streets	Local Streets
Right-of-way width (feet)	60	50	50
Cartway paving width (feet) (not including curb width where applicable)	30*	24*	20*
Aggregate subbase	As specified in PennDOT Publication 408	8” 2A	6” 2A
Base course	As specified in PennDOT Publication 408	4” Superpave	4” Superpave
Wearing course	As specified in PennDOT Publication 408	1.5” Superpave, SRL-G (or higher)	1.5” Superpave, SRL-G (or higher)

Maximum centerline grade (minimum grade shall be 1% for all streets)	6%	8%	10%
Minimum angle for intersection	80	80	75
Minimum curb radius (feet)	45	40	20
Maximum grades for 50 feet before intersection	3%	3%	3%
Sight triangles (minimum distance along sides of through street/stop street) (feet)***	500/30	400/30	250/25
Horizontal curvature (centerline radius)	11°-15' max (509'R) 4°-15' desired (1348'R)	21°-00' max (272'R) 11°-15' desired (509'R)	50°-00' max (118'R) 21°-00' desired (272'R)
Vertical curvature	150' min (plus **)	100' min (plus **)	50' min (plus **)
Sight distance at intersection of streets	Shall be measured and comply with PennDOT Pub No. 201		

*Add eight feet (8') for a parking lane where off-street parking is not provided

**Vertical curves shall be increased twenty feet (20') in length for each one percent (1%) of grade change exceeding three percent (3%).

***Sight triangles for state highways shall comply with PennDOT Design Manual No. 2 and Pub. 282 (Highway Occupancy Permit Handbook).

607.1 Additional right-of-way and cartway widths may be required by Clearfield Township for the following purposes:

607.1.1 To promote public safety and convenience where anticipated traffic flows warrant, or where drainage easements should reasonably parallel thoroughfares.

607.1.2 Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way.

607.2 Where a subdivision abuts a Commonwealth right-of-way less than the standard in the Table of Street Specifications for a particular roadway classification, the building setback shall be increased by an amount equal to one-half (1/2) the difference between the existing right-of-way width and the standard right- of-way width in the Table of Street Specifications.

607.3 Street Alignment

607.3.1 Adjacent horizontal tangents shall be connected by an arc. A tangent shall be required between curves; however, a long radius curve shall be preferred in all cases to a series of curves and tangents. A minimum tangent of one hundred (100) feet shall be required between reverse curves.

607.3.2 For compound curves the radius of the curve with the greater radius shall be not more than fifty percent (50%) longer than the radius of the adjacent curve, or the transition between curves may be achieved by a three-centered compound curve.

607.3.3 Curves shall be superelevated on arterial and collector streets when the curve radii are less than six hundred feet (600') and shall be designed in accordance with PennDOT Design Criteria applicable to the class of roadway or street.

607.3.4 Where horizontal alignment curves around a topographical or other obstruction, there shall be maintained an unobstructed sight distance at all points along the curve of at least one hundred and fifty (150) feet measured three feet six inches (3' 6") above the finished road surface along the road centerline.

607.4 Grading

607.4.1 Streets shall be constructed to grades and cross-sections as cited on, and presented with, the preliminary plans and street profiles, in conformance with this section.

607.4.2 Street shoulders shall be graded to the full width of the street or road right-of-way, and thoroughly compacted by rolling all shoulders.

607.4.3 The subgrade of a street shall be brought to the proper grade and contour, and shall be rolled and cross rolled. All soft spots shall be recompacted with a suitable firm material, approved by the Clearfield Township, before the placing of any base material.

607.4.4 No base course shall be placed until the subgrade has been proof-rolled, inspected and approved in writing by the Clearfield Township.

607.4.5 All inspections shall be coordinated with the Clearfield Township or their authorized representative.

607.5 Underdrainage

607.5.1 In areas where springs, poor soil drainage conditions, wet weather springs or where conditions exist that underground drainage is necessary to properly protect the proposed street pavement, there shall be constructed pipe underdrain, stone underdrain or subgrade drains subject to approval of the Clearfield Township.

607.5.2 If, during construction, unknown poor drainage conditions are encountered by the applicant, he shall notify the Municipal Engineer and correct such conditions encountered.

607.6 Timing of Final Pavement

607.6.1 The final wearing course shall not be installed until seventy-five percent (75%) of the lots are developed or within two (2) years of the date of issuance of the first plan building permit.

607.6.2 The base course shall be sealed with a one-half inch (1/2") compacted thickness wearing course of FB-1 materials if the final wearing course is not placed prior to the end of the first paving season, in accordance with Pennsylvania Department of Transportation (PennDOT) Form 408, latest edition, Section 439.

607.6.3 Unsuitable material shall be removed and replaced with coarse aggregate material as approved and inspected by the Clearfield Township.

607.7 Curbing

607.7.1 Clearfield Township may require curbs with proposed streets where any of the below criteria are met:

(1) Streets are designed to serve areas in which the net residential density (excluding streets, other public lands, and undeveloped lands) of the area surrounding the proposed subdivision equals or exceeds four (4) dwelling units per acre.

(2) Lot frontage is less than seventy-five feet (75').

(3) Commercial or industrial development is proposed.

(4) Curbs exist on abutting property.

607.7.2 Curbs may also be required where deemed necessary by the Clearfield Township Planning Commission, Clearfield Township Supervisors, or the Clearfield Township Road Master for public safety, stabilizing the pavement edge, controlling water runoff, or clearly defining driving and parking areas.

607.7.3 Curbs shall be constructed, as to materials and methods, in conformance with applicable portions of PADOT Publication 408, current edition, and shall meet requirements of the Americans with Disabilities Act.

607.8 Street Intersections

607.8.1 Where two (2) streets intersect a third street from opposite sides, the distance between the centerlines of the two (2) streets shall be not less than two hundred feet (200'), or else they shall intersect the third street directly opposite.

607.8.2 Street intersections having more than four (4) approaches shall be prohibited.

607.8.3 Intersections of local streets with collector and arterial streets shall be kept to a minimum, consistent with topography and other local conditions. Intersection spacing of less than four hundred (400) feet between centerlines of intersecting streets shall be avoided.

607.8.4 Streets proposed for commercial or industrial land development purposes shall be laid out to intersect directly with arterial and collector streets. In so far as possible, traffic

circulation patterns for commercial and industrial subdivisions shall be designed in a manner to eliminate or discourage traffic flow through residential areas.

Section 608 Sidewalks

608.1 Clearfield Township may require sidewalks where any of the below criteria are met:

Proposed streets are designed to serve areas in which the net residential density (excluding streets and other public lands) of the area surrounding the proposed subdivision equals or exceeds four dwelling units per acre.

608.1.1 Lot frontages on proposed streets are equal to or less than seventy-five feet (75').

608.1.2 Commercial development is proposed.

608.1.3 Sidewalks exist on abutting property.

608.2 Sidewalks shall have a minimum width of four feet (4'). The Clearfield Township Planning Commission may require a greater width in the vicinity of intensive urban use and activities.

608.3 Sidewalks shall be constructed, as to materials and methods, in conformance with applicable portions of PennDOT Publication 408, current edition, and shall meet requirements of the Americans with Disabilities Act.

608.4 Sidewalks will not be maintained or installed by Clearfield Township. All sidewalks, before installation, are to have a maintenance agreement in place.

Section 609 Reserved Areas

Reserve strips surrounding property or restricting or controlling access to adjacent streets or properties, or areas reserved for any purpose that shall make any area unprofitable for regular or special assessments, or that may revert to an untended nuisance area, shall be prohibited.

Section 610 Street Names and Numbering

610.1 The applicant may choose street names subject to the approval of the host municipality, Butler County Emergency Services, and Butler County Mapping Department. Streets that are extensions of existing streets or are substantially in alignment with them shall bear the name of the existing street. No street, other than an extension, may be given the name of an existing street in the municipality's postal zip code area. Documentation certifying that the street names used are not duplications of street names within the same postal zip code area shall be filed by the applicant.

610.2 All house numbering systems shall be coordinated with the number of existing developments in the area and consistent with municipal and Butler County Emergency Management system standards.

610.3 Street Names and Sign Posts

610.3.1 Approved street name signs shall be placed at all street intersections within the plan and at the intersection of existing streets and streets entering the plan.

610.3.2 Signs and supports shall be installed at the developer's expense according to standards of the host municipality and Pennsylvania Department of Transportation.

610.3.3 The Township shall not be responsible for any signs installed for the purpose of a subdivision or land development. Signs installed for the purpose of a subdivision or land development shall be maintained by the developer and/or developer agreement.

Section 611 Stormwater Management

Stormwater management facilities shall be provided for subdivisions and land developments as required by the stormwater management ordinance of the municipality in which the development is located. The applicant shall provide documentation from the appropriate municipal authority indicating required stormwater management facilities are planned, designed, and will be constructed according to the municipal stormwater management ordinance.

Section 612 Erosion and Sedimentation Control

Erosion and sedimentation control measures shall be provided for subdivisions and land developments involving earth disturbance activities as required by the Pennsylvania Code of Regulations, Title 25, Chapter 102, Erosion Control. The applicant shall provide documentation from the Butler County Conservation District or the PA Department of Environmental Protection that appropriate erosion and sedimentation control permits and/or approvals are obtained.

Section 613 Sanitary Sewers

All lots created through subdivision and all proposed land developments must have suitable sanitary sewer service.

613.1 Where an existing public sanitary sewer system is reasonably available with adequate capacity, the proposed subdivision or land development shall connect to the public sewer system and provide public sewer service to its development. The extension of sewer mains and the construction of public sewer service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, or utility that owns the public sewer system. A public sanitary sewer system shall be deemed to be reasonably available if:

613.1.1 The subdivision or land development is within a designated future public sewer service area according to the municipality's official Act 537 Sewage Facilities Plan; or

613.1.2 The subdivision or land development is located within a specified distance of a public sanitary sewer system according to the following table.

TABLE OF CRITERIA FOR WHEN A PUBLIC SEWER SYSTEM IS DEEMED REASONABLY AVAILABLE	
Size of Development	**Distance from a Public Sewer System***
1-4 Building Lots or EDUs	200 Feet
5-14 Building Lots or EDUs	500 Feet
15+ Building Lots or EDUs	1,000 Feet

*The distance shall be measured from the most feasible connection point in the proposed development to the nearest available public sewer line of sufficient size to provide service following a feasible route for connection.

613.2 Where connection to and service by a public sanitary sewer system will not be provided in accord with the above provisions, the subdivision or land development shall provide sanitary sewer service by:

613.2.1 Installation of individual on-lot sewage disposal systems as approved by the municipality, its Sewage Enforcement Officer, and the PA Department of Environmental Protection; or

613.2.2 Construction of a private sanitary sewer system consistent with the municipality's official Act 537 Sewage Facilities Plan, approved and permitted by the PA Department of Environmental Protection, and designed and installed according to PA DEP's Pennsylvania Domestic Wastewater Facilities Manual.

613.3 Where sanitary sewer service will be provided by connection to a public sewer system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, or utility that owns the system.

Section 614 Non-Building Lots

Where acceptable by and complying with the policies and rules of the municipality and the PA Department of Environmental Protection in administering Act 537 sewage facilities planning, a lot that is otherwise buildable according to the provisions of this Ordinance and applicable municipal ordinances may be created and designated non-building without providing suitable sanitary sewer service. The final subdivision plan shall contain a notation, meeting municipal and PA DEP policies and rules, for each such lot declaring the lot to be for non-building purposes until such time that suitable sanitary sewer service is provided, and stating the following:

"An application for and approval of a new subdivision is required to remove the non-building notation from this lot. The application shall document that the lot has suitable sanitary sewer service in accordance with Section 613.

Section 615 Water Supply

615.1 Where an existing public water system is reasonably available with adequate capacity, the proposed subdivision or land development shall connect to the public water system and provide public water service to its development. The extension of water mains and the construction of public water service for the development shall comply with the design requirements and construction specifications of the municipality, municipal authority, utility, or other entity that owns the public water system. A public water system shall be deemed to be reasonably available if:

615.1.1 The subdivision or land development is within a designated future public water service area according to an official public water supply or service plan of the municipality or appropriate authority or utility; or

615.1.2 The subdivision or land development is located within a specified distance of a public water system according to the following table.

TABLE OF CRITERIA FOR WHEN A PUBLIC WATER SYSTEM IS DEEMED REASONABLY AVAILABLE	
Size of Development	**Distance from a Public Water System***
1-4 Building Lots or EDUs	200 Feet
5-14 Building Lots or EDUs	500 Feet
15+ Building Lots or EDUs	1,000 Feet

*The distance shall be measured from the most feasible connection point in the proposed development to the nearest available public water line of sufficient size to provide service following a feasible route for connection.

615.2 Where connection to and service by a public water system will not be provided in accord with the above provisions, the subdivision or land development may provide water service by construction of a private water system approved and permitted by the PA Department of Environmental Protection and designed and installed according to PA DEP's Public Water Supply Manual.

615.3 Where water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, water shall be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be submitted as evidence.

615.4 Where water service will be provided by connection to a public water system, the applicant shall provide an ability to serve letter from the municipality, municipal authority, utility, or other entity that operates the system.

Section 616 Other Utilities

Provision of easements or right-of-ways for and location of natural gas, electric, cable, fiber optic and telephone, and other public utilities shall comply with requirements and standards of the applicable public utility company(ies).

Section 617 As-Built Drawings

Upon completion of the required improvements, a plan and profile of the improvements in the subdivision or land development as constructed shall be filed with the municipality and the Butler County Planning Commission.

Section 618 Monuments

Survey monuments and markers shall be placed at points of a subdivision or land development according to the following requirements.

618.1 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. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in concrete.

618.2 Monuments

618.2.1 Monuments shall be set:

(1) At two (2) points along each street right-of-way, being five feet (5') offset into the right-of-way set on the tangent segment of the street.

(2) On at least two (2) points on a common property line where no new streets are being proposed.

(3) At such intermediate points as may be required by the County Engineer.

618.2.2 Monuments shall be six (6) inches square or six (6) inches in diameter, thirty (30) inches long and made of concrete, stone, or by setting a four (4) inch cast iron or steel pipe with a diameter of a minimum of five-eighths inch (5/8") and filled with concrete.

618.3 Markers

618.3.1 Markers shall be set:

(1) At all lot corners except those monumented.

(2) Prior to the time the lot is offered for sale.

618.3.2 Markers shall be five-eights (5/8) of an inch square or five-eights (5/8) of an inch in diameter, thirty (30) inches long. Markers shall be made of iron pipe or iron or steel bars.

Section 619 Land Development Requirements

Land developments as defined herein are subject to regulation under the Clearfield Township Subdivision and Land Development Ordinance. It shall be unlawful for a developer or landowner to construct land developments as defined herein without complying with the requirements of this Section.

619.1 Application of Standards. Any proposal to develop land or to prepare land for development other than the act of subdivision shall be subject to the requirements of this Section with the following exceptions:

619.1.1 Erection of a single or two-family detached dwelling, including a manufactured, or modular home, on its own lot.

619.1.2 Erection of any accessory structures on a lot or lots subordinate to an existing principal building.

619.1.3 Construction or expansion of accessory farm buildings (housing of livestock, shelter for farm equipment, storage of silage, etc.) on a lot or lots subordinate to an existing farm as defined in this Ordinance.

619.1.4 Improvements to any building in an existing land development that do not increase the area it occupies on the ground or the need for additional parking spaces.

Section 620 Land Development Design Standards

Land developments shall comply with the design standards of this Section in addition to other design standards of Article VI.

620.1 Land developments shall provide to adjacent landowner's adequate privacy, light, air and protection from noise through building design, street layout, buffering through screening or plantings and of building orientation and location.

620.2 Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or association of property owners or other responsible parties.

620.3 Parking and loading areas, streets and driveways shall be sufficient for anticipated vehicular traffic volumes, use and circulation and designed and constructed in compliance with the standards in Articles VI and VII.

620.4 Off-street parking shall be provided meeting the requirements for number and size of spaces and other off-street parking design standards prescribed in the municipal zoning ordinance or other municipal ordinance prescribing such requirements. Where there are no off-street parking requirements, off-street parking requirements shall be as follows, or the applicant shall demonstrate that proposed off-street parking meets standards of the Institute of Transportation Engineers (ITE) or other accepted authority.

620.4.1 The number of off-street parking spaces provided shall be based on the proposed land use and the following table:

TABLE OF REQUIRED OFF-STREET PARKING SPACES	
Land Use	**Required Number of Spaces**
Multi-Family Dwelling – Townhouse, Duplex, Quad	2.0 per DU
Multi-Family Dwelling – Apartments ≥3 Bedrooms	2.0 per DU
Multi-Family Dwelling – Apartments ≤2 Bedrooms	2.0 per DU
Nursing Home	1 per 1,000 sq. ft. GFA
Retail Commercial	3 per 1,000 sq. ft. GFA
Restaurant/Bars/Venues/Fast Food Outlet	0.5 per seat
Office	1.0 per employee

Medical/Dental Office/Clinic	0.35 per 1,000 sq. ft. GFA
Personal Services	2 per 1,000 sq. ft. GFA
Hotel, motel, other lodging	1.5 per room
Bowling alley	size (6) spaces per lane.
Church/Public Worship	0.5 per seat in worship area
Institutional	3 per 1,000 sq. ft. GFA
Industrial/Manufacturing Operation	one (1) space for each employee on the largest shift at peak production, or one (1) space for each one thousand (1,000) square feet of floor area or fraction thereof, whichever results in the greater number of spaces.
Municipal	Township discretion

Abbreviations used in table:

DU = Dwelling Unit

GFA = Gross Floor Area

620.4.2 Parking spaces shall be a minimum of ten (10) feet wide by twenty-two and one-half (22'6") feet long exclusive of aisles or driveways.

620.4.3 Access to off-street parking areas shall be limited to well-defined locations and shall not allow unrestricted access along a street.

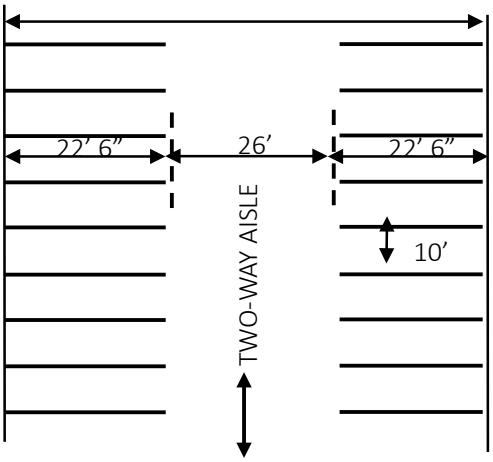
Parking for disabled persons shall be provided meeting the standards of the Americans with Disabilities Act.

620.4.4 Access driveways serving proposed land developments shall be designed according to the specifications prescribed in the accompanying Table of Driveway Specifications, plus the provisions in this Section. Access driveways must also comply with requirements for Highway Occupancy Permits on state streets and highways and municipal driveway permits where required for municipal streets and roads. Driveways must meet all PennDOT specifications.

MINIMUM PARKING LOT DISTANCES

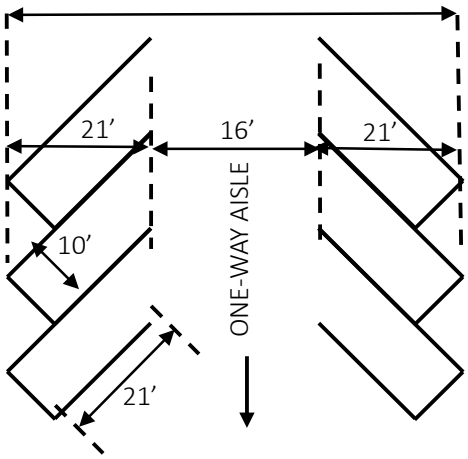
90º PARKING

PARKING BOTH SIDES OF AISLE



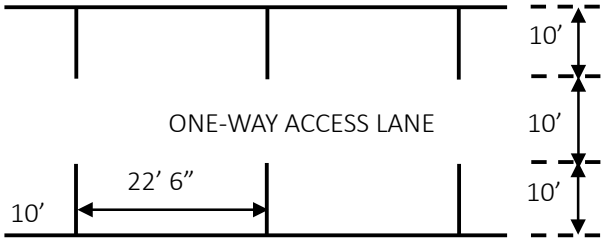
45º PARKING

PARKING BOTH SIDES OF AISLE



PARKING PARALLEL TO ACCESS LANE

PARKING BOTH SIDES OF AISLE



PARKING BOTH SIDES OF AISLE

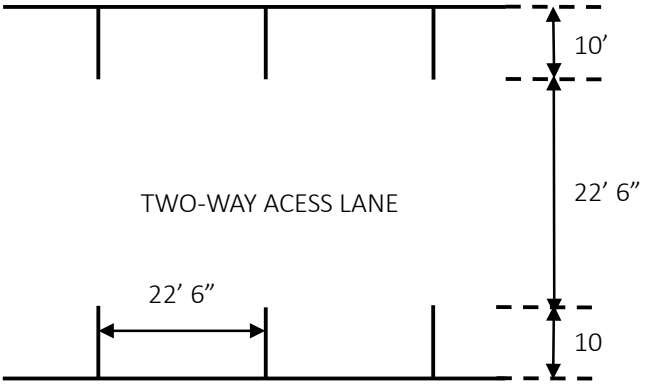


TABLE OF DRIVEWAY SPECIFICATIONS					
Specification	Expected # Vehicles Per Day	Service for Passenger Cars & Single Unit Trucks		Service for Buses and Combination Trucks	
		Roadway Speed Limit		Roadway Speed Limit	
		<45 MPH	45 MPH>	<45 MPH	45 MPH>
Minimum Driveway Width	Less than 25	10’	10’	12’	12’
	25-750 one way	10’	12’	12’	12’
	25-750 two way	20’	20’	22’	22’
	750-1,500	24’	24’	24’	24’
	>1,500	Design as PennDOT High Volume Driveway, Current Criteria			
Minimum Radius	less than 25	10’	10’	35’	40’
	25-750 one way	10’	15’	35’	45’
	25-750 two way	10’	15’	35’	45’
	750-1,500	15’	15’	45’	50’
	>1,500	Design as PennDOT High Volume Driveway, Current Criteria			

620.4.5 Driveways shall enter streets at safe locations, not less than fifty (50) linear feet from the centerlines of any intersecting roadways, and in no case within the curb radius.

620.4.6 Driveways shall have a stopping distance, measured twenty feet (20’) behind the right-of-way line, with a longitudinal grade not exceeding four percent (4%) wherever possible.

620.4.7 All private access driveways shall be located, designed, constructed and maintained in such a manner as not to interfere or be inconsistent with the design and maintenance of the adjacent streets.

620.4.8 Access driveways should be located and installed in such manner that they will not cause the following:

(1) Interference with the traveling public.

(2) A hazard to the free movement of normal roadway traffic.

(3) Areas of undue traffic congestion on the roadway.

620.4.9 Access driveways shall not be designed and constructed at locations that would interfere with the placement and proper functioning of roadway signs, signals, detectors, lighting or other devices that affect traffic control.

620.4.10 Sight Distance: Access driveways shall be located at a point of optimum sight distance along the roadway within the property frontage limits. The profile of the driveway and the grading of the right-of-way area shall provide a maximum sight distance so that the operator of a vehicle departing from such a driveway will have optimum visibility in either direction along the roadway.

620.4.11 Shared access driveways shall be encouraged in order to limit individual points of access along road segments. Where a property boundary line is centered in the access driveway, a minimum twenty (20) foot width shall be required.

620.4.12 Stormwater management and drainage: Access driveways shall be designed in compliance with requirements of the municipal stormwater management ordinance. Additionally, access driveways shall provide for surface drainage and shall not cause accumulation, concentration, or discharge of surface waters onto adjacent streets, shall not interfere with drainage on adjacent streets, and shall not materially change the drainage of adjacent areas.

620.4.13 Commercial and industrial ingress and egress (driveways) shall be designed to provide optimum visibility and to minimize traffic congestion in the vicinity of the development parcel.

620.5 Service and waste and recycling storage and disposal areas for the land development shall be constructed and screened with a fence or plantings, so that they are not visible from occupied structures on adjacent properties.

620.6 For multi-building and multi-use land developments, a Landscaping Plan shall be submitted that includes interior site plantings in addition to a landscaped transition or buffer area to adjoining properties. Existing vegetation shall be considered to meet this standard, if identified. Landscape planting shall be provided to enhance architectural features, manage stormwater runoff through best management practices, enhance view-sheds and to provide shade, noise-suppression and energy efficiency.

620.7 For multi-building and multi-use land developments, a Pedestrian Circulation Plan shall be submitted by the developer, indicating the safe and efficient movement of people within and through the site. All Pedestrian Circulation Plans shall be completed using such standard resources as those provided by the American Planning Association or the Institute of Traffic Engineers (ITE).

620.8 Exterior parking areas, access driveways, vehicular access aisles, pedestrian walkways and loading spaces shall be sufficiently illuminated so as to provide safe movement on Site.

620.9 Exterior lighting shall be designed and installed as follows:

620.9.1 All lighting shall be directed downward and against an opaque surface on site. Sharp cut-off luminaires are required in parking areas. At no time shall illumination from site lighting be allowed to "spill over" onto adjacent properties or create glare above the site. Directional lighting shall not be dispersed over more than three-quarters (3/4) of the distance from the light source to any lot line abutting the site.

620.9.2 The illumination level on a commercial or industrial property shall not exceed two (2) foot candles at any lot line which abuts a residential lot.

620.9.3 Lighting shall not produce a glare which may hinder pedestrians or persons driving in a vehicle either on or off site. Building mounted and ground mounted lighting shall be shielded or deflected at the source of illumination.

Section 621 Free-Standing-Signs

621.1 This subsection shall apply to any advertising device or sign that is mounted on its own support, whether attached to the ground or a building, but not including devices or signs that are applied flat to a wall and do not extend above or beyond the vertical edges of the wall, or more than one (1) foot from the wall for the sole purpose of advertising goods and/or services available on the premises where the sign is located. Nor shall this subsection apply to signs erected by a public or institutional body. All signs are to be permitted through Clearfield Township.

621.2 Signs or devices shall advertise goods and/or services available on the premises where the sign is located. If the business is not located on Route 422, the owner may erect a directional sign, not greater than eight (8) square feet each side at a crossroads, with the written permission of the owner of the property on which the sign will be located.

621.3 Prohibited Signs: No signs or devices that have:

621.3.1 Animated, flashing, or pulsating lights.

621.3.2 Vehicle mounted illuminated signs.

621.3.3 Roof signs.

621.3.4 Inflatable signs or balloons that interfere with pedestrians or traffic

621.3.5 Interfere with driver sight distances or pose a hazard to the public.

621.3.6 Advertise businesses that have ceased operations.

621.3.9 Beacons

621.3.10 Signs shall not use words such as “Stop,” “Look,” “One Way,” “Danger,” “Yield,’ or similar words, phrases, symbols, lights or characters in such a manner as to interfere with, mislead or confuse traffic.

621.4 Location of Signs

Signs shall be located in the area of the property and not less than twenty (20') feet from an adjoining property. No sign or device shall extend into or hang over a public right-of-way or be located so as to interfere with the ability of a driver leaving a property to see vehicles in the highway for two hundred (200) feet in either direction.

621.5 Number of Signs

One (1) free-standing sign shall be permitted on any commercial or business developed property for each two hundred fifty (250) feet of contiguous road frontage, fractions included.

621.6 Size of Signs

Free-standing signs shall not exceed one hundred twenty-eight (128) square feet of area each face, plus one (1) square foot for each five hundred (500) square feet of commercial or business floor area in the building and one (1) square foot for each ten (10) lineal feet of highway frontage of the property actually developed for commercial or business use. Sign area shall include the entire panel containing lettering or the area within lines connecting the adjacent extremities of an irregularly shaped sign or device.

621.7 Sign Height

No part of a free-standing sign or device shall extend to a height greater than thirty-five (35) feet. Signs shall not be so low that the sign, except for supports, interferes with vision of drivers leaving the premises.

621.8 Sign Lighting

If illuminated, signs and devices shall be lighted from within or from a source that is not visible from adjacent roads or properties. Signs are to be turned off from 11 pm to 6 am, unless business is open.

621.9 Design of Signs

Any sign that exceeds sixty-five (65) square feet on either face, or is more than twenty (20) feet high above the average ground level below it, shall be designed by a registered professional engineer, whose drawings shall bear his seal.

621.10 Sign Fees

The Board of Supervisors shall establish a fee schedule for signs covered by this section. Anyone proposing to erect a free-standing sign shall apply to the Administrator of this Ordinance with details of the proposed sign's location, height, size, and lighting.

621.11 Home Occupations

Where a business is conducted in a dwelling or accessory buildings on a residential property, one (1) unlighted free-standing sign not more than thirty-two (32) square feet in area each face shall be permitted with no fee or application required.

621.12 Temporary Signage

621.12.1 Temporary Residential Real Estate Signs

(1) Number

(a) There shall not be more than one sign for each lot.

(b) Where a lot abuts two or more streets, an additional sign oriented to each abutting street shall be allowed.

(2) Materials

(a) Signs shall be made of a durable material.

(3) Location and Setback from Property Line

(a) Signs shall be located only upon the premises for sale, lease or rent.

(b) Signs shall be not be located in any public or private street right-of-way or property line.

(4) Maximum Size

(a) Six Square Feet

(5) Maximum Height

(a) Five Feet

(6) Type of Illumination

(a) Illumination shall not be permitted.

(7) Removal.

(a) Signs shall be removed within seven (7) days of the sale or lease of the premises.

621.12.2 Temporary Residential Real Estate Development Signs

(1) Number

(a) A maximum of one sign per development entrance shall be allowed.

(2) Materials

(a) Signs shall be made of a durable material.

(3) Location and Setback from Property Line

(a) Signs shall be located only on the development property.

(b) Signs shall be not be located within any public or private street right-of-way.

(4) Maximum Size

(a) Thirty-Two Square Feet

(5) Maximum Height

(a) Twelve Feet

(6) Type of Illumination

(a) Illumination shall not be permitted.

(7) Removal.

(a) Signs shall be removed when 90% of the lots therein are sold.

(8) Unique Characteristics

(a) Signs shall advertise only the lots in the development in which the sign is located.

(b) Signs shall not include the realtor's, developer's, builder's, or landowner's business in general. Information on such signs shall relate to property that they are placed upon.

621.12.2 Directional Sign

A sign that has a purpose secondary to the use of the lot, site, street, alley, etc. on which it is located. Such signs consist of "No Parking," "Entrance," "Exit," "One Way," or other similar directives.

(1) Must be permitted and approved through the Township Planning Commission, Road Master and Township Supervisors.

621.12.3 Political Signs

(1) Materials

(a) Signs shall be made of a durable material.

(2) Location and Setback from Property Line

(a) Signs shall not be located within any public or private street right-of-way. line.

(b) Signs shall be placed in a manner that does not interfere with motorists' safety or sight distance of intersections.

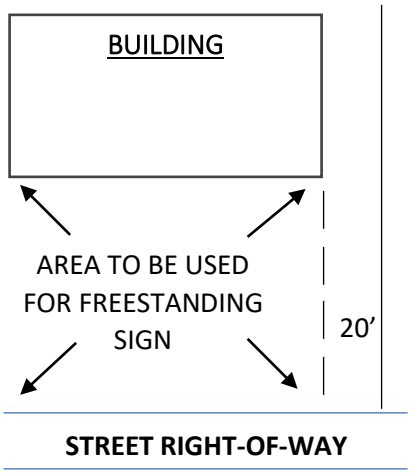
(3) Type of Illumination

(a) Illumination shall not be permitted.

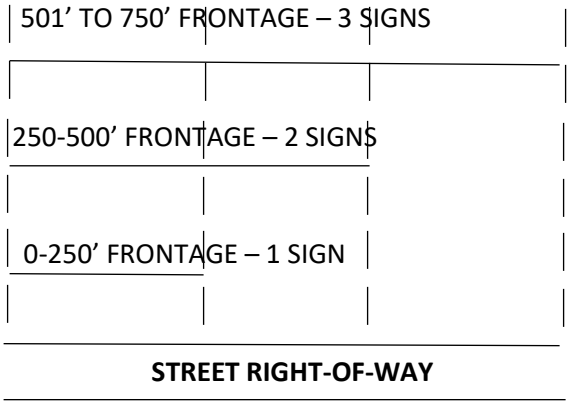
(4) Removal

(a) Signs shall be removed within seven (7) days of the conclusion of the political election.

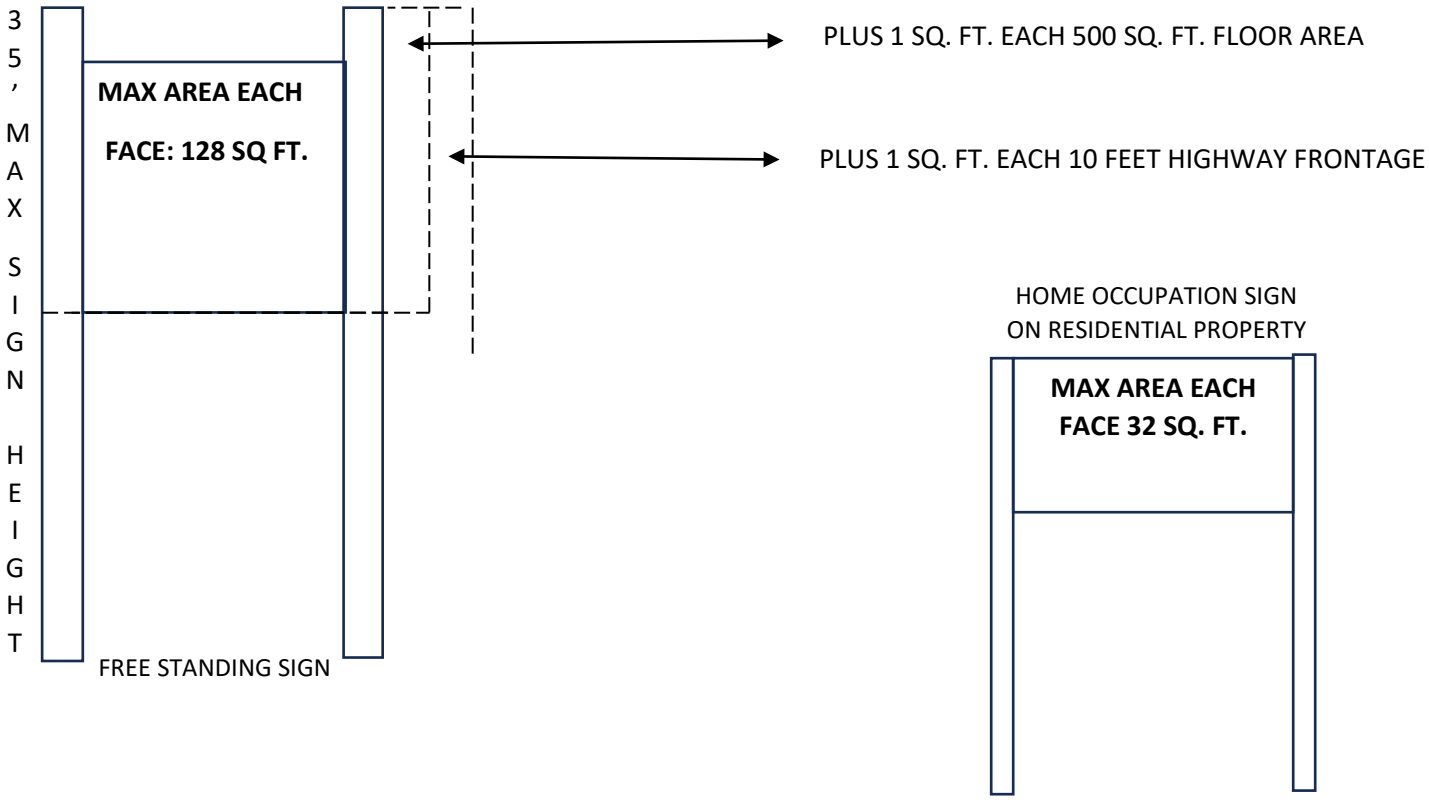
LIMITATIONS ON FREE-STANDING SIGNS



LOCATION PLACEMENT OF FREE-STANDING SIGN



NUMBER OF FREE-STANDING SIGNS ALLOWED



622 Fence

622.1 Residential Privacy Fence:

622.1.1 Such fences shall be located at least six (6) inches or more from the property line, unless an abutting property owner(s) consent in notarized writing to placement on the common property line.

622.1.2 Such fences shall be not located in Township Road right-of-way.

622.1.3 The finished side of any fence shall face the neighboring property.

622.1.4 Such fence does not exceed six (6) feet in height.

622.1.5 Fences may not be artificially elevated.

622.1.6 Fences must be of durable material produced for the purpose of fencing, constructed and installed in a workmanlike manner consistent with industry standards.

622.2 Commercial, Institutional, Industrial, and Public Fencing

622.2.1 Such fences shall be located at least six (6) inches or more from the property line, unless an abutting property owner(s) consent in notarized writing to placement on the common property line.

622.2.2 Fence height requirements shall be submitted to the Township for approval on each individual application.

622.2.3 No fence shall be constructed without first making application for and receiving a permit from the Township.

622.2.4 Agricultural, equine or seasonal fencing shall be required to safely hold what it is designed to contain and is exempt from the six (6) inches or more from the property line..

Section 623 Multi-Family Housing Development

This section shall apply to any proposal to construct a building containing three (3) or more dwelling units on its own lot, or a group of buildings containing dwelling units all on the same lot, or attached dwellings on their own lots.

623.1 Utilities

623.1.1 Every building containing dwellings in a multi-family development shall be connected to either public sewage disposal and water supply systems, or to community sewage disposal and water supply systems serving the development and meeting the minimum requirements of the Department of Environmental Resources for effluent treatment and discharge and for potable water quality. A community system shall be operated as a public utility corporation by the developer and his successors.

623.1.2 If the water supply is provided by a community system, such system shall be capable of drawing at least one hundred fifty (150) gallons per day per dwelling unit, at a pressure of not less than twenty-five (25) pounds per square inch at every fixture, and with a storage capacity of not less than three hundred (300) gallons per dwelling.

623.2 Development Standards

623.2.1 Lots proposed to receive multi-family housing developments shall meet the requirements of Section 604 of this Ordinance for lot size, lot width and building setback.

623.2.2 Maximum building height: three (3) stories, or 35 feet to the upper ceiling of the upper floor as measured on the side of the building with the lowest ground elevation.

623.2.3 Minimum lot area: two (2) acres.

623.2.4 Maximum density of development, measured in number of square feet of lot area required for each dwelling unit, fractions not included:

(1) Efficiency or one-bedroom unit - 5,000 square feet.

(2) Two-bedroom unit - 6,500 square feet.

(3) Three-bedroom unit - 7,500 square feet.

623.2.5 Maximum number of units in a building: Twenty-four (24) units where access to units is via common hallways and stairs or elevators, and eight (8) units when each unit has direct at-grade access to the outside.

623.2.6 Required equipment in a dwelling unit:
enclosed bathroom including sink, toilet and tub or shower, as well as cooking and food storage facilities in a separate room or alcove.

623.3 Separation of Several Buildings on the Same Lot

623.3.1 The minimum separation between buildings, parts of buildings, or accessory structures, shall be thirty (30) feet.

623.3.2 Buildings shall be separated from driveways and parking areas by a grass or landscaped strip not less than ten (10) feet wide.

623.3.3 When adjacent lots are to be developed for multi-family housing, the separation distances required above shall extend across lot lines, with advantage given to the first lot to be developed.

623.4 Sale of Dwelling Units

623.4.1 No multi-family dwelling units shall be sold unless the seller/developer establishes a homeowner's association to administer the utility systems, parking and driveway system, and common open space formerly the sole responsibility of the developer. The developer shall be a member of the association as long as he owns any dwelling units. Every sold dwelling unit shall have one (1) vote in the affairs of the association, vested in the owner, and every owner shall share in the costs of the association.

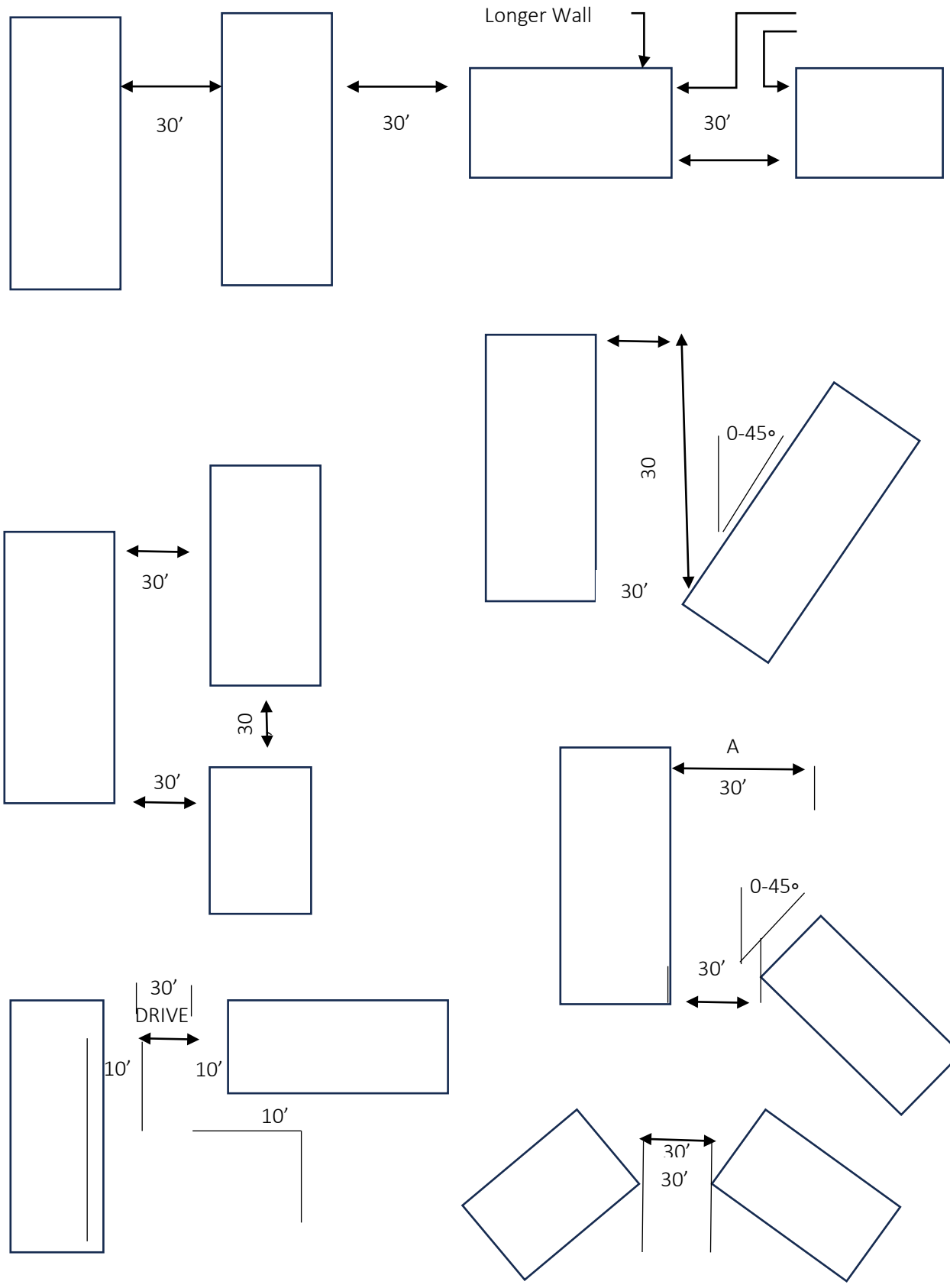
623.5 Criteria for Review of a Multi-Family Project

623.5.1 Vehicular access should be directly to a major highway or to a road leading to a major highway or to a road leading to a major highway or to a road leading to such a highway less than one half (1/2) mile away. Access points should have adequate sight distances for entering and departing motorists.

623.5.2 Parking areas should be convenient to both the building entrances and the access driveway. Parking may be broken up into several locations but circulation within the plan should be simple and obvious.

623.5.3 Areas of the property not occupied by building, parking areas, driveways or other paved surfaces shall be landscaped and maintained. Landscaping may include grass, planted ground cover or prepared stone surfaces or any combination as well as shrubbery and various trees. Existing trees in areas to be landscaped should be left in place. Landscaping implies that all natural materials will be maintained in perpetuity and dead or deceased materials replaced as necessary. The responsibility for maintaining landscaping shall lie with the property owner or home owner's association.

MINIMUM SEPARATION OF MULTI-FAMILY BUILDING



ARTICLE VII
RECREATIONAL VEHICLE PARKS

Section 701 Applicability

For the purpose of this Ordinance, recreation vehicles and recreational vehicle parks shall be defined as follows:

701.1 Recreational Vehicle

A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel uses, which either has its own mode of power or is mounted or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.

701.2 Recreational Vehicle Park

A plot of land upon which recreational vehicle sites are located, established or maintained for occupancy be recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

701.3 The standards set forth under this section are intended for those recreational vehicle parks where lots within the park are for rental, or lease and are to serve the short-term placement of recreational vehicles as outlined.

701.4 Recreational Vehicles that are being occupied in a manner not listed in section 701.3 shall adhere to the following:

A person who is actively constructing or repairing a permitted dwelling within Clearfield Township, and has installed a permitted sewage facility and a potable source of water, may apply to the Clearfield Township Supervisors & Planning Commission for a special permit allowing the parking of and hooking up of water, sewer, electrical and fuel to a recreational vehicle on the lot, and adjacent to the dwelling being constructed for temporary living quarters for a period not to exceed six (6) months with the potential of one (1) available six (6) month permit renewal, upon Township Planning Commission and Supervisor approval, from the date of the permit being approved while actively constructing said dwelling. If construction on the dwelling ceases this permit is no longer valid. At the completion of the temporary permit or construction ceasing the recreational vehicle must immediately be removed from sewage, water and utilities along with ceasing to utilize the recreational vehicle for the purpose of living quarters.

No campers/recreational vehicle, camper trailer, or boat shall be used for residential purposes, except that visitors may sleep in them for a period not to exceed five (5) days. Any such recreational vehicle or travel trailer shall not be permitted to connect into a water and/or sewage system of a residence during the period of temporary occupancy. A person may park one recreational vehicle on a resident's lot for this purpose.

This prohibition shall not apply to a recreational vehicle which is located in a duly licensed recreational vehicle park.

No persons shall lease or rent a recreational vehicle for the purposes listed in section 701.4. At all times, the vehicles listed in section 701.4 must be licensed, registered, have a valid inspection sticker and be in compliance with all laws of the Commonwealth.

All permits under this Section shall be subject to review by the Township Sewage Enforcement Officer and/or DEP approval, as appropriate.

Under no circumstances shall a Recreational Vehicle be utilized as a permanent residence.

Section 702 Permits

In conjunction with the rules and regulations as herein specified, the recreational vehicle park developer shall submit properly prepared plans and specifications to the Pennsylvania Department of Environmental Protection. Such submission shall be in accordance with Title 25, Rules and Regulations Part 1; Department of Environmental Protection - Subpart D Environmental Health and Safety, as amended. Prior to final approval of development plans by the Township, the developer shall forward a copy of such permit or evidence of the same to the Township.

Section 703 Plan Requirements

703.1 Persons, firms or corporations proposing to open a recreational vehicle park in Clearfield Township shall not proceed with any construction work on the proposed park unless and until they have obtained from the Township written approval of the preliminary plan of the proposed park, according to procedures herein outlined, and has received the necessary approval of the plans from the Pennsylvania Department of Environmental Protection as indicated in Section 701.

A recreational vehicle park shall have a minimum gross site acreage of ten (10) contiguous acres as stated in Section 604.3.

703.2 Pre-Application Procedure

The recreational vehicle park developer shall meet with the Township, prior to formal application, to discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of the proposal. The Township shall inform the developer as to the general suitability of the plans and of any modifications required by this Ordinance, if deemed advisable.

703.3 Preliminary Plan

The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary materials, as required.

Where a recreational vehicle park is proposed for construction in a series of stages, a preliminary plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.

703.4 Preliminary plans, as required, shall comply in form and content as follows, in so far as applicable and to the standards set forth herein.

703.5 Plan Preparation Requirements

All applications to Clearfield Township shall contain the following:

703.5.1 Name, mailing address, legal address and telephone number of applicants.

703.5.2 Interest of the applicant in the proposed recreational vehicle park.

703.5.3 Location, address and legal description of the entire proposed recreational vehicle park site.

703.5.4 Complete engineering plans and specifications of the proposed recreational vehicle park showing:

(1) The area and dimensions of the entire tract of land;

(2) The land uses occupying the adjacent properties;

(3) The number, size and location of the proposed vehicle sites and other parking areas;

(4) The location, right-of-way and surfaced roadway width, roadway design and walkways;

(5) The proposed interior vehicular and pedestrian circulation patterns;

(6) The location of service buildings, sanitary stations and any other existing or proposed structures;

(7) The location of water and sewer lines and riser pipes;

(8) Plans and specifications of the water supply, sewage disposal and refuse facilities;

(9) Plans and specifications of all buildings constructed or to be constructed within the travel park including specifications showing the required multi-purpose/severe weather building, which is to be centrally located, serviced by all utilities and be constructed of materials capable of withstanding severe weather. The size of the building shall be determined by constructing thirty (30) square feet of structure per every ten (10) recreational vehicle lots;

(10)The locations and details of area lighting, electric, natural or propane gas systems, cable T.V., and telephone, as related to all applicable codes and sound engineering practice; and

703.6 <u>Soil Erosion and Sedimentation Control Plan</u>

The owner shall submit to the Butler County Conservation District a soil erosion and sedimentation control plan. Such plan shall be prepared by a registered Professional Engineer and shall be as per Conservation District guidelines as may be applicable. Such plan shall be approved prior to commencement of site preparation and construction.

703.7 Applications for Preliminary Plans and Final Plans shall be submitted to the Clearfield Township Planning Commission. Submission shall be accompanied by payment of the required application fee.

703.8 The Planning Commission shall review the application for completeness. The Board of Supervisors shall review and notify the applicant within fifteen (15) days of receipt if the application is complete and accepted or incomplete and not accepted. An application shall not

be accepted as filed until it is found by the Board of Supervisors to be complete including all plans, information, and the application fee required by this Ordinance.

703.9 Storm Water Management

The owner shall prepare and submit for review and approval to the Township a storm water management plan, in accordance with Section 703 of these regulations. Such plan shall indicate the proposed storm water handling system, proposed water retention and release schedule to eliminate the effects of uncontrolled water run-off on adjacent properties. The plan shall be referred to the Butler County Soil Conservation District for review and comment prior to plan approval.

703.10 Township Action

The Township Planning Commission and Board of Supervisors shall review the preliminary plan as submitted and within ninety (90) days of submission shall take formal action on the plan and in writing within fifteen (15) days of action by the Board of Supervisors give approval, conditional approval (giving conditions) or disapproval (citing deficiencies.

703.10 Nature of Approval

Approval of a preliminary plan by the Township shall not constitute approval of the final plan or of roads or other improvements therein but it is rather an expression of approval of layout submitted on the preliminary plan as a guide to the preparation of the final plan, which shall be submitted for approval to the Township upon fulfill of the requirements.

703.11 Final Plan

Upon completion of any modifications required by the Township and/or upon completion of required improvements or the alternate posting of acceptable surety, the developer may apply for approval of final plans.

703.12 Township Review

The Township Planning Commission and Board of Supervisors shall review the final plan for conformance with the approved preliminary plans and all requirements of these regulations. They shall require the applicant to supply proof that appropriate surety has been posted or that required improvements have been installed, according to specifications. Within ninety (90) days of receipt of complete information, the Township Board of Supervisors shall approve or disapprove such plan; stating in writing its reasons for disapproval.

Section 704 Design Requirements

704.1 Lot Area Requirements

The planning and location of individual recreational vehicle lots shall be governed by the following minimum requirements:

704.1.1 Lot Area

Recreational vehicle lots shall be designed to accommodate a minimum width of thirty feet (30') and shall not be less than one thousand five hundred (1,500) square feet in total area, excluding right-of-ways and the environmental constraints stated in this section. Such size is considered to accommodate parking for one (1) recreation vehicle,

two (2) vehicle parking spaces, an accessory structure, and related outdoor facilities (grill, picnic tables, benches, etc.)

704.2 Setback Requirements

Front setback for recreational vehicle units shall be fifty (50) feet along any public road or street right-of-way. However, structures, such as bathhouses, administration offices, recreation centers and other ancillary facilities of a permanent nature shall be setback from adjacent or access streets twenty (20) feet as measured from the centerline of the street or roadway.

Minimum separation of parked recreation vehicles, side to side, side to end or end to end – twenty-five (25) feet.

Minimum setback of vehicle sites from property boundary-thirty (30) feet, or fifty (50) feet if abutting residentially used land.

Minimum setback of vehicle sites from access road-twenty-five (25) feet, twelve (12) feet on all sides and rear property lines.

704.3 Perimeter Requirements

704.3.1 When abutting residential developed properties, a buffer strip shall be provided, a minimum of thirty feet (30') in width, parallel to the park property line. When abutting nonresidential properties, the buffer strip shall be twenty feet (20') from the park property line.

704.3.2 When abutting and existing dedicated right-of-way, the setback shall be seventy-five (75) feet as measured from the street or roadway centerline, or fifty (50) feet from the existing right-of-way whichever results in the greater setback distance.

704.4 Roadway Design Standards

Recreational vehicle park roads shall be designed for the safe and convenient movement of recreational vehicles minimizing disturbance of the natural environment. The internal street system shall be generally as outlined in Article VI Design Standards and specifically as follows:

704.4.1 Collector Streets

Twenty-two feet (22') as per Article V & VI, Design Standards. All requirements for a public street shall be applicable, including a fifty (50) foot right-of-way. Such street shall serve as collector internal to the development and provide access to park lots, administration and ancillary facilities. Such collector streets shall be improved as outlined in Article V and VI.

704.4.2 Local Streets

One-way: 12'
Two-way: 22'

Local streets shall be constructed of select material surfacing as per current

Pa DOT Highway Specifications, as amended, or approved by the Township Engineer as equivalent. Materials used shall be No. 2 R.C. aggregate. The street shall be made from stone, slag or gravel and meet the following graduation:

Passing 1 1/2 sieve	100%
Passing #4 sieve	15-60%
Passing #100 sieve	1-20%

704.4.3 Construction Requirements

(1) The aggregate shall be uniformly spread upon the graded areas, without segregation of coarse and fine materials, in loose layers a minimum of five-inches (5") in depth, and compacted with a 10-ton roller meeting the requirements and specifications of the Commonwealth of Pennsylvania Department of Transportation.

(2) The surfacing shall be crowned or sloped as indicated, and the final compacted depth shall comply with the depth shown on the drawings.

(3) Satisfactory compaction and stability of the material under the specified compaction equipment, in accordance with Form 408 of the Department or Transportation, will be determined by the Township Engineer. The Township Engineer or Township designee will specify in writing to the developer any additional needs for satisfactory compaction.

704.4.4 Cul-de-Sac Streets

Shall be provided with a turn-around having an outside roadway diameter of at least eighty-feet (80').

704.4.5 Parking Spaces

Car parking spaces, at a minimum size of ten feet by twenty feet (10 x 20'), shall be provided in sufficient number to meet the needs of the occupants of the property and their guests. Such facilities shall be provided at the rate of at least one and one half (1 1/2) parking spaces for each recreational vehicle lot, and shall be on the recreational vehicle lot or in designated parking areas - no on-street parking shall be permitted for safety reasons.

704.4.6 Recreation

At least *five* percent (5%) of the park area should be reserved for active and passive recreation with appropriate location, dimensions and topographic characteristics which lend themselves to recreational use. Such area shall exclude required buffer and setbacks.

704.4.7 Ancillary Services

The developer may include certain ancillary services such as a Laundromat, camp store, grocery store, office, bathhouse, caretakers' residence, etc., provided that such services shall be strictly for the use and convenience of those persons utilizing the recreational vehicle park.

704.4.8 Plans and Compliance

(1) No persons shall construct, open or dedicate any road, or drainage facilities in connection therewith for public use or travel in Clearfield Township without submitting plans thereof to the Township for approval. Such plan shall be prepared in duplicate in accordance with these regulations. Plans for review and approval shall be accompanied by a certified report as prescribed in Section 701.

(2) Said plan shall show the profiles, course, and structure of such roads, the capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory. Construction shall be in accordance with street specifications and the final plan as approved.

(3) Subsequent to final plan approval where new streets are to be constructed, the streets shall be installed and a certified report, prepared by a registered Professional Engineer as outlined in Section 701, shall be submitted. Such street shall also be inspected by the Township Engineer and Township Roadmaster or Designee and recommendation forwarded to the Township Secretary.

704.4.9 Excavating and Grading

(1) Streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street to the lines, grades and limits indicated on the drawings or as may be revised by the Township to meet conditions encountered during construction, the excavation for intersecting roadways, stream channels and culverts within the approved right-of-way limits; and shall also include the widening of cut, flattening and rounding of slopes outside the right-of-way as called for on approved plans, removal of topsoil and excavating of ditches and the construction of fill. Inspection shall be performed and approval granted by the Township Board of Supervisors prior to further work.

(2) All drainage structures shown on the approved plans shall be installed to current State standards. Culverts may be corrugated metal pipe, concrete, or reinforced concrete as specified and prepared according to Form 408 specifications.

Section 705 Fire Protection

705.1 General - For safety and welfare of the occupants of the recreational vehicle park, the following fire prevention regulations shall be complied with. All fire safety plans shall be approved by the Fire Chief of the Township, according to nationally accepted standards (NFPA).

705.2 Fire hydrants shall hereafter be required in any new recreational vehicle park of ten (10) lots or more, where the extension of central water lines, whether public or private, are proposed for the recreational vehicle park development.

705.2.1 Hydrant size and type

(1) All hydrants installed shall be of a standards size and type as specified by the Township and the Fire Chief of the Township.

(2) Fire hydrants shall hereafter be required in any new recreational vehicle park of ten (10) lots or more, where the extension of central water lines, whether public or private, are proposed for the recreational vehicle park development.

(a) Hydrant size and type

All hydrants installed shall be of a standards size and type as specified by the Township and the Fire Chief of the Township.

(b) Spacing

Hydrant spacing shall be adequate to serve all lots within the recreational vehicle park. Hydrants shall be located not more than one thousand (1,000) feet apart from one another. Where an existing hydrant is less than one thousand (1,000) feet from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined and shown, taking the existing hydrant into consideration.

(c) Location

Hydrants shall be located within dedicated public utility or right-of-way easements.

(d) Design

The proposed locations of fire hydrants shall be shown on the submitted plans. Any existing fire hydrants less than one thousand (1,000) feet from the proposed park, shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the recreational vehicle park.

705.2.2 In areas where there are not central water line extensions proposed, the following standards for fire prevention shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.

(1) The tank system: Approved underground, static water tanks of not less than three thousand (3,000) gallons suitably arranged for fire department drafting at a spacing of five hundred (500) feet. In addition:

(a) The tank shall be designed to permit a discharge of no less than five hundred (500) gallons per minute.

(b) Each tank shall have two (2) combination vent pipe and dump valve openings above ground. The openings shall be twenty-four inches (24") square covered by either a removable type lid or a hinged lid.

(c) Each tank shall have an approved outlet above ground, no less than four and one half (4 1/2) inches in diameter. This outlet shall be encased in a hydrant for drafting, with at least two (2) two and one half inch (2 1/2") outlets.

705.2.3 The Pond System

A water pond shall be located on such a way as to service all park lots. The pond shall be utilized by a "dry hydrant" type of outlet. The volume of water within the pond shall be sufficient, as determined by the Fire Chief of the Township and Township Engineer, according to nationally accepted standards (NFPA), to adequately serve all park lots.

All water impoundments shall be secured with a temporary fence consisting of a cyclone fence at a minimum height of six feet (6") with single strand barbed wire shall enclose the pond.

Section 706 Fees

All fees for certification, permits and licenses required under the terms of this Article shall be set by resolution of the Board of Township Supervisors and may be amended from time to time. All newly constructed or transfer of ownership of an existing recreational vehicle park are subject to the fees set by resolution of the Board of Township Supervisors.

ARTICLE VIII
MANUFACTURED HOMES AND PARKS

Section 801 Application Requirements

801.1 Application Process

Applications for the establishment, development and operation of manufactured home parks within the Township shall be submitted in accordance with the following requirements and procedures:

801.1.1 All applicants or permits shall be made by the owner of the manufactured home park, or his authorized representative, to the appropriate State regulatory agency and to the Secretary of the Township Planning Commission.

801.1.2 No applicant may proceed with any grading, street construction or other improvements, nor establish or expand any manufactured home park, until a preliminary application has been reviewed by the Planning Commission and approved by the Board of Supervisors. No applicant may sell, transfer, lease or allow any land or tract to be developed or used for manufactured home park purposes, nor permit any manufactured home to be brought upon such land or tract, until the final plat has been approved by the Planning Commission and the Board of Supervisors. Prior to final approval, each street or road in the park shall be laid out and graded, with stormwater management facilities, and shall meet the minimum standards of Article V of this Ordinance or an appropriate surety has been approved by the Board of Supervisors and posted by the applicant in favor of the Township Supervisors and as hereafter set forth in Article IX.

801.1.3 Application for new manufactured home parks and for extension of existing parks shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and shall contain the name and address of the applicant and the location and legal description of the manufactured home park site.

801.2 Preliminary Application

Preliminary applications shall be submitted to the Planning Commission and shall include a reproducible original and five (5) copies and shall be accompanied by an application fee as set by resolution of the Board of Supervisors. The following information shall be included as part of the preliminary application.

801.2.1 A site map covering the entire tract and clearly showing:

(1) Site topography with vertical contour intervals of five feet (5') or less.

(2) Natural features, including but not limited to, swales, drainage, woods, streams, wetlands and open space.

(3) Man-made features including, but not limited to, structures, walls, public or private utility lines, streets, right-of-way and existing land use.

(4) The names of adjacent landowners.

(5) Areas subject to flooding, subsurface conditions and mineral rights.

(6) Tract boundary lines with calculated distances and bearings and the title, north point, scale and date.

(7) Distances to nearest structures.

(8) Designation of floodprone areas for 2, 10, and 100-year storms.

(9) Utility lines and easements.

801.2.2 A subdivision plan drawn at a scale no smaller than one hundred (100) feet to one inch (12") and which clearly shows the following:

(1) Name of the manufactured home park, names and addresses of owners and preparer of the plan.

(2) Proposed street pattern, including street names, widths and grades.

(3) Layout of lots, including dimensions, lot numbers and building lines.

(4) Parcels to be dedicated and reserved for community parks, active and passive recreation sites, common parking areas and other community purposes.

(5) Key plan, legends, scale, north point and date.

(6) A draft of all proposed deed restrictions.

(7) A draft of proposed manufactured home park rules and regulations.

801.2.3 An engineering report submitted by a Registered Professional Engineer which shall include, wherever pertinent:

(1) Profiles, cross sections and specifications for proposed street improvements.

(2) Profiles and other explanatory data concerning installation of water distribution systems, storm sewers, sanitary sewers.

(3) A report on the feasibility of connection to an existing sanitary sewerage system, including distances to the nearest public sewer, service load of the subdivision, capacity of the treatment plant.

(4) If connection to a public sanitary sewerage system is not feasible, a report on the feasibility of a separate sewerage private sanitary system, including design, effluent load based on persons residing in the park, type and location of the treatment facility and receiving watercourse.

801.2.4 An erosion and sedimentation control plan that specifically indicates all erosion and sedimentation control measures to be utilized on the site whether temporary or permanent. The plan shall meet the following requirements:

(1) The erosion and sedimentation control plan shall be prepared by persons trained and experienced in erosion and sedimentation control methods and techniques.

(2) The erosion and sedimentation control plan shall be designed to prevent accelerated erosion and sedimentation and shall consider all factors which contribute to erosion and sedimentation including, but not limited to, the following:

(a) The topographic features of the project area.

(b) The types, depth, slope and areal extent of the soils.

(c) The proposed alteration or elevation changes to the area.

(d) The amount of runoff from the project area and the upstream watershed area.

(e) The staging of earthmoving activities.

(f) Temporary control measures and facilities for use during earthmoving.

(g) Permanent control measures and facilities for long-term protection.

(h) A maintenance program for the control and discharge facilities including disposal of materials removed from the control or discharge facilities or project area.

801.2.5 All additional requirements specified by either the Planning Commission or the appropriate State regulatory agency or the County Conservation District.

801.3 Preliminary Review

The Planning Commission shall forward one (1) copy of each of the preliminary application to the County Planning Commission and the Board of Supervisors. The Board of Supervisors shall not approve the preliminary application until comments have been received, or until the expiration of ninety (90) days from the date of receipt of the preliminary application.

801.4 Preliminary Approval

The Board of Supervisors shall render its decision within ninety (90) days after the filing of a completed application, and communicate it to the applicant not later than fifteen (15) days following the decision.

801.4.1 The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his address set forth in the application.

801.4.2 If the Planning Commission or the Board of Supervisors desires additional time to consider the proposed preliminary plat, the applicant should be requested to waive the ninety (90) day review and approval time period, and request an additional review period. This extension shall be accomplished only in a signed written agreement on the part of the applicant.

801.4.3 When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of any statute or ordinance relied upon.

801.4.4 Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and the manner required shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

801.5 Public Hearing

The Planning Commission or the Board of Supervisors may hold a public hearing prior to approval or disapproval of the preliminary application.

801.6 Final Application

Final applications shall include five (5) prints and one (1) reproducible copy of the final plat and a certificate of completion of improvements as required below:

801.6.1 The final plat shall be drawn at a scale no smaller than one hundred feet (100') to one inch (1") and shall show:

(1) The manufactured home park name, name and address of owner and subdivider, source of title of land as shown by the books of the Recorder of Deeds of the County, graphic scale, north point, date and certificate of approval by the Planning Commission and Board of Supervisors.

(2) Survey date with certification by a Registered Professional Engineer or Professional Land Surveyor showing calculated distances and bearings of the manufactured home park boundaries, lots, utility easements, streets, alleys, building lines and open space or other common areas reserved for community purposes.

(3) Location and distances to the nearest established street corners or official monuments, and the streets intersecting the boundaries of the manufactured home park.

(4) Location, type of material and site of monuments.

(5) Complete curb data.

(6) Lot numbers and street names.

801.7 Improvements

No plats shall be finally approved unless all improvements required by this Ordinance have been installed in strict accordance with Article V, or a guarantee that the improvements will subsequently be installed by the owner in the form of a bond or deposit of funds or securities in escrow which are acceptable to the Board of Supervisors and are in an amount sufficient to cover the cost of the improvements that may be required. Such bond or other financial security

shall be provided as per the provisions of Section 308. The owner shall have the right to request an extension time for completion. All bonding shall be reviewed annually.

801.8 Final Review

The Planning Commission shall forward one (1) copy each of the final application to the Board of Supervisors, the County Planning Commission and other applicable County or State agencies. The Planning Commission shall not recommend approval of the final application until comments have been received or until the expiration of ninety (90) days form the date of receipt of the final application.

801.9 Final Approval

The Board of Supervisors shall render its decision within ninety (90) days after the filing of a completed application and communicate it to the applicant, no later than fifteen (15) days following the decision.

801.9.1 Prior to final plat approval, the developer or owner shall furnish to the Planning Commission written approvals for sewerage and/or erosion and sedimentation control as issued by the Department of Environmental Protection or other appropriate agency.

801.9.2 When a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application.

801.9.3 Upon final application approval and granting of a permit, the applicant may commence the approved development in accordance with the terms of such approval. All development shall be completed as specified in the final approval or guaranteed as per the provisions of Section 308.

801.10 Inspection

When the plan of streets and other improvements have been approved as provided in this Article, the developer shall first notify the Board of Supervisors of his intention to proceed with the construction or installation of said streets and improvements; notification shall be made in writing at least five (5) days before any such construction or installation shall commence so as to give the Board of Supervisors an opportunity to inspect the site prior to commencement of work and to inspect installation or construction of said streets and improvements during the course of work being performed.

801.11 Street Construction

Prior to final approval, each street or road in the park shall be laid out and graded, with proper stormwater drainage and improved in accordance with the applicable requirements of Article V of this Ordinance.

Section 802 Development, Use and Construction Requirements

The following requirements shall apply to all development, construction and use of land and facilities within all manufactured home parks in the Township. In all respects in which standards are not set forth herein, applicable standard requirements and guidelines of the Commonwealth of Pennsylvania or the Federal government, whichever is more severe, shall apply.

802.1 Site Requirements

The development and operation of manufactured home parks and the use of all sites therein shall be governed by the following requirements and criteria:

802.1.1 Land Adaptability

(1) A manufactured home park shall have a minimum gross site acreage of ten (10) contiguous acres.

(2) Land subject to flooding, slips and slides, subsidence, poor drainage or slopes in excess of twenty-five percent (25%) shall not be developed for residential occupancy.

(3) The location of all manufactured home parks shall:

(a) Be free of influence from swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.

(b) Not be subject to flooding.

(c) Not be subject to any hazard or nuisance as determined by the Board of Supervisors such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.

(d) Any lot developed as a site for manufactured home within any manufactured home park which has a grade in excess of ten percent (10%) shall have the manufactured home pad set parallel to the contour and on a level, graded area no less than three (3) times the overall dimensions of the trailer.

(4) Every effort shall be made by the developer to preserve existing shade trees in the area being developed.

(5) The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner and surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled.

Wastewater from any plumbing fixture or sanitary sewer line shall not be deposited upon the ground surface in any part of a manufactured home park.

(6) Exposed ground surface in all parts of every park shall be paved or covered with stone screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and dust during dry weather. All park grounds shall be maintained free of vegetative growth that is poisonous or may harbor rodents, insects, or other pests harmful to man.

802.1.2 Activity and Use Limitations

(1) No central toilet, washroom or laundry facilities may be constructed in any manufactured home park, and each manufactured home situated therein shall be equipped with toileted and washroom facilities which shall be attached to central sanitary sewage and water facilities as provided for each lot.

(2) No part of any manufactured home park shall be used for non-residential purposes, except when so designated on the plan as uses required for the safety or welfare of park residents or for the management and maintenance of the park. Uses shall be limited to:

(a) Management offices.

(b) Repair shops and storage areas.

(c) Indoor recreation facilities for use of park residents.

(3) Nothing contained in this Section shall be deemed as prohibiting the sale of a manufactured home located on a manufactured home lot and connected to utilities.

(4) Each manufactured home unit shall be limited to single-family occupancy.

and manufactured (a) Home occupations are permitted by other applicable Township ordinances and all provisions of said ordinances are complied with.

(b) All activities are conducted entirely within the manufactured home unit by the residents thereof.

(c) No home occupation activities shall be conducted which involve visitation by clients to the manufactured home park for business purposes.

802.1.3 Screening

(1) All manufactured home parks shall be buffered by a planted screen along the interior of all perimeter boundaries.

(2) The required screen shall be a minimum of ten (10) feet wide and have a minimum height of six (6) feet within two (2) years of planting. Plant materials used for the screen shall consist of dense evergreen and deciduous trees at a fifty/fifty (50%-50%) ratio a minimum of two inches (2") caliper in two (2) staggered rows on ten-foot (10') centers. The Board of Supervisors shall require either a new planting or an appropriate alternative screening after two (2) years if the plant materials do not provide an opaque screen.

(3) The Planning Commission may recommend, and the Board of Supervisors may approve, a relaxation of the screening requirement in rural areas where there is not existing development within reasonable sight distances adjacent to the manufactured home park, or where topography or related circumstances negate the need for screening.

802.2 Environmental and Open Space Requirements

All manufactured home parks shall be constructed in accordance with the following requirements:

802.2.1 Site Drainage

(1) The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner.

(2) Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled.

(3) No wastewater from any plumbing, fixture or sanitary sewer shall be deposited upon the ground surface in any part of a manufactured home park.

(4) A stormwater drainage and management system shall be required.

802.2.2 Erosion Control

(1) All earthmoving activities shall comply with soil and erosion plans and provisions of this Ordinance and the Pennsylvania Department of Environmental Protection Soil Erosion and Sediment Control Manual, March 1982, and amendments thereto. The County Conservation District shall be in receipt of approved earthmoving plan, including an erosion and sedimentation plan.

(2) No changes shall be made in the contour of the land; and no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced until:

(a) There has been a plan approved by the Planning Commission that provides for minimizing erosion and sedimentation.

(b) There has been a determination by the Planning Commission that a plan for minimizing erosion and sedimentation is not necessary.

(3) Measures used to control erosion and reduce sedimentation shall, at a minimum, meet the standards and specification of the County Conservation District. The Planning Commission shall require compliance with the appropriate specifications of the Conservation District prior to plan approval.

(4) The Planning Commission, in its consideration of all preliminary plans of manufactured home park development, shall condition its approval upon the execution of erosion and sediment control measures as contained in this Section.

(5) Final plans approved for minimizing erosion and sedimentation may be incorporated into the agreement and bond requirements if so ordered by the Board of Supervisors.

(6) The approval of plans and specification for the control of erosion and sedimentation shall be concurrent with the approval of the final plans of manufactured home park development and become a part thereof.

(7) During site construction, further inspection and consultative technical assistance may be required by the Planning Commission or Board of Supervisors, to be accomplished by the County Conservation District or other qualified agency or professional contractor. All costs for such assistance shall be paid by the developer.

(8) In the event the developer plans to grub and rough prior to final approval, without satisfying conditions specified under this Article, the Board of Supervisors may revoke the approval of the preliminary plan.

802.2.3 Open Space and Recreation Provisions

(1) The developer shall provide at least ten percent (10%) of the net acreage of the manufactured home park to be developed for recreation and open space area. Such area shall be satisfactory for the proposed use with respect to area of slope, dangers, location and related considerations.

(2) At least part of the required open space may be developed for active recreation. The remaining portion of required open space may be used for passive recreation.

(3) The open space shall not consist of areas set aside for street right-of-way, screened areas, non-recreational buildings and related facilities.

(4) The owner must maintain ownership of the common open space and shall be solely responsible for maintenance and control of open space.

802.3 Road and Parking Requirements

All manufactured home park road systems shall be developed in conformance with the following standards and criteria:

802.3.1 General Requirements

(1) Vehicular access shall be provided from abutting public streets and roads to each manufactured home lot.

(2) Entrance to manufactured home parks shall be designed to minimize congestion and hazards, and allow free movement of traffic on adjacent streets.

(3) The number of manufactured home park road system points of intersection with public road systems shall be held to the minimum possible, consistent with topography and other local public roads. All such points of access to public roads shall require the approval of the Pennsylvania Department of Transportation and/or the Township. Intersection frequencies of less than one hundred fifty (150) feet along public roads shall be avoided. All traffic signs required by the Commonwealth or Township shall be provided and erected by the developer.

(4) Within one hundred feet (100') of an intersection, roads shall be approximately right or ninety-degree (90°) angles. A distance of at least one hundred and fifty (150) feet shall be maintained between centerlines of offset intersecting roads, intersections of more than two(2) roads at one (1) point are prohibited.

(5) A plan of the roads, showing grade and intersections, shall be provided to the Planning Commission with the preliminary application for the manufactured home park approval.

(6) Grades of all roads shall be sufficient to ensure adequate surface drainage, but shall not be more the eight percent (8%). Twelve percent (12%) grade may be permitted on runs less than three hundred feet (300'). Stop signs shall be provided and maintained at intersections of all the public roads.

802.3.2 Blocks

(1) Blocks shall have a minimum length of four hundred (400) linear feet and a maximum length of one thousand two hundred (1,200) linear feet. Where practicable, blocks shall not be less than eight hundred (800) feet long.

(2) There shall be sufficient depth to accommodate two (2) tiers of lots, except:

(a) Where prevented by the size, topographical conditions or other characteristics of the property.

(b) Where lots are situated between a park street and a perimeter boundary of the park. In no instance shall the access to a manufactured home lot be from a public right-of-way or any other road that is not a part of the manufactured home park's internal traffic circulation system.

(3) Dead end streets (cul-de-sacs) shall be provided at the closed end with a turnaround having an outside cartway diameter of at least eighty feet (80'). (Approval at the discretion of Planning Commission at the discretion of topographical layout of land.

802.3.3 Street Construction

(1) All roads shall have a minimum paved cartway width of twenty feet (20').

(2) All roads shall be provided with a hard, smooth and dust free surface which shall be durable and well drained under normal use and weather conditions. Road surfaces shall be maintained free of cracks, holes and other hazards. All park roads shall be constructed as defined in the Pennsylvania Department of Transportation Specifications Form 408 and as outlined in this Subdivision and Land Development Ordinance.

802.3.4 Parking Requirements

Off-street parking spaces for at least two (2) motor vehicles shall be provided for each manufactured home lot. A carport or concrete slab shall be provided to serve as a primary parking space and a driveway may serve as the second space if parking is provided on the lot. Such parking spaces need not be covered or enclosed.

802.3.5 Walks

(1) All parks shall provide safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.

(2) Where pedestrian traffic is concentrated, a common walk system shall be provided. Such common walks shall have a minimum width of three feet (3').

(3) All manufactured 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 feet (2').

802.3.6 Street name signs shall be placed at all intersections by the developer or owner. Their design shall be approved by the Township.

802.3.7 All parks shall be furnished with area lights in sharp cut-off luminaries so spaced and placed at such heights as will provide sufficient levels of illumination at all intersection and for the safe movement of pedestrians and vehicles at night, or an outside type light in front of each manufactured home unit.

802.4 Lot Requirements

The following standards and criteria shall apply to the layout of lots and the installation and placement of structures thereon in all manufactured home parks.

802.4.1 Dimensional Requirements

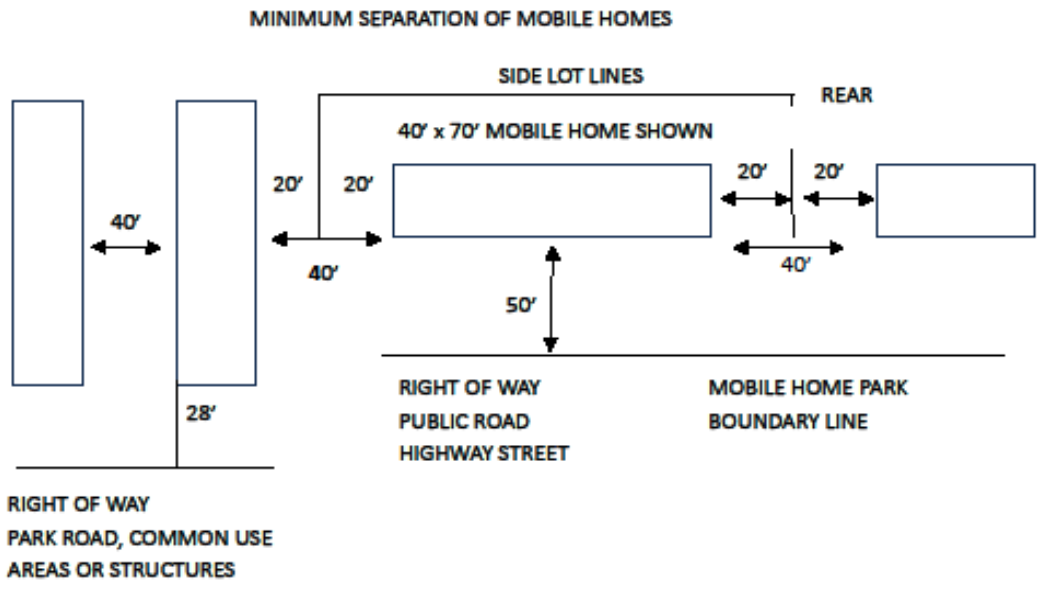
(1) Each manufactured home lot within the park shall have a minimum area of seven thousand (7,000) square feet and a minimum width of seventy-five feet (75'). When a double-wide manufactured home is located in the park, the minimum area shall be twelve thousand (12,000) square feet and a minimum width of seventy-five feet (75').

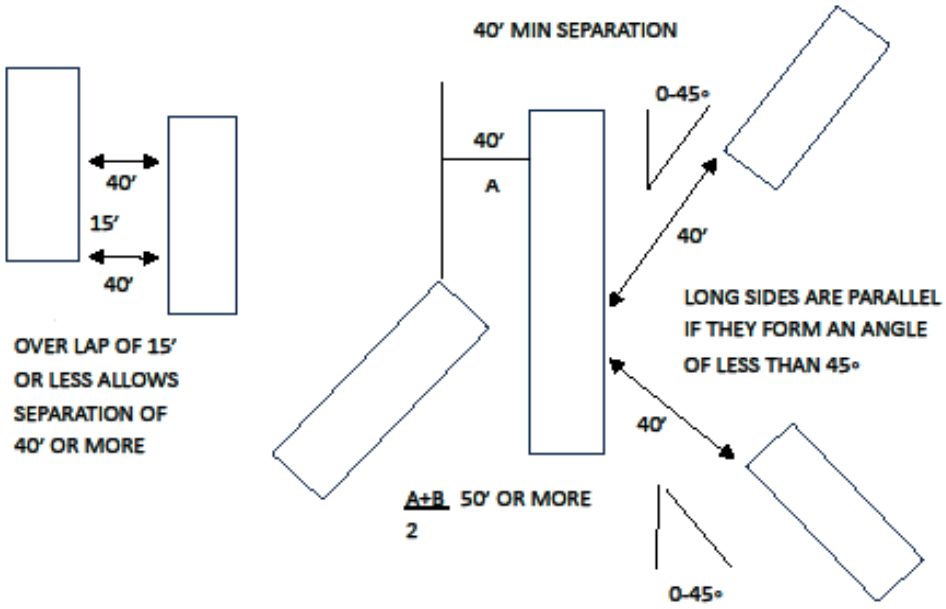
(2) The total number of lots in a park shall not exceed an average density of three (3) per acre.

(3) There shall be a minimum of forty (40) feet between a manufactured home (including accessory structures) on the lot and the right-of-way of any manufactured home park road, common parking area or common use areas or structures.

(4) All manufactured homes shall be located a minimum of fifty (50) feet from the right-of-way of any private and/or public street or highway.

(5) Manufactured homes, including porches, push-out add-ons, carports, Florida rooms and accessory structures shall be located a minimum of twenty feet (20') from side and rear manufactured home lot lines.


MINIMUM SEPARATION OF MOBILE HOMES
SIDE LOT LINES
REAR
40' x 70' MOBILE HOME SHOWN
20'
20'
20'
20'
40'
40'
40'
50'
28'
RIGHT OF WAY
PUBLIC ROAD
HIGHWAY STREET
MOBILE HOME PARK
BOUNDARY LINE
RIGHT OF WAY
PARK ROAD, COMMON USE
AREAS OR STRUCTURES


40' MIN SEPARATION
40'
15'
40'
OVER LAP OF 15'
OR LESS ALLOWS
SEPARATION OF
40' OR MORE
0-45°
40'
A
40'
LONG SIDES ARE PARALLEL
IF THEY FORM AN ANGLE
OF LESS THAN 45°
40'
A+B 50' OR MORE
2
0-45°

802.4.2 Manufactured Home Stand

(1) Each manufactured home lot shall be improved to provide an adequate manufactured home stand or pad for the placement and tie down of the manufactured home. Each manufactured home and manufactured stand or pad shall be constructed such that it shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration or their forces acting on the structures.

(2) Anchoring or tie downs, such as cast-in-place concrete "dead men" (eyelets embedded in concrete), screw augers or arrowhead anchors shall be placed at least at each corner of the manufactured home stand, and each device shall be able to sustain a minimum load of four thousand eight hundred (4,800) pounds.

(3) The pad area under all portions of the manufactured home unit shall be paved with at least four inches (4") of concrete or other approved nonporous material that meets the requirements of this Section above.

(4) The lot upon which each manufactured home is installed shall be graded so that the manufactured home erected thereon shall be at a height not to exceed thirty inches (30") as measured from the ground floor of the manufactured home to the ground level at any point

802.4.3 Skirting

(1) An enclosure of compatible design and material shall be erected around the entire base of each manufactured home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure, with two (2) accesses provided at different locations.

(2) Skirting shall be installed within thirty (30) days of the placement of the manufactured home on the lot pad.

802.4.4 Accessory Structures

Accessory structures that have a floor area of ten (10) square feet or more, whether attached or free-standing on the lot, shall be considered part of the manufactured home and subject to the following requirements:

(1) Storage sheds and similar structures shall meet all setback requirements specified in this Article and shall be located a minimum distance of ten (10) feet from the manufactured home unit.

(2) Expandable room sections constructed as an integral part of the principal unit, awnings, porches and steps, carports, Florida rooms and similar appurtenances may extend into the require separation areas cited in this Section, a maximum of ten (10) feet.

(3) All accessory structures shall be designed and constructed of materials that are compatible in design and appearance with the principal unit and the adjacent installations.

802.5 Water Supply

Water supply and installation of the water distribution system in all manufactured home parks shall be in accordance with the following requirements.

802.5.1 To the fullest extent feasible, underground utility lines located in street right-of-way shall not be installed beneath existing or proposed paved areas. Prior to placing the street surface, adequate subsurface drainage for the streets and all subsurface utilities as acceptable to the Township Engineer and required by the Commonwealth of Pennsylvania shall be provided and/or installed by the developer.

802.5.2 General Requirements: An adequate supply of water shall be provided for manufactured homes, service buildings and other accessory facilities as required by this Article. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto 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 for distribution within the park shall be approved by the Pennsylvania Department of Environment Protection or other authorities having jurisdiction. An emergency or auxiliary water supply of five thousand (5,000) gallons shall be provided for each fifty (50) manufactured homes or less, provided the park has at least two (2) water wells producing a minimum of one hundred and fifty (150) gallons (certified) per day per manufactured home unit. For each additional fifty (50) manufactured homes or fraction thereof, said park shall provide an additional five thousand (5,000) gallons auxiliary water supply. A manufactured home park having only one (1) producing water well shall provide an auxiliary or emergency water supply of five thousand (5,000) gallons for each twenty-five (25) manufactured homes or less. Such auxiliary or emergency water supply, if in tank or container form, shall have a twelve inch (12") opening on the top with a sealed cover on it.

802.5.3 Source of Supply

(1) The water supply shall be capable of supplying a minimum of one hundred fifty (150) gallons per day per manufactured home.

(2) 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.

(3) 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 that is walled in or otherwise enclosed, unless such rooms, whether above ground or below ground, have free drainage to the surface of the ground.

(4) Water supply treatment, if necessary, shall be in accordance with the requirements of the Pennsylvania Department of Environment Protection or State regulatory agency.

802.5.4 Water Storage Facilities

All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

802.5.5 Water Distribution System

(1) All water piping, fixtures and other equipment shall be constructed and maintained in accordance with State and local regulations.

(2) 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.

(3) The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operating conditions, at service buildings and other locations requiring potable water supply.

802.5.6 Individual Water Riser Pipes and Connections

(1) Individual water riser pipes shall be located within the confined area of the manufactured home stand at a point where the water connection will approximate a vertical position, thereby ensuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

(2) The water riser pipe shall have a minimum inside diameter of one-half (1/2") and terminate at least four inches (4") above the ground surface.

(3) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from the heaving and thawing actions of the ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

(4) A shut-off valve below the frost line shall be provided near the water riser pipe on each manufactured home lot. Underground top and water valves are prohibited unless their type of manufacture and their method of installation are approved.

802.6 Sanitary Sewage Disposal

Sanitary sewerage system installations in all manufactured home parks shall be in accordance with the following requirements:

802.6.1 General Requirements

(1) An adequate and safe sanitary sewerage system shall be provided in all parks for conveying and disposing of sewage from all manufactured homes, service buildings and accessory facilities.

(2) Where a public sewerage system exists within eight hundred feet (800') from the end of a sewer main to a perimeter property boundary of the manufactured home park site, connection shall be made to such system if the local operating Authority indicates there is sufficient plant and interceptor line capacity. All construction and materials shall comply with the local Authority's standards.

(3) A sanitary sewerage system and a sanitary sewage treatment plant shall be provided by the developer if a public sewerage system is not available or is not of sufficient capacity to serve the needs of a manufactured home park. Such systems shall be designed, constructed and maintained in accordance with the Pennsylvania Department of Environmental Protection and local health regulations. Each applicant for a manufactured home park construction permit, as required by this Article, shall construct, install or cause to be constructed and installed a sewage treatment plant of adequate size and capacity and approved by the Pennsylvania Department of Environmental Protection or other appropriate State regulatory agency.

(4) Where the sanitary sewer lines of manufactured home parks are not connected to a public sewer, all proposed sewage disposal facilities shall be approved and permitted by the Pennsylvania Department of Environmental Protection and the Township Supervisors, and their agent, prior to construction. Effluents from sewage treatment facilities shall be discharged only as permitted by the Pennsylvania Department of Environmental Protection or other appropriate State regulatory agency.

(5) Stormwater runoff shall not be connected to any sanitary sewer system.

(6) 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 approved materials as specified by the Pennsylvania Department of Environment Protection and/or other State regulatory agency and shall have watertight joints.

802.6.2 Individual Sewer Connections

(1) Each manufactured home lot shall be provided with at least a three inch (3") interior diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position.

(2) The sewer connection shall have a nominal inside diameter of not less than three inches (3"), and the slope of any portion thereof shall be at least one-quarter inch (1/4") per foot. All joints shall be watertight.

(3) All materials used for sanitary sewer connections shall be semi-rigid, corrosive resistant, nonabsorbent and durable. The inner surface shall be smooth. Provision shall be made for plugging the sewer riser pipe when a manufactured 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 four inches (4") above ground elevation.

802.7 Electrical Distribution System

Electrical distribution systems in all manufactured home parks shall be in accordance with the following requirements.

802.7.1 General Requirements

(1) Every park shall contain an electrical wiring system consisting of wiring, fixtures, transformers, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company specifications, the current Township building code or ordinance and local and State codes and ordinances. Inspection by a qualified electrical inspection agency shall be off all private electrical systems. Copies of said approved inspections shall be delivered to the Board of Supervisors.

(2) Power lines shall be located underground in accordance with the Pennsylvania PUC Order Docket No. 99. All direct burial conductors or cable shall be buried below the ground surface and shall be insulated and specifically designed for the purpose. Such conductors shall be located no less than one-foot (1') radial distance from water, sewer, gas or communication lines.

(3) All exposed noncurrent-carrying metal parts of manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors of other approved grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

802.7.1 Lot Provisions

(1) Each manufactured home lot shall be provided with an approved disconnect device and over current protective equipment. The minimum service per manufactured home outlet shall be 120/240 volts, AC two hundred (200) amperes.

(2) Outlets (receptacles or pressure connectors) shall be housed in a weatherproof outlet box twenty-five feet (25') form the current protective device in the manufactured home. A three (3) pole, four (4) wire grounding type shall be

(3) Receptacles, if provided, shall be in accordance with American Standard Outlet Receptacle C-73.1.

(4) Pressure connectors shall be provided where the calculated load of the manufactured home is more than fifty (5) amperes.

(5) The manufactured home shall be connected to the outlet box by an approved flexible supply cord with a male attachment plug or with pressure connectors.

802.8 Fuel Supply and Storage

Fuel supply and storage in all manufactured home parks shall conform to the following requirements.

802.8.1 Natural Gas System

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

(2) Each manufactured home lot provided with piped gas shall have an approved shut-off 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.

(3) All gas piping installed below ground shall have a minimum earth cover of eighteen inches (18"). Gas piping shall not be installed under any manufactured home pad.

802.8.2 Liquefied Petroleum Gas System

(1) Liquefied petroleum gas systems provided for manufactured homes, service buildings or other structures, when installed, shall be maintained in conformity with the rules and regulations of the authority having jurisdiction. Systems shall be provided with safety devices to relieve pressures and shall be arranged so that the discharge terminates at a safe location.

(2) Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

(3) Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside the manufactured home and shall be maintained in effective operating condition. All such outside regulators must be covered and protected from the weather.

(4) All LPG piping outside of the manufactured home shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in manufactured homes.

(5) Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a manufactured home lot and shall be securely but not permanently fastened to prevent accidental overturning.

(6) No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, manufactured home or any other structure unless such installations are specially approved by the authority having jurisdiction.

802.8.3 Fuel Oil Supply Systems

(1) All fuel oil supply systems provided for manufactured homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations published in the National Board of Fire Underwriters Code.

(2) All piping from outside fuel storage tanks or cylinders to manufactured homes shall be securely, but not permanently, fastened in place.

(3) All fuel oil supply systems provided for manufactured homes, service buildings and other structures shall have shut-off valves located within five inches (5") of storage tanks.

(4) All fuel storage tanks or cylinders shall be securely placed and shall be not less than five feet (5') from any manufactured home exit.

(5) Storage tanks located in areas subject to traffic shall be protected against physical damage.

802.9 Fire and Sanitation Regulations

The following regulations shall apply to all manufactured home parks and all uses therein.

802.9.1 Fire Protection

(1) The manufactured home park area shall be subject to the rules and regulations of the Township pertaining to fire prevention and shall permit fire prevention personnel and vehicles to enter onto the manufactured home park premises in case of fire of for inspection purposes. The residents of such manufactured home parks shall obey lawful orders of any fireman or fire police or policeman in the performance of their duties.

2) Fire hydrants shall be installed if their water supply source is capable of serving them in accordance with the following requirements:

(a) The water supply source shall permit the operation of a minimum of two (2) one and one-half inch (1 1/2") hose streams.

(b) Each of two (2) nozzles held four (4) feet above the ground shall deliver at least seventy-five (75) gallons of water per minute at a residual pressure of at least twenty (20) pounds per square inch at the highest point of the park.

(c) Fire hydrants, if provided, shall be located within six hundred feet (600') of any manufactured home service building or other structure in the park.

(d) All hydrants shall meet specifications of the fire department which services the area in which the manufactured home park is situated.

(3) Manufactured home park areas shall be kept free of litter, rubbish and accumulation of flammable materials.

(4) Cooking shelters, barbecue pits, fireplaces, wood burning stoves and incinerators shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisances both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

802.9.2 General Sanitation Requirements

(1) The storage, collection and disposal of solid waste and refuse in the manufactured home park shall be so constructed as to create no health hazards, no rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with the Pennsylvania Department of Environment Protection regulations governing manufactured home parks and the general community.

(2) All refuse containing garbage shall be collected at least once weekly. The management or developer shall provide this service.

(3) Grounds 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 Protection.

(4) Grounds shall be kept free of clutter, vehicle parts, related materials, and unauthorized accessory uses.

802.10 Management Responsibilities

The following regulations shall govern the management and operation of all manufactured home parks.

802.10.1 Responsibilities of the Park Management

(1) The person to whom a license for a manufactured home park is issued shall operate the park in compliance with this Article and all other local, State and Federal rules and regulations and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

(2) The park management shall supervise the placement of each manufactured home on its manufactured home lot, which includes securing its stability and installing all utility connections.

(3) The park management shall give the Township Secretary, fire inspector, building inspector, code enforcement officer or their official designated by the Township Supervisors free access to all manufactured home lots, service buildings and other community service facilities for the purpose of inspection.

(4) The management shall submit to the Board of Supervisors, by March 1 of each year, a copy of the list of names and addresses of all manufactured home occupants and a copy of any permits or licenses which may be required by State law. Changes which occur in occupancy shall be submitted on a quarterly basis.

(5) The park management shall notify park occupants of all applicable provisions of this Article and inform them of their duties and responsibilities under this Article.

(6) Park owners shall not permit abandoned vehicles or rubbish on manufactured home park lots.

802.10.2 Responsibilities of Park Occupants

(1) The park occupant shall comply with all applicable requirements of this Article and shall maintain his manufactured home lot, its facilities and equipment in good repair and in clean and sanitary condition.

(2) The park occupant shall be responsible for proper placement of his manufactured home on its manufactured home stand and proper installation of all utility connections in accordance with the instructions and supervision of the park management.

(3) Pets shall not be permitted to run at large or to commit any nuisance within the limits of any manufactured home lot.

(4) Skirting, porches, awnings and other permitted accessory additions shall be installed in accordance with the requirements of this Article. When installed they shall be maintained in good repair. The space immediately underneath a

manufactured home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:

(a) The storage area shall be provided with a base of impervious materials.

(b) Stored items shall be located so as not to interfere with the underneath inspection of the manufactured home.

(c) The storage area shall be enclosed by skirting.

(d) No materials deemed by the park management or Township officials to be dangerous shall be stored.

(e) The park occupant shall store and dispose of all his rubbish and garbage in a clean sanitary and safe manner. The garbage container shall be rodent proof, insect proof and watertight.

(f) First aid fire extinguishers for Class B and C fires shall be kept at the premises and maintained in working condition.

Section 803 Administration

803.1 Permits, Registration and Licenses

The following requirements shall govern the granting of permits, licenses and certificates for the development of a manufactured home park:

803.1.1 Permit Requirements

(1) No permit to construct a manufactured home park shall be issued until such time as a preliminary and final applications shall be submitted to the Planning Commission and approved by the Board of Township Supervisors. Such preliminary and final applications shall meet all of the conditions specified in this Article and any and all applicable Township ordinances.

(2) All applicants for a permit to lay out and construct a manufactured home park in the Township shall, in addition to the requirements if this Article, apply for and obtain any and all permits or licenses that may be required by the Pennsylvania Department of Environmental Protection in connection with the establishment of a manufactured home park within the limits of the Township unless he holds a valid permit issued by the Pennsylvania Department of Environmental Protection in the name of such person for the specific construction, alteration or extension proposed and also a permit issued by this Township.

(3) A duplicate copy of the application submitted to the Pennsylvania Department of Environmental Protection or other State regulatory agencies shall be concurrently filed with the Township Board of Supervisors or its designated official. The applicant shall also submit an application to the Township or its designee upon a form to be furnished by the Township for a permit to lay out and construct a manufactured home park in the Township.

(4) Upon receipt of such application by the Township's authorized representative shall forthwith inspect the applicant's proposed site to determine its suitability for use as a manufactured home park and to determine that the provisions of this Article are being met. Upon a favorable determination and upon being furnished with a copy of the permit issued by the Pennsylvania Department of Environment Protection for the operation of water distribution and/or sewage treatment facilities, said Township official shall issue a manufactured home park permit to the applicant for the construction, laying out and establishment of a manufactured home park. The permit shall be valid for a period of one (1) year thereafter.

(5) Renewal of construction permits for an additional period of one (1) year shall be issued by the Township upon evidence by the applicant that his manufactured home park continues to meet the standards prescribed by the Pennsylvania department of Environmental Protection and this Article. Any renewal permit requested shall be accompanied by permit fees as established by the Board of Supervisors.

(6) After the effective date of this Article, any proposed extension or enlargement of any manufactured home park in the Township shall be subject to all the provisions of this Article relating to development, construction, use requirements, the filing of applications, permits for construction, etc. and the payment of a filing fee as hereafter provided.

(7) All original applications for a construction permit shall be accompanied by a permit fee as established by resolution of the Board of Supervisors.

(8) Manufactured home parks in existence upon the effective date of this Article shall be required to meet the standards of the Pennsylvania Department of Environmental Protection and Township ordinances under which they were originally developed as a prerequisite to the issuance of a permit. All other minimum standards prescribed herein shall be applicable only to those parks constructed or expanded after the effective date.

803.1.2 Registration

(1) It shall be unlawful for any person to maintain or operate any manufactured home park within the limits of the Township unless he holds all required certificates of registration, licenses or permits issued by the Pennsylvania Department of Environmental Protection in the name of such person for the specific manufactured home park. Proof of such registration, licensing or permitting shall be furnished to the Township no later than February 1 each year. and manufactured

(2) Every person holding such certificate, license or permit shall file notice in writing to the Pennsylvania Department of Environmental Protection and the Township within ten (10) days after having sold, transferred, given away or otherwise disposed of interest in, or control of, any manufactured home park. If the certificate of registration, license or permit is transferred by the Pennsylvania

Department of Environmental Protection proof of such transfer shall be furnished to the Township prior to transfer of any permit or license issued hereunder to such new owner or assignee.

(3) Township Licenses

(a) Applications for original manufactured home park licenses shall be in writing signed by the applicant, accompanied by an affidavit of the application as the truth of the application and shall contain the name and address of the applicant, the location and legal description of the manufactured home park and a final site plan or survey of the manufactured park showing all manufactured home lots, structures, roads, walkways and other service facilities.

(b) Applications for annual renewal of manufactured home park licenses shall be made in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and shall contain any change in information submitted in the original application.

(c) Fees for original licenses and annual renewals of licenses shall be set by resolution of the Board of Supervisors. Any existing manufactured home park in operation at the time this Article becomes effective shall be subject to the annual license fee provided for herein.

(d) If a manufactured home park is transferred, the transferee shall be required to submit an application to the Township and obtain a new license from the Township in order to operate the manufactured home park.

803.2 Inspection

803.2.1 Representatives of the Pennsylvania Department of Environmental Protection and the Township may inspect a manufactured home park at reasonable intervals and at a reasonable time to determine compliance with this Article.

803.2.2 The Pennsylvania Department of Environmental Protection and the Township shall have the power to inspect the register containing a record of all residents of the manufactured home park at reasonable times.

803.3 Removal

No manufactured home, whether installed on a single lot or in a manufactured home park, shall be removed from the parcel or park without first obtaining a permit from the tax collectors charged with the collection of all real estate, wage, property transfer and per capita taxes. Such a permit for removal will be issued upon payment of all fees and taxes and upon payment of a removal fee set by resolution of the Board of Supervisors.

803.4 Erection of Single Manufactured Homes

803.4.1 General Requirements

No person, persons, partnership, association, corporation or other legally recognized entity shall place or permit to be placed by others, or occupied or permit to be occupied by others, any manufactured home in the Township for sleeping or living purposes except in a manufactured home park duly licensed by the Board of Township supervisors. However, a single on-site manufactured home placement shall be permitted provided said manufactured home and site conform to comply with all building land use control and other ordinances of the Township applicable to conventional stationary dwellings and residences.

803.4.2 Single On-Site Manufactured Home Requirements

(1) A single on-lot manufactured home shall meet all Township requirements for the control of land uses as if it were a conventionally constructed immobile single-family dwelling.

(2) A single on-lot manufactured home shall be supplied with an approval portable water supply and all approved sanitary sewer and disposal system or be connected to public water and sewer facilities.

(3) A single on-lot manufactured home shall be installed to conform with all front, side and rear yard and lot area requirements applicable to immobile housing units.

(4) A single on-lot manufactured home shall be used only as a single-family dwelling.

803.4.3 Unit Requirements

(1) A single on-lot manufactured home shall have a minimum of four hundred and fifty (450) square feet of living area.

(2) The single on-lot manufactured home shall be installed and secured in accordance with the requirements of this Article.

(3) All accessory uses in conjunction with single on-lot manufactured homes shall be in accordance with this Article.

(4) Any single on-lot manufactured home shall meet or exceed the specifications for manufacture of manufactured homes as set forth in Manufactured Housing Construction and Safety Standards Authorization Act, 35 P.S.§1656.1 et seq.

803.4.5 Applicability of Provisions

All provisions of this Article shall apply with equal force to the owner or owners of real property within the Township who have granted permission, rented, leased, condoned or otherwise placed, or allowed others to place, a manufactured home on his/her or their property in violation of any of these provisions.

803.5 Notices, Hearings, Orders and Actions

803.5.1 Notices

Whenever the Township determines that there are reasonable grounds to believe that there has been a violation of any provision of this Article or of any regulation adopted pursuant thereto, the Township shall give notice of such alleged violation to the persons to whom the permit or certificate was issued as hereinafter provided. Such notice shall:

(1) Be in writing.

(2) Include a statement of the reasons for its issuance.

(3) Allow a reasonable time for the performance of any act it requires, to be not more than thirty (30) days, weather permitting, or such additional time as granted by the Township.

(4) Be served upon the owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any method authorized or required by the laws of this State.

(5) Contain an outline of remedial action which, if taken, will affect compliance with the provisions of this Article or any part thereof and with the regulations adopted pursuant thereto.

803.5.2 Hearings

(1) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Article or of any regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Township Supervisors; provided, that such person shall file in the office of the Township Secretary a written petition requesting such hearing and setting forth a brief statement of the grounds thereto within thirty (30) days after the notice is served. Upon receipt of written application, the Township Supervisors shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided, that upon application of the petitioner the Township Supervisors may postpone the date of the hearing for a reasonable time when in their judgment the petitioner has submitted good and sufficient reasons for such postponement.

803.5.3 Orders

After such hearing, the Township Supervisors shall make findings as to compliance with the provisions of this Article and regulations issued thereunder and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served as provided for herein. Upon failure to comply with any order sustaining or modifying a notice, the license of the manufactured home park affected by the order shall be revoked.

803.5.4 Actions

(1) The proceedings at such a hearing, including the findings and decision of the Township Supervisors, and together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the Township Secretary, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this Section. Any person aggrieved by the decision of the Township Supervisor may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this Commonwealth.

(2) Whenever the Township Supervisors find that an emergency exists which require immediate action to protect the public health they may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as they may deem necessary to meet the emergency, including the suspension of the permit or license. Notwithstanding any other provision of this Article, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately but upon petition to the Township supervisors shall be afforded a hearing as soon as possible.

(3) In the event that any owner of a manufactured home park fails to comply with lawful notice as herein provided and fails to correct any violative condition after the time to correct such violation has passed, the right to operate a manufactured home park within the Township may be suspended or revoked and the Township may require the posting of surety by the management or developer or owner of such manufactured home park in an amount determined by the Township Supervisors to ensure compliance with this Article.

(4) Notwithstanding anything herein to the contrary, the enforcement officer or designated Township agent may institute proceedings or a complaint before a magistrate.

803.6 Applicability and Administration

803.6.1 Existing Manufactured Home Parks

(1) Township authorized manufactured home parks in existence upon the effective date of this Article shall be required to meet the standards of the Pennsylvania Department of Environmental Protection and the Township regulations which governed at the date of their plan approval.

(2) After the effective date of this Article, all proposed extensions or enlargements of an existing manufactured home park within the Township shall be subject to all of the provisions of this Article.

803.6.2 Remedies and Penalties

(1) In the event that any manufactured home park or expansion thereto has not been begun or installed as provided by this Article or in accordance with the approved plat or plan, the Board of Supervisors shall enforce any corporate bond or other security and may institute any legal or equitable action as may be appropriate and authorized by law.

(2) Upon the second violation by the same permittee, his right to the issuance of a permit or continued operation under a permit may be suspended for a fixed term or permanently revoked after notice and hearing by the Board of Township Supervisors, subject to the right of appeal to the Court of Common Pleas in accordance with the law in such cases made and provided.

(3) Enforcement Remedies:

(a) Any person, partnership or corporation who or which has violated the provision of any subdivision or land development ordinance enacted under the Pennsylvania Municipality Planning Code, Act 247, as amended, or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than six hundred dollars ($600.00) per day the violation exists over the 30 day notice plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that the was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

(b) The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

(c) Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

803.6.3 Fees

All fees for certification, permits and licenses required under the terms of this Article shall be set by resolution of the Board of Township Supervisors and may be amended from time to time. The fee resolution shall include fees for licenses of a newly constructed manufactured home park and the fee for the license to a transferee of a transferred Manufactured Home Park.

803.6.4 Enforcement Officer

The Board of Supervisor shall designate by resolution the enforcement officer under this Article.

ARTICLE IX
INSTALLATION OF IMPROVEMENTS

Section 901 Performance Requirements

Before approving any subdivision or land development plan, the Clearfield Township Board of Supervisors shall require a written and signed Developer's Agreement that necessary grading, paving and street improvements, sidewalks, street lights, fire hydrants, water mains, storm sewers and sanitary sewers, and other site improvements, as required by this Ordinance, shall be installed by the applicant in strict accordance with the design standards and specifications of this Ordinance, within a specified time period. Said agreement shall also provide for site maintenance during construction, and development related activities including, but not limited to maintenance of adjacent streets and roads, hours of operation, temporary signage and inspection schedules. The Developer's Agreement required under this section shall be supplied on a template provided by the Township and subject to review and approval by the Township Solicitor.

Section 902 Performance Guarantee

The Clearfield Township Planning Commission shall ensure that the required improvements have been installed according to this Ordinance by either of two alternatives prescribed below and in accordance with the PA Municipalities Planning Code:

902.1 Completion of Improvements Prior to Final Approval: Prior to final plan approval, the applicant shall complete, in a manner satisfactory to the Township Engineer and the Clearfield Township Planning Commission, all improvements required in this Ordinance and as specified in the preliminary subdivision or land development plan approved by the Clearfield Township Planning Commission, and shall dedicate the same to Clearfield Township as appropriate in accordance with these regulations. Final plan approval shall not be granted until the dedication of improvements has been accepted by Clearfield Township.

902.2 Guarantee of Future Performance: In lieu of requiring the completion of all improvements prior to final subdivision or land development plan approval, the applicant shall enter into an agreement with Clearfield Township whereby the applicant shall guaranty, by deposit with Clearfield Township of financial security, the completion of all improvements required by this Ordinance and as specified in the proposed final plan, including but not limited to roads and streets, stormwater management facilities, related drainage facilities, recreational facilities, buffer and screen plantings, or other amenities, in a manner satisfactory to the Clearfield Township Engineer and the Clearfield Township Planning Commission. The final plat or record plan shall not be signed nor recorded until the written financial improvements' agreement is executed and financial security satisfactory to Clearfield Township has been posted.

902.2.1 Financial security shall be of a type and in amounts prescribed by, and meet requirements of, the PA Municipalities Planning Code.

902.2.2 Procedures and requirements for administering financial security, including release of financial security and remedies to effect completion of improvements, shall be as prescribed by the PA Municipalities Planning Code.

902.2.3 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 the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

Section 903 Status of Improvements with Recording and Dedication

903.1 After an approved subdivision or land development plan shall have been officially recorded, the streets, parks, and other public improvements shown hereon shall be so considered to be a part of the official plan of the host municipality.

903.2 Streets, parks, and other public improvements shown on a subdivision or land development plan to be recorded shall be offered for dedication to the municipality by formal notation thereof on the plan, or the applicant/owner shall note on such plan where any improvements have not been offered for dedication to the municipality.

903.3 Every street, park or other improvement shown on a subdivision or land development plan shall be deemed to be a privately-owned street, park or improvement until such time as the same shall have been offered for dedication to the host municipality and accepted by ordinance or resolution, or until it shall have been condemned for use as a publicly-owned street, park or other improvement.

ARTICLE X
WIND ENERGY FACILITY

Section 1001 Applicability

1001.1 This Ordinance applies to all Wind Energy Facilities proposed to be constructed after the effective date of the Ordinance, except that this Ordinance is not intended to apply to stand-alone Wind Turbines constructed primarily for residential or farm use.

1001.2 Wind Energy Facilities constructed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance; provided that any physical modification to an existing Wind Energy Facility that materially alters the size, type and number of Wind Turbines or other equipment shall require a permit under this Ordinance.

Section 1002 Permit Requirement

1002.1 No Wind Energy Facility, or addition of a Wind Turbine to an existing Wind Energy Facility, shall be constructed or located within Clearfield Township unless a permit has been issued to the Facility Owner or Operator approving construction of the facility under this Ordinance.

1002.2 The Township permit application or amended permit application shall be accompanied with a fee in the amount set by Clearfield Township in their fee resolution, as amended from time to time. Fees shall not be refunded where an application has been denied.

1002.3 Applicants shall be responsible for any and all other administrative, permit, or other fees, taxes, and costs due to other local, state, or federal agencies, departments, or regulatory bodies.

1002.1 Any physical modification to an existing and permitted Wind Energy Facility that materially alters the size, type and number of Wind Turbines or other equipment shall require a permit modification under this Ordinance. Like-kind replacements shall not require a permit modification. No refunds will be given for decrease in capacity.

Section 1003 Permit Application

1003.1 The permit application shall demonstrate that the proposed Wind Energy Facility will comply with this Ordinance.

1003.2 Among other things, the application shall contain the following:

1003.2.1 A narrative describing the proposed Wind Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the Wind Energy Facility; the approximate number, representative types and height or range of heights of Wind Turbines to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.

1003.2.2 An affidavit or similar evidence of agreement between the property owner and the Facility Owner or Operator demonstrating that the Facility Owner or Operator has the permission of the property owner to apply for necessary permits for construction and operation of the Wind Energy Facility.

1003.2.3 Identification of the properties on which the proposed Wind Energy Facility will be located, and the properties adjacent to where the Wind Energy Facility will be located.

1003.2.4 A site plan showing the planned location of each Wind Turbine, property

lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.

1003.2.5 Documents related to decommissioning including, but not limited to, the estimated date of decommissioning and the estimated costs of decommissioning.

1003.2.6 Other relevant studies, reports, certifications and approvals as may be reasonably requested by Clearfield Township to ensure compliance with this Ordinance.

1003.3 Within ninety (90) days after receipt of a permit application, Clearfield Township will determine whether the application is complete and advise the applicant accordingly.

1003.4 Within sixty (60) days of a completeness determination, Clearfield Township will schedule a public hearing. The applicant shall participate in the hearing and be afforded an opportunity to present the project to the public and municipal officials, and answer questions about the project. The public shall be afforded an opportunity to ask questions and provide comment on the proposed project.

1003.5 Within sixty (60) days of a completeness determination, or within forty-five (45) days after the close of any hearing, whichever is later, Clearfield Township will make a decision whether to issue or deny the permit application. All decisions of Clearfield Township will be in writing and delivered to the Facility Owner or Operator.

1003.6 Within thirty (30) days of Clearfield Township's decision, the Facility Owner or Operator may file an appeal to the Court of Common Pleas of Butler County, Pennsylvania

1003.7 Throughout the permit process, the Applicant shall promptly notify Clearfield Township of any changes to the information contained in the permit application.

1003.8 Changes to the pending application that do not materially alter the initial site plan may be adopted without a renewed public hearing.

Section 1004 Design and Installation

1004.1 Design Safety Certification

The design of the Wind Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanishcer Llloyd Wind Energies, or other similar certifying organizations.

1004.2 Uniform Construction Code

To the extent applicable, the Wind Energy Facility shall comply with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§403.1 – 403.142. as amended, from time to time.

1004.3 Controls and Brakes

All Wind Energy Facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

1004.4 Electrical Components

All electrical components of the Wind Energy Facility shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards.

1004.5 Visual Appearance; Power Lines

1004.5.1 Wind Turbines shall be a non-obtrusive color such as white, off-white or gray.

1004.5.2 Wind Energy Facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

1004.5.3 Wind Turbines shall not display advertising, except for reasonable identification of the turbine manufacturer, Facility Owner and Operator at a height of no more than six (6) feet from the base of the structure.

1004.5.4 On-site transmission and power lines between Wind Turbines shall, to the maximum extent practicable, be placed underground.

1004.6 Warnings

1004.6.1 A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

1004.6.2 Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten feet from the ground.

1004.7 Climb Prevention/Locks

1004.7.1 Wind Turbines shall not be climbable up to fifteen (15) feet above ground surface.

1004.7.2 All access doors to Wind Turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

Section 1005 Setbacks

1005.1 Occupied Buildings

1005.1.1 Wind Turbines shall be set back from the nearest Occupied Building a distance not less than 1.5 times the Turbine Height. The setback distance shall be measured from the highest point of the Wind Turbine base to the nearest point on the foundation of the Occupied Building

1005.1.2 Wind Turbines shall be set back from the nearest Occupied Building located on a Non-Participating Landowner's property a distance of not less than five (5) times the Hub Height, as measured from the center of the Wind Turbine base to the nearest point on the foundation of the Occupied Building.

1005.2 Property Lines

All Wind Turbines shall be set back from the nearest property line a distance of not less than 1.5 times the Turbine Height. The setback distance shall be measured to the center of the Wind Turbine base.

1005.3 Public Roads

All Wind Turbines shall be set back from the nearest public road a distance of not less than 1.5 times the Turbine Height, as measured from the right-of-way line of the nearest public road to the center of the Wind Turbine base.

Section 1006 Waiver of Setbacks

Property owners may not waive the setback requirements in Section 1105.1 (Occupied Buildings on Non-Participating Landowner's property) and Section 1105.2 (Property Lines).

Section 1007 Use of Public Road

1007.1 The Applicant shall identify all state and local public roads to be used within Clearfield Township to transport equipment and parts for construction, operation or maintenance of the Wind Energy Facility.

1007.2 The Clearfield Township engineer or a qualified third-party engineer hired by Clearfield Township and paid for by the Applicant, shall document road conditions prior to construction. The engineer shall document road conditions again thirty (30) days after construction is complete or as weather permits.

1007.3 Clearfield Township may require the Applicant to bond the roads to be used by the Applicant in compliance with state regulations.

1007.4 Any road damage caused by the Applicant or its contractors shall be promptly repaired at the Applicant's expense.

1007.5 The Applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged roads.

Section 1008 Local Emergency Services

1008.1 The Applicant shall provide a copy of the project summary and site plan to local emergency services, including paid or volunteer Fire Department(s).

1008.2 Upon request, the Applicant shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the Wind Energy Facility.

1008.3 911 address sign shall be placed at entrance to all Wind Energy Facility access roads, including emergency contact information, phone number and address.

Section 1009 Noise and Shadow Flicker

1009.1 Audible sound from a Wind Energy Facility shall not exceed fifty (55) dBA, as measured at the exterior of each Occupied Building on a Non-participating Landowners' property that is adjacent to the Wind Energy Facility. Methods for measuring and reporting acoustic emissions from Wind Turbines and the Wind Energy Facility shall be equal to or exceed the minimum standards for precision described in AWEA Standard 2.1 - 1989 titled *Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier.*

1009.2 The Facility Owner and Operator shall make reasonable efforts to minimize shadow flicker to any Occupied Building on a Non-participating Landowner's property.

Section 1010 Waiver of Noise and Flicker Provisions

1010.1 Property owners may waive the noise and shadow flicker provisions of this Ordinance by signing a waiver of their rights.

1010.2 The written waiver shall notify the property owner(s) of the sound or flicker limits in this Ordinance, describe the impact on the property owner(s), and state that the consent is granted for the Wind Energy Facility to not comply with the sound or flicker limit in this Ordinance.

1010.3 Any such waiver shall be recorded in the Recorder of Deeds Office of the County where the property is located. The waiver shall describe the properties benefited and burdened and advise all subsequent purchasers of the burdened property that the waiver of sound or flicker limit shall run with the land and may forever burden the subject property.

Section 1011 Signal Interference

The Applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the Wind Energy Facility.

Section 1012 Liability Insurance

There shall be maintained a current general liability policy of insurance covering bodily injury and property damage with limits of at least $1,000,000 per occurrence and $1,000,000 in the aggregate. Clearfield Township shall be a named an additional insured on all certificates of liability insurance.

Section 1013 Decommissioning

1013.1 The Facility Owner and Operator shall, at its expense, complete decommissioning of the Wind Energy Facility, or individual Wind Turbines, within twelve (12) months after the end of the useful life of the Wind Energy Facility or individual Wind Turbines. The Wind Energy Facility or individual Wind Turbines will presume to be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months.

1013.2 Decommissioning shall include removal of Wind Turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities.

1013.3 Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.

1013.4 An independent and certified Professional Engineer shall be retained to estimate the total cost of decommissioning ("Decommissioning Costs") without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment ("Net Decommissioning Costs"). The estimates shall be submitted to Clearfield Township after the first year of operation and every fifth year thereafter.

1013.5 The Facility Owner or Operator shall post and maintain Decommissioning Funds in an amount equal to Net Decommissioning Costs; provided, that at no point shall Decommissioning Funds be less than fifty percent (50%) of Decommissioning Costs. The Decommissioning Funds shall be deposited and maintained with a bonding company or Federal or Commonwealth chartered lending institution chosen by the Facility Owner or Operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth and is approved by Clearfield Township. In all cases, Clearfield Township and the participating landowner shall be the named beneficiaries of the Decommissioning account.

1013.6 Decommissioning Funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable to Clearfield Township.

1013.7 If the Facility Owner or Operator fails to complete decommissioning within the period prescribed by Section 1012.1, then the landowner shall have six (6) months to complete decommissioning.

1013.8 If neither the Facility Owner or Operator, nor the landowner complete decommissioning within the periods prescribed by Paragraphs 17(A) and 17(G), then Clearfield Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a Participating Landowner agreement to Clearfield Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that Clearfield Township may take such action as necessary to implement the decommissioning plan.

1013.9 The escrow agent shall release the Decommissioning Funds when the Facility Owner or Operator has demonstrated and Clearfield Township concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality in order to implement the decommissioning plan, at which point the Decommissioning Funds shall be released to the Facility Owner or Operator or the participating landowner, as the case may be.

Section 1014 Public Inquiries and Complaints

1014.1 The Facility Owner and Operator shall maintain with Clearfield Township, a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project. If this person is not the emergency contact, then the Facility Owner or Operator shall maintain with Clearfield Township, a phone number and identify the emergency contact.

1014.2 The Facility Owner and Operator shall make reasonable efforts to respond to the public's inquiries and complaints, in a timely manner.

Section 1015 Remedies

1015.1 It shall be unlawful for any person, firm, or corporation to violate or fail to comply with or take any action which is contrary to the terms of this Ordinance, or any permit issued under the ordinance, or cause another to violate or fail to comply, or to take any action which is contrary to the terms of this Ordinance or any permit issued under this Ordinance.

1015.2 If Clearfield Township determines that a violation of this Ordinance or the permit has occurred, Clearfield Township shall provide written notice to any person, firm, or corporation alleged to be in violation of this Ordinance or the permit. If the alleged violation does not pose an immediate threat to public health or safety, Clearfield Township and the parties shall engage in good faith negotiations to resolve the alleged violation. Such negotiations shall be conducted within thirty (30) days of the notice of violation.

1015.3 If after thirty (30) days from the date of the notice of violation Clearfield Township determines, in its discretion, that the parties have not resolved the alleged violation, Clearfield Township may institute civil enforcement proceedings or any other remedy at law or in equity to ensure compliance with this Ordinance or the permit, or alternatively to restrain, correct or abate the violation.

1015.4 Clearfield Township may refuse to issue any additional permits or grant any approval to the Facility Owner or Operator while the violation remains unresolved.

Section 1016 Fees

The applicant is responsible for all Wind Energy fees and/or costs as set by Resolution by the Board of Supervisors.

1016.1 Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by Clearfield Township, pay a judgment of no more than $600.00 plus all court costs, including reasonable attorney fees incurred by Clearfield Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the District Magistrate. Each day that the violation continues shall be a separate violation.

ARTICLE XI
SOLAR ENERGY DEVELOPMENT

Section 1101 Accessory Solar Energy Systems (ASES)

1101.1 Regulations Applicable to All Accessory Solar Energy Systems

1101.1.1 ASES shall be permitted as a use by right in the Township.

(1) Exemptions

(a) ASES with an aggregate collection and/or focusing area of 1,000 square feet or less are exempt from this ordinance.

(b) ASES constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing ASES whether or not existing prior to the effective date of this Section that materially alters the ASES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

1101.1.2 The ASES layout, design, installation, and ongoing maintenance shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by the Township, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

1101.1.3 Upon completion of installation, the ASES shall be maintained in good working order in accordance with standards of the Township's Uniform Construction Code under which the ASES was constructed. Failure of the property owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by the Township in accordance with applicable ordinances.

1101.1.4 ASES installers must certify they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:

(1) Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

(2) Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.

(3) For residential applications, a registered home improvement contractor with the Attorney General's office.

1101.1.5 All on-site utility, transmission lines, and plumbing shall be placed underground to the extent feasible.

1101.1.6 The owner of an ASES shall provide the Township written confirmation that the public utility company to which the ASES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.

1101.1.7 The display of advertising is prohibited except for reasonable identification of the manufacturer and operator of the system together with emergency contact information.

1101.1.8 Glare

(1) All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.

(2) The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

(3) The applicant shall reimburse the Township for its engineering expenses associated with reviewing the applicant's plans.

1101.1.9 Solar Easements

(1) Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.

(2) Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:

a. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;
b. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;
c. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;
d. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

(3) If required, an ASES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

(4) Prior to the issuance of a building permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself :

(a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or

(b) the right to prohibit the development on or growth of any trees or vegetation on such property.

1101.1.10 Decommissioning

(1) Each ASES and all solar related equipment shall be removed within six (6) months of the date when the use has been discontinued or abandoned by system owner and/or operator, or upon termination of the useful life of same.

(2) The ASES shall be presumed to be discontinued or abandoned if no electricity is generated by such solar collector for a period of six (6) continuous months.

(3) The ASES owner shall provide the Township with a finance bond or other security in the estimated amount of the cost of decommissioning the ASES.

1101.1.11 Permit Requirements

(1) Building permit applications shall document compliance with this Section and shall be accompanied by drawings showing the location of the system on the building or property, including property lines. Permits must be kept on the premises where the ASES is constructed.

(2) The building permit shall be revoked if the ASES, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the ASES not to be in conformity with this Ordinance.

(3) The ASES must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Code Enforcement Officer shall give written notice specifying the violation to the owner of the ASES to conform or to remove the ASES.

1101.2 Roof Mounted and Wall Mounted Accessory Solar Energy Systems

1101.2.1 A roof mounted or wall mounted ASES may be located on a principal or accessory building.

1101.2.2 ASES mounted on roofs or walls of any building shall be subject to the maximum height regulations specified for principal and accessory buildings set forth in the Subdivision and Land Development Ordinance (the "SALDO").

1101.2.3 Wall mounted ASES shall comply with the setbacks for principal and accessory structures set forth in the SALDO.

1101.2.4 Solar panels shall not extend beyond any portion of the roof edge.

1101.2.5 Roof mounted solar panels shall be located only on rear or side-facing roofs as viewed from any adjacent street unless the applicant demonstrates that, due to solar access limitations, no location exists other than the street-facing roof, where the solar energy system can perform effectively.

1101.2.6 For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of the Township that the roof or wall is capable of holding the load imposed on the structure.

1101.3 Ground Mounted Accessory Solar Energy Systems

1101.3.1 Setbacks

(1) The minimum yard setbacks from side and rear property lines shall be equivalent to the accessory structure setback as set forth in the SALDO.
(2) All ground mounted ASES shall comply with the vegetation buffering requirements as set forth in the SALDO.

1101.3.2 Height

(1) Freestanding ground mounted ASES shall not exceed the maximum accessory structure height as set forth in the SALDO.

(2) Ground mounted ASES shall not exceed 15 feet in height above the ground elevation surrounding the systems.

1101.3.3 Coverage

(1) The area beneath the ground mounted ASES is considered impervious cover. However, use of impervious construction materials under the system could cause the area to be considered pervious and subject to the impervious surfaces limitations for the Township's Stormwater Management Ordinance.

(2) The surface area of the arrays of a ground mounted ASES, regardless of the mounted angle of any solar panels, shall be considered impervious and calculated in the lot coverage of the lot on which the system is located.

(3) The total surface area of the arrays of ground mounted ASES on the property shall not exceed more than 25% percent of the lot area.

(4) The applicant shall submit a Stormwater Management Plan that demonstrates compliance with the Township's Stormwater Management Ordinance.

1101.3.4 Screening

Ground mounted ASES shall be screened from adjoining properties according to the standards found in the SALDO.

1101.3.5 Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry. The signage shall also include the name of the system owner or operator including emergency contact information.

1101.3.6 Ground-mounted ASES shall not be placed within any legal easement or right-of-way location or be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.

Section 1102 Principal Solar Energy Systems (PSES)

1102.1 Regulations Applicable to All Principal Solar Energy Systems:

1102.1.1 PSES shall be permitted by right in the Township, provided that the system owner and/or operator complies with all applicable Township Ordinances.

1102.1.2 Exemptions

(1) PSES constructed prior to the effective date of this Ordinance shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing PSES, whether or not existing prior to the effective date of this Ordinance that materially alters the PSES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.

1102.1.3 The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by Clearfield Township and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

1102.1.4 PSES installers must demonstrate they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:

(1) Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

(2) Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.

1102.1.5 All on-site transmission and plumbing lines shall be placed underground to the extent feasible.

1102.1.6 The owner of a PSES shall provide the Township written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection.

1102.1.7 No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations.

1102.1.8 Glare

(1) All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby structures or roadways.

(2) The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

1102.1.9 A noise study will be performed and included in the application. The noise study will be performed by an independent noise study expert and paid for by the applicant. Noise from a PSES shall not exceed 40 dBA, as measured at the property line.

1102.1.10 No trees or other landscaping otherwise required by the municipal ordinances or attached as a condition of approval of any plan, application, or permit may be removed for the installation or operation of a PSES.

1102.1.11 The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to the Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.

1102.1.12 Decommissioning

Decommissioning is required to follow Act 44 of 2026 as amended from time to time.

(1) The PSES owner is required to notify the Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of six (6) continuous months.

(2) The PSES owner shall then have six (6) months in which to dismantle and remove the PSES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property, and to restore the ground as nearly as practicable to its condition prior to installation of the PSES. If the owner fails to dismantle and/or remove the PSES within the established timeframes, the municipality may complete the decommissioning at the owner's expense.

(3) At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to the Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type/variety and density as the original.

1102.1.13 Prior to the issuance of a building permit, PSES applicants must acknowledge in writing that the issuing of said permit shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself :

(a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or

(b) the right to prohibit the development on or growth of any trees or vegetation on such property.

1102.1.14 Solar Easements

(1) Where a subdivision or land development proposes a PSES, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.

(2) Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:

a. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;

b. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;

c. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;

d. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.

(3) If necessary, a PSES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

1102.1.15 Permit Requirements

1102.1.16 PSES shall comply with the Township SALDO requirements. The installation of PSES shall be in compliance with all applicable permit requirements, codes, and regulations.

1102.1.17 The PSES owner and/or operator shall repair, maintain and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition.

Section 1103 Ground Mounted Principal Solar Energy Systems

1103.1 Minimum Lot Size

PSES shall only be installed on parcels that are 100 acres or more and may not exceed 25% coverage.

1103.2 Setbacks

PSES shall comply with the setbacks as set forth in the SALDO.

1103.3 Height

Ground mounted PSES shall comply with the building height restrictions for principal structures set forth in the SALDO. Ground mounted PSES shall not exceed 15 feet in height.

1103.4 Impervious Coverage

1103.4.1 The area beneath the ground mounted PSES is considered pervious cover. However, use of impervious construction materials under the system could cause the area to be considered pervious and subject to the impervious surfaces limitations set forth in the Stormwater Management Ordinance.

1103.4.2 The surface area of the arrays of a ground mounted PSES, regardless of the mounted angle of any solar panels, shall be considered impervious calculated in the lot coverage of the lot on which the system is located.

1103.4.3 The applicant shall submit a Stormwater Management Plan that demonstrates compliance with the Township's Stormwater Management Ordinance.

1103.4.4 PSES owners are encouraged to use low maintenance and low growing vegetative surfaces under the system as a best management practice for storm water management.

1103.5 Ground mounted PSES shall be screened from adjoining residential uses or zones according to the standards found in the SALDO.

1103.6 Ground-mounted PSES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.

1103.7 Security

1103.7.1 All ground-mounted PSES shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate.

1103.7.2 A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence on the surrounding the PSES informing individuals of potential voltage hazards.

1103.8 Access

1103.8.1 At a minimum, a twenty-five (25) feet wide access road must be provided from a state or township roadway into the site.

1103.8.2 At a minimum, a twenty-five (25) feet wide cartway shall be provided between the solar arrays to allow access for maintenance vehicles and emergency management vehicles including fire apparatus and emergency vehicles. Cartway width is the distance between the bottom edge of a solar panel to the top edge of the solar panel directly across from it.

1103.9 The ground mounted PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority.

1103.10 If a ground mounted PSES is removed, any earth disturbance resulting from the removal must be graded, reseeded and restored as nearly as practicable to the condition that existed prior to the installation of the PSES.

Section 1104 Roof and Wall Mounted Principal Solar Energy Systems

1104.1 For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of the township/borough that the roof or wall is capable of holding the load imposed on the structure.

1104.2 PSES mounted on the roof or wall of any building shall be subject to the maximum height regulations of the underlying zoning district.

Section 1105 Fees

The applicant is responsible for all Solar Energy fees and/or costs as set by Resolution by the Board of Supervisors.

ARTICLE XII
OIL AND GAS DEVELOPMENT

Section 1201 Required Application and Express Standards

Prior to obtaining a driveway permit, holding tank permit or sewage system permit, every developer of an oil and gas development (an "Applicant") shall submit an application to the Township that includes the following:

1201.1 For Oil and Gas Drill Sites

1201.1.1 A copy of the permit application submitted to the Pennsylvania Department of Environmental Protection ("PA DEP").

1201.1.2 In addition to the requirements set forth in Section 401, Article V and Article VI of this Ordinance, a property survey shall be submitted showing the following information:

(1) The proposed location of the well or wells;

(2) The proposed location of any tanks or other permanent structures;

(3) The proposed means of access to the well or wells;

(4) The proposed gathering or transmission lines;

(5) The distance from any existing structures on the subject property and any immediately adjacent properties;

(6) The location of local water supply wells or systems within 2,500 feet of the proposed well;

(7) The location of any water impoundments, whether fresh water or waste water.

1201.1.3 A copy of the ESCGP-2 plan that was submitted to the PA DEP and a copy of the ESCGP-2 Permit issued by PA DEP.

1201.1.4 A copy of the Applicant's:

(1) Emergency Action Plan

(2) Preparedness, Prevention and Contingency Plan & Spill Prevention, Control and Countermeasures Plan.

(3) Waste or fresh water impoundment permit, if applicable.

1201.1.5 A copy of the 911 Notice assigning the Well its own separate address (for emergency response).

1201.1.6 A certification that a bond is held by the PA DEP to ensure proper plugging when the well is classified as inactive by the PA DEP.

1201.2 For Oil and Gas Processing Facilities

1201.2.1 A copy of the permit application submitted to the Pennsylvania Department of Environmental Protection ("PA DEP").

1201.2.2 In addition to the requirements set forth in Section 401, Article V and Article VI of this Ordinance, a property survey shall be submitted showing the following information:

(1) The proposed location of the Processing Facility;

(2) The proposed location of any tanks or other permanent structures;

(3) The proposed means of access to the Processing Facility;

(4) The proposed gathering or transmission lines;

(5) The distance from any existing structures on the subject property and any immediately adjacent properties.

1201.2.3 If required by PA DEP, a copy of the ESCGP-2 plan that was submitted to the PA DEP and a copy of the ESCGP-2 Permit issued by PA DEP, and if not required by PA DEP, a grading plan and the approved sedimentation control plan and permit issued by the Butler County Conservation District.

1201.2.4 A copy of the Applicant's:

(1) Emergency Action Plan

(2) Preparedness, Prevention and Contingency Plan & Spill Prevention, Control and Countermeasures Plan.

1201.2.5 A copy of the 911 Notice assigning the Processing Facility its own separate address (for emergency response).

1201.3 For Compressor Stations

1201.3.1 A copy of the permit application submitted to the Pennsylvania Department of Environmental Protection ("PA DEP").

1201.3.2 In addition to the requirements set forth in Section 401, Article V and Article VI of this Ordinance, a property survey shall be submitted showing the following information:

(1) The proposed location of the Compressor Station;

(2) The proposed location of any tanks or other permanent structures;

(3) The proposed means of access to the Compressor Station;

(4) The proposed gathering or transmission lines;

(5) The distance from any existing structures on the subject property and any immediately adjacent properties;

(6) The architectural drawings of the building that will fully enclose noise generating equipment.

1201.3.3 If required by PA DEP, a copy of the ESCGP-2 plan that was submitted to the PA DEP and a copy of the ESCGP-2 Permit issued by PA DEP, and if not required by PA DEP, a grading plan and the approved sedimentation control plan and permit issued by the Butler County Conservation District.

1201.3.4 A copy of the Applicant's:

(1) Emergency Action Plan

(2) Preparedness, Prevention and Contingency Plan & Spill Prevention, Control and Countermeasures Plan.

1201.3.5 A copy of the 911 Notice assigning the Processing Facility its own separate address (for emergency response).

Section 1202 Specific Requirements Prior to Commencing Operations

1202.1 Setbacks

1202.1.1 The distance from the vertical bore to any property line shall be 300 feet.

1202.1.2 The distance from the vertical bore to any Protected Use or Protected Structure shall be 300 feet.

1202.1.3 Water impoundments must be five hundred (500) feet from property lines.

1202.1.4 Compressor Stations must be one-thousand-five-hundred (1,500) feet from property lines.

1202.1.5 Oil and Gas Processing Facilities must be one-thousand-five-hundred (1,500) feet from property lines.

1203.1.6 All permanent and non-permanent supply or discharge lines must be forty (40) feet from any protected use or protected structure.

1202.2 Access Roads

The Applicant shall apply for a Driveway Permit and receive a Driveway Permit from the Township or a Highway Occupancy Permit from the Pennsylvania Department of Transportation as the case may be. Access to any Oil and Gas Development shall be arranged to minimize danger to traffic, nuisance to surrounding properties and to maintain the integrity of Township roads. The following standards shall apply:

1202.2.1 Any newly established private easements/roadways constructed on the parcel containing the well site shall be located at least fifty (50) feet from any property line unless written consent is obtained from the adjoining property owner(s).

1202.2.2 The access road to the Oil and Gas Development, beginning with its intersection with a Township Road, shall be paved with an impervious material the first seventy-five (75) feet and be constructed with an additional one hundred fifty (150) feet extending into the site consisting of the following:

(1) Compacted Subgrade;

(2) PADOT Class 4 Geotextile Fabric;

(3) 8" AASHTO #1 Crushed Aggregate Base Course;

(4) 2" PADOT 2A Aggregate (Choke Material);

(5) 4" (Compacted) – Superpave 25 mm Binder Course.

The remainder of the driveway to the Oil and Gas Development shall be constructed with the following material:

(1) Compacted Subgrade;

(2) 8" AASHTO #1 Crushed Aggregate Base Course;

(3) 2" – PADOT 2A Aggregate (Choke Material) .

1202.2.3 An off-street area, at the entrance to the Oil and Gas Development site and outside of the road right-of-way shall be provided for vehicles to stand while gaining access so that normal flow of traffic on the public street is undisturbed. An off-site designated holding location may be approved by the Township upon written approval of property owner of designated holding area.

1202.2.4 All roads and access ways shall be constructed and maintained to prevent dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather and under no circumstances shall brine water, sulphur water or water in mixture with any type of hydrocarbon be used for dust abatement.

1202.2.5 The Operator shall take all necessary precautions to ensure the safety of persons in areas established for road crossings and/or adjacent to roadways, during periods of anticipated heavy or frequent truck traffic to and from the drill site including the use of flagmen to ensure the safety of motorists and pedestrians. In addition, the Operator may take such other measures for the safety of motorists and pedestrians that may include adequate signs and/or other warning measures for truck and vehicular traffic.

1202.2.6 The access driveway off the public road to the Oil and Gas Development site shall be gated at the entrance to prevent illegal access into the site and provide at least one security guard 24/7 at all times when a drilling rig or hydraulic fracturing equipment is on the well site.

1202.2.7 The public roadway that the access driveway exits onto shall be kept free of mud, debris and other materials.

1202.3 Signage, Site Identification

All Oil and Gas Development sites' signage shall be clearly visible for all 911 Emergency Services at the access gate location where the access road intersects with the Township or State-owned Road and at each entrance to the site. In the event there are multiple Oil and Gas Developments accessible from a single entrance point, this information must be clearly posted and visible as to abate possible confusion. The signage must include:

1202.3.1 Applicant name;

1202.3.2 Unit name;

1202.3.3 The address assigned by 911;

1202.3.4 Emergency contact phone number.

1202.4 Emergency Operation Plan

The applicant/owner shall provide the Clearfield Township Emergency Management Coordinator and Butler County 911 Center with a copy of the PA DEP approved preparedness, prevention and contingency plan. The applicant shall, prior to drilling in the Township, make available with at least thirty (30) days' notice at the applicant's sole expense, one appropriate group training program for local emergency responders. Such training shall be made available at least annually during any year that drilling activities take place at approved Oil and Gas Drill Sites.

1202.4.1 The Township Emergency Management Coordinator and Butler County 911 Center shall be provided the name of the person supervising the drilling operation and a phone number where such person can be reached twenty-four (24) hours a day. Also, a list of contact information for all sub-contractors working at an Oil and Gas Development site must be provided.

1202.4.2 Any or all inspection reports will be made available to the Township at the Township request. The Township or consultant(s) designated by the Township shall have access to the site to determine continuing compliance with the approved development plan.

1202.5 Truck Routes

The Applicant or Operator of the Oil & Gas Development must provide the Township with a plan showing the proposed truck routes to be utilized during the operations. The proposed hauling routes must be designed to minimize the impact on Township roads. The Township reserves the right to designate reasonable required truck hauling routes consistent with the Pennsylvania Motor Vehicle Code and the Pennsylvania Department of Transportation throughout the Township. The Township shall consider all potential routes and, when possible, designate routes that are the least intrusive to the Township, its operation, and the general public. When determining the least intrusive routes, the Township shall account for roadway jurisdiction, traffic, physical characteristics/conditions of the roads, location of school bus stops/routes, and the amount of residential units along potential routes. Routes shall be coordinated with the school district to minimize impact on peak school bus operation hours.

1202.6 Road Maintenance Agreements Required

1202.6.1 The Applicant or Operator of the Oil and Gas Development shall execute an Excess Maintenance Agreement with the Township for a Type 2 permit as per the Pennsylvania Code Chapter 189.4(B) Road Bonding, and post a bond at the paved highway rate in favor of the Township in a form acceptable to the Township prior to beginning any work on a drill site. The bond is to guarantee restoration of Township roads and bridges damaged as a result of hauling associated with the Oil and Gas Development.

1202.6.2 All Township roads to be bonded in accordance with this Ordinance and Ordinance 08-12-01, as amended, from time to time, shall be videotaped prior to acceptance of the bond and prior to the Applicant's or Operator's permitting overweight vehicles on the roads.

1202.6.3 Access directly to State roads shall require Pennsylvania Department of Transportation (PADOT) Highway Occupancy Permit approval. Prior to initiating any work at an Oil and Gas Development site, the Township shall be provided a copy of the Highway Occupancy Permit.

1202.7 Township, State and Federal Compliance

The applicant shall comply with all applicable permits and requirements of the PA DEP, the United States Environmental Protection Agency, and any other governmental authority having jurisdiction over its operations and with all Township, Federal, State and local laws, ordinances and regulations promulgated to protect the environment or otherwise relating to environmental matters. The applicant shall show evidence of obtaining the required permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall notify the Township immediately of any suspension or revocation of the required DEP, State and/or Federal permits. Upon notification of said suspension or revocation, the Township issued permits will hereby be deemed suspended or revoked until DEP, State and/or Federal compliance is reached.

1202.8 Acoustical Screening and Noise

1202.8.1 Temporary screening panels such as an Acoustical Blanket, of a style and material used for noise abatement, shall be erected around the entire drilling site before commencement of the active drilling phase and shall remain in effect until the well is drilled and production has commenced. A waiver of the screening panels can be requested as part of the Land Development approval process provided that the applicant can submit compelling evidence that such a waiver is absolutely necessary and will not be detrimental to the purposes of this ordinance.

1202.8.2 The Township may require acoustical blankets, sound walls, mufflers or other alternative methods to ensure compliance depending on the location of a proposed drill site to adjacent residential properties. Such a sound buffering would be required to be in place during the drilling operations.

1202.8.3 Prior to beginning the drill operation, the applicant shall establish the residual or background noise level baseline. The baseline shall be established over a

seventy-two (72) hour period with at least one (1) twenty-four (24) hour reading on a Saturday or Sunday. A noise consultant/engineer mutually agreed upon by the

Township and owner/operator will be responsible for determining the residual background noise level baseline. The applicant, owner/operator shall be responsible for all costs associated with noise consultant/engineer.

(1) The noise generated during drilling and hydraulic fracturing activities when measured at the nearest Protected Structure property line or one hundred (100) feet from the nearest Protected Structure (as measure to the closest exterior point of the building), whichever is closer to the Protected Structure, shall not exceed the average ambient noise level as determined by the seventy-two (72) hour evaluation:

a. During drilling activities by more than ten (10) decibels during the hours of 7:00 a.m. to7:00 p.m.;

b. During drilling activities by more than five (5) decibels during the hours of 7:00 p.m. to 7:00 a.m.

(2) Since fluctuations in noise levels are inherent to mineral extraction activities, the Township has created a sliding scale which provides adjustments in the permitted level of noise generated during operations to create flexibility in the regulations and prevent repeated violations. Drilling activities are permitted to generate noise ten (10) decibels higher than the average ambient noise levels and the adjustments are in addition to that sound level. Adjustments to the preceding noise limits may only occur during the hours of 7:00 am to 7:00 p.m. and are as follows:

Permitted Increase	Duration of Increase
(dBa)	(Minutes)
0-5	15
6-10	5
11-15	3
16-20	1
>20	0

Note: The maximum cumulative time that the permitted increases in dBA may occur in one hour may not exceed fifteen (15) minutes. For instance, an operator shall not be permitted to allow a ten (10) dBA increase for five (5) minutes and then a five (5) dBA increase for fifteen (15) minutes, within the same hour. If ten (10) dBA are reached for five (5) minutes, then five (5) dBA may only occur for 10 minutes.

(3) If a complaint is received by the Township from any person, whether a resident or otherwise using the Protected Structure as defined herein for any lawful propose, regarding noise generated during drilling and hydraulic fracturing activities, the Operator shall, within twenty-four (24) hours of the receipt of the complaint from the Township, continuously monitor for a forty-eight (48) hour period at a point which is at:

a. The complainant's Protected Structure property line nearest to the well site or equipment generating the noise, or

b. One hundred (100) feet from the Protected Structure, whichever is closer.

If the Operator engages in any noise testing as required by this Ordinance, it will provide preliminary data to the Township no later than ten (10) business days following the completion of the noise testing. Once the monitoring is complete, the Operator will meet with Township representatives and affected residents to discuss whether possible noise abatement measures are warranted, if the permitted levels set further herein were exceeded. The Township reserves the right to hire a noise consultant to do its own testing and investigation regarding the noise complaint.

1202.9 Fencing

1202.9.1 All water impoundments shall be secured with a temporary fence consisting of a cyclone fence at a minimum height of six feet (6") with single strand barbed wire shall enclose the pond.

1202.9.2 The fencing shall be in place until the impoundment is removed.

1202.9.3 The Township may, at its sole discretion, require a landscaping buffer around

Oil & Gas Development sites.

1202.10 Lights

No applicant shall permit any lights located on any operation site to be directed in such a manner so that they shine directly on a public road, protected use, or adjacent property. To the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads, protected uses, and adjacent dwellings and buildings. Exterior lights shall be turned off except when personnel are working on site or motion sensors are activated.

1202.11 Operating Times

All site preparation and pre-production activities on the site, as well as access road maintenance, site reclamation activity and other on-going ancillary activities shall be permissible Mondays through Saturdays (with the exception of federal and/or state holidays) between the hours of 7 a.m. and 7 p.m. or as otherwise authorized by the Township. The active drilling phase is exempt from this paragraph.

1202.12 Holding Tank Permit

The Applicant shall apply for and receive a holding tank permit pursuant to Ordinance No. 06-11-02 (Holding Tanks) as amended from time to time, with appropriate Escrow in the amount according to the Ordinance, or Sewage System Permit pursuant to Ordinance No. 02-90-01 (Sewage Systems) as amended, from time to time.

Section 1203 Procedure

1203.1 The Applicant shall submit the original application and seven (7) copies of the application to the Township Secretary at least thirty (30) days prior to the next scheduled regular meeting of the Planning Commission. The Township Secretary shall forward a copy of the application to each member of the Planning Commission in advance of the Planning Commission's meeting.

1203.2 The Planning Commission shall review the submission at its public meeting and take into consideration the express standards set forth in Section 1201 and any unique circumstances surrounding the particular oil and gas development. Within ninety (90) days of the Planning Commission's meeting, the Planning Commission shall either recommend to the Township Supervisors thar the application be approved as submitted, denied or approved with conditions. A written copy of the recommendation shall be provided to the Applicant and to the Township Supervisors.

1203.3 The Township Supervisors shall schedule a hearing at the Township's next regularly scheduled public meeting, unless otherwise agreed to by the Applicant in writing. At the hearing the Applicant shall present its application and may present such evidence as the Applicant believes supports its application. If necessary, additional hearings may be scheduled in order to allow the Applicant and those opposed to the application to present their case-in chief.

1203.4 Within ninety (90) days from the date of the Township Supervisor's public hearing, the Township Supervisors shall render a written decision including findings of fact and conclusions. In addition, the Township Supervisors shall include those conditions that the Supervisors believe are reasonably necessary to protect the health, safety and welfare of the Township's residents. A copy of the decision and the conditions shall be provided to the Applicant and any other person who requests a copy of the decision.

1203.5 Nothing in this Article shall prejudice the right of any party opposing the application to appeal the Township Supervisor's decision to a Court of Competent jurisdiction within the time prescribed by law.

Section 1204 Fees

The applicant is responsible for all Oil & Gas Development fees and/or costs as set by Resolution by the Board of Supervisors

Section 1205 Fee Reimbursement.

The applicant agrees to reimburse the Township for all reasonable and direct professional consultant fees incurred by the Township related to the site inspection, including but not limited to, the Township Engineer, Township Solicitor and any other reasonable and direct consultant fees incurred for the review and approval process, and for any specialized work called for in the permit and its conditions.

Section 1206 Indemnification and Express Negligence Provisions

The operator shall fully defend, protect, indemnify, and hold harmless Clearfield Township, its departments, officials, officers, agents, employees and contractors from and against each and every claim, demand, or cause of action and any and all liability, damages, obligations, judgments, losses, fines, penalties, costs, fees, and expenses incurred in defense of Clearfield Township including, without limitation, personal injuries and death in connection therewith which may be made or asserted by any third parties on account of, arising out of, or in any way incidental to or in connection with the performance by the operator.

Section 1207 Penalties

Any operator or person performing work at their direction who violates or permits a violation of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township before a Magisterial District Judge, pay a fine of not more than six hundred dollars ($600.00) per day the violation exists, plus all court costs, including reasonable attorney fees incurred by the Township in the enforcement of this Ordinance. No judgment shall be imposed until the date of the determination of the violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to issue a cease-and-desist notice and/or to seek equitable relief, including injunction, to enforce compliance herewith. No Bond will be required if injunctive relief is sought by the Township. A person who violates this Ordinance shall also be responsible for the Township attorney fees, engineering fees, expert fees and court costs associated with enforcement.

Section 1208 Severability

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

ARTICLE XIII
DATA CENTERS

Section 1301 Regulations

This article shall apply to Data Centers, Data Center and Energy Technology Campus, Data Center Equipment and Data Center Accessory Uses (collectively referred to as" project".

1301.1 The maximum building height for a Data Center and Energy Technology Campus shall be thirty-five (35) feet, inclusive of roof mounted equipment such as cooling and ventilation systems, HVAC units and cooling, towers.

1301.2 The maximum height of Data Center Accessory Uses shall be no greater than the height of the principal building.

1301.3 The minimum lot size for a Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses shall be a minimum of six hundred (600) Acres in size.

1301.4 Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses shall submit a current certification and straight-line drawing prepared within thirty (30) days prior to application by a registered land surveyor depicting the property lines and the property to be certified. The submitted plans shall depict a one thousand (1,000) foot building setback line from the boundary lines with properties that at the time of submission are used for the following:

1301.4.1 a church, synagogue, mosque, temple or building which is used primarily for religious activities;

1301.4.2 a public or private educational facility including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school;

1301.4.3 a boundary of a property used for residential and agricultural purposes;

1301.4.4 hospital, group home, assisted living facility;

1301.4.5 a public park or recreational area which has been designated for park or recreational activities, including but not limited to park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths wilderness areas, or other similar public land within the Township which is under the control, operation, or management of the Township park.

1301.5 The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by a Data Center and/or Data Center Accessory Uses during normal operations shall be limited to a maximum daytime (7:00 a.m. to 8:00 p.m. Monday-Friday) decibel level of 67 dB(A) and a maximum nighttime and weekend (8:00 p.m. to 7:00 a.m. Monday-Friday and all day Saturday and Sunday) decibel level of 57 dB(A) as measured from

the property line of the use. Such sound study shall be conducted using Sound Level Meters described in ANSI Sl.4-2104 and generally accepted methodology. A sound study, shall be conducted at the following phases.

1301.5.1 A preliminary study shall be submitted with the land development application. The preliminary study shall include recommended sound reducing materials or systems as needed to meet the aforesaid sound limits.

1301.5.2 An as-built sound study may be required by the Township at the conclusion of construction. If it is determined by the as-built sound study that there is a violation of the aforesaid sound limits, it shall be considered a violation of this Ordinance.

1301.6 If the subdivision or land development will be served by a public water supply, the. applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed.

1301.7 If the subdivision or land development is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Centers, Data Center and Energy Technology Campus or Data Center Accessory Uses shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharge will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity, The water feasibility study shall include the following information at a minimum:

1301.7.1 The projected water demands of the Data Centers, Data Center and Energy Technology Campus and Data Center Uses;

1301.7.2 The source of water to be used;

1301.7.3 A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. humidity control, fire suppression, and domestic usage);

1301.7.4 The long-term safe yield of the water source;

1301.7.5 A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;

1301.7.6 A geological map of the area with a radius of at least one mile from the site;

1301.7.7 The location of all existing and proposed wells within 2,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;

1301.7.8 The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands; springs, natural and estuaries, within 2,000 feet of property boundary;

1301.7.9 A determination of the effects of the proposed water supply on the quantity and quality of water in nearby wells, surface waters, and the groundwater table;

1301.7.10 A statement of the qualifications and the signature(s) of the persons(s) preparing the study.

1301.8 The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling of industrial purposes, have been provided and approved by the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.

1301.9 If the applicant proposes to connect the Data Centers; Data Center and Energy Technology Campus or Data Center Accessory Uses to the electric grid; the applicant shall provide documentation from the applicable electric service provider certifying that that the necessary capacity is available. and that electric service provider will serve the Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses. Any and all known impacts on electric rates or availability for other uses directly attributable to the project shall be noted.

1301.10 The applicant shall provide an interconnection agreement from the applicable electric service provider indicating that the necessary capactiy is available, and the data center will be served. Known impacts on elecric rates or availability for other uses directly attributable to the data center project shall be set forth in the agreement. Also, the applicant is to show in the agreement that existing customers within the Tonwship will not obtain rate increases due to this connection and that all fees and any costs to residential customers within the Township will be offset (that is, paid for) by project owner. Additionally, the applicant shall demonstrate that power consumption will be approved by the applicable utilitty and shall be secured by financial secuirty required by said utillity prior to the start of any Data Center construction.

1301.11 Every subdivision or land development shall be operated so that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any; point, along any boundary of the property in which the use is located or at the boundary with adjacent residential property.

1301.12 The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Disaster Recovery Facility, Data Center Accessory Uses, or associated equipment will perceptible to the human sense of feeling beyond the property line.

1301.13 Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data-Center use. Such systems shall be considered a separate use and shall be approved according to the regulations applicable to such use.

1301.14 The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:

1301.14.1 Be reviewed and accepted by the local fire department and emergency services management services as part of the Subdivision and Land Development process;

1301.14.2 Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

1301.14.3 Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

1301.14.4 Ensure that all first responders receive adequate training specific to the installed system;.

1301.14.5 Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.

1301.15 Any Data Center use proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include fire suppression systems designed specifically for battery storage.

1301.16 No project shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety and welfare. Training for all first responders on the facility layout is to occur before operations of the facility commence.

1301.17 The applicant must demonstrate that the project or projects are to be provided with at least one parking space per 8,000 square feet of floor area designed and intended to be accessible regularly by employees, or one parking space for every one employee, based upon the maximum number of employees on site during the largest shift, whichever is greater.

1301.18 An applicant shall submit an environmental impact study which shall be performed by an environmental engineer suitable to the Township. The environmental impact study shall meet the following criteria:

1301.18.1 Assess potential impacts of operation, maintenance, and/or repair or trouble-shooting of the Data Center, DCET and the Data Center Accessory Use (including, but not limited to, during periods of emergency power, fire, and fire suppression and control) on groundwater, nearby creeks and streams, the air and the grounds of the Data Center, DCET and the Data Center Accessory Use and those adjacent to the Data Center, DCET and the Data Center Accessory Use; storage of oil-based or other combustible materials, and release of gasses and/or other contaminants into the air, ground, surface water or groundwater. Environmental impacts that are identified in the study shall be prevented or, as the case may be, mitigated in accordance with a plan that is approved in writing by the Board of Supervisors upon recommendation of the Township Engineer and the Township Stormwater Engineer.

1301.18.2 Identify all stationary and mobile sources of fine particulate matter, volatile organic compounds, and nitrogen oxides at on the DCET.

1301.18.3 Identify environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, heat islands, vibration, electrical disturbance, etc.) and specific measures employed to mitigate or eliminate any negative impacts.

1301.18.4 Along with the environmental impact study, the applicant shall conduct and submit a Phase I Environmental Site Assessment (ESA). The ESA shall be conducted by an organization or company that is licensed and specializes in the ESA evaluation process;

1301.19 An applicant shall submit, as part of an application, a sketch plan identifying all parcels intended to be developed as part of the project.

1301.20 The sketch plan for the Data Center, and/or the Data Center Accessory Use shall meet the following criteria:

1301.20.1 The location of all proposed uses, accessory uses, preserved land, data center(s), data center accessory uses, backup generator power storage, energy generation stations, substations, cooling and heating equipment, water supply, storage and management systems, fuel supply; storage and management systems, wastewater treatment system(s), waste disposal systems, infrastructure of any kind, and the location of any building or structure. shall be shown;

1301.20.2 The proposed public, and private roadways, conservation areas, floodplains, steep slopes, relationships to other properties, proposed setbacks, proposed buffers and landscaping, proposed sidewalks, proposed emergency access locations shall be shown. An adequate second means of ingress and egress for emergency access to the site, acceptable to the Township Engineer, must be depicted and provided:

1301.20.3 A boundary and topographic survey plan signed and sealed by a Pennsylvania-licensed surveyor shall be included; (4) soils, wetland and waterway delineation maps and plans shall be included.

1301.21 A landscape buffer (buffer yard) is required between Data Centers, DCET Data Center Accessory uses and any adjoining properties.

1301.22 The landscape buffer shall comply with the following requirements:

1301.22.1 The landscape buffer shall be at least 100 feet in width and may not be part of the minimum setback distance.

1301.22.2 The buffer shall consist of plantings that shall be evergreen trees, with a minimum height of eight feet at the time of planting and expected grow height of a minimum of 15 feet in height.

1301.22.3 Utilities, equipment, and stormwater management facilities shall be located in the buffer yards. If a utility must cross the buffer, it shall be the minimum traversed distance and then only if every precaution is taken to make up for the lost visual screen by utilizing a screen wall of earthen color.

1301.23 As a condition of approval for a proposed Data Center, DCET, and/or the Data Center Accessory Use, an applicant shall, to the satisfaction of the Board of Supervisors, enter into one or more written community benefit agreements (hereinafter, individually and collectively, "'CBAs". CBAs are intended to offset the impacts of DCET developments on local resources and

infrastructure including, but not limited to, environmental resources, historical resources, emergency responders (fire, emergency medical services, and police), roads, sanitary sewer and local government administration. To the end, [he terms of a CBA may include, but are not limited to preservation of one or more historic structures within the Township; creation of or improvements to public park and recreation facilities; first responder equipment and training; LEED certification for Data Centers or other DCET buildings; protection or preservation of natural resources (including, but not limited to, farmland. woodlands and waterways); monitoring of environmental conditions on and around the DCET tract; stream bank restoration; first responder training and equipment; public infrastructure improvements; mitigating impacts to the community identified in the traffic analysis, sound study(ies), environmental impact study, water feasibility study; and/or fees in lieu thereof.

1301.24 All Radiological and Nuclear items must comply with the following requirements.

1301.24.1 The applicant shall submit a preliminary Radiological Land Survey conducted by a qualified professional engineer of the entire site with its application. The Radiological Land Survey must show measurements at external perimeter points of the property which must include measurements taken at perimeter points within 400 feet of any residential or commercial activity. The Radiological Land Survey must make recommendations as to how to contain and minimize the release, dispersion, movement, emission and spread of radiation from the Property. The Township may have a Radiological Land Survey generated on its behalf at any time thereafter by an entity selected by the Township, at the expense of the Applicant.

1301.24.2 If it is determined that there is a violation of the prescribed radiation limits, then the Occupancy and Building permits are to be rescinded until the Applicant or Developer provides a Radiological Land Survey showing that there is not an exceeding of prescribed radiation limits. The Township may select an entity to conduct a Radiological Land Survey to verify that the limits do not exceed the prescribed radiation limits and the cost of the Survey shall be borne solely by the Applicant or Developer. Upon verification that the radiation does not exceed the limits established by this Ordinance, the permits shall be reinstated.

1301.25 For Data Centers, Data Center Accessory Use, DCET, it is the facility owner's responsibility that at the end of the project life or active use of the facility as a Data Center, Data Center Accessory Use, or Disaster Recovery Facility, the site must be restored to a condition that existed prior to the project or facility altered in a manner that will allow for a beneficial reuse of the property. This would involve the removal of all equipment, structures, containment ponds, etc. that are no longer in use or cannot be reasonably reused.

1301.26 A decommissioning agreement will be required to be executed between the Township and the facility owner to ensure the requirements set forth before plans are approved are met within six (6) months of the date which the facility ceases to operate as a Data Center, Data Center Accessory Use, or the disaster recovery facility.

1301.27 In the event of a failure by the owner, occupant or developer to remeidate any violations, the Township will revoke any permits previously issued for the Data Center, DCE, Data Center Accesory or DCET.

Section 1302 SEVERABILITIES

If any section, subsection, or clause of this ordinance is found be invalid, the remainder of the ordinance shall remain in full force and effect.

Section 1303 REPEALER

- If one of the Township's existing ordinance or regulation conflicts with these provisions herein, the more restrictive provision shall prevail.

ARTICLE XIV
ENACTMENT

Section 1401 Effective Date

This Ordinance shall become effective sixty (60) days after enactment and shall remain effective until amended or rescinded by the Clearfield Township. Butler County Board of Supervisors.

Section 1402 Repealer

All ordinances or parts of ordinances or regulations in conflict with this Ordinance or inconsistent with the provisions hereof are hereby repealed to the extent necessary to give this Ordinance full force and effect; and amendments thereto are hereby repealed.

Section 1403 Enactment

This Ordinance is hereby enacted at a regular meeting of the Board of Supervisors of Clearfield Township of Butler County, Pennsylvania, held on the 9th day of November, 2026.

_____
Donald Reed, Chairman of Board

SECRETARY
ATTEST

_____
David Zanicky, Co-Chairman of Board

_____
Tyler Kovach, Supervisor