

SUBDIVISION AND LAND USE
ORDINANCE NO. 14

AN ORDINANCE REGULATING THE SUBDIVISION AND THE USE OF LAND AND THE CONSTRUCTION OR IMPROVEMENT THEREON, THE CONSTRUCTION, OPENING AND DEDICATION OF STREETS, ALLEYS, SEWERS, DRAINS, OR OTHER FACILITIES, AND USES IN CONNECTION THEREWITH, IN THE TOWNSHIP OF EAST NORRITON AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED and enacted by the Township of East Norriton, and it is hereby ordained and enacted by authority of the same:

Section 1. Title and Purpose.

(a) Short Title. This Ordinance shall be known and may be cited as "The East Norriton Township Subdivision and Land Use Ordinance of 1954."

(b) Purpose. The purpose of this Ordinance is to assure sites suitable for building purposes and human habitation and to provide for the harmonious development of the Township, for the coordination of existing streets with proposed streets, parks or other features of the Township Official Plan of Streets and Alleys, for adequate open spaces for traffic, recreation, light and air, and for proper distribution and density of population, thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens of the Township.

Section 2. Definition of Subdivision and Land Use.

(a) Subdivision. Subdivision is the division of a single lot, tract, or parcel of land, into two or more lots, tracts, or parcels of land, including changes in street lines or lot lines for the purpose, whether immediate or future, of transfer of ownership or of building development. Divisions of land for agricultural purposes in parcels of more than ten acres, not involving any new street or easement of access, shall be exempted.

(b) Land Use. Land use relates to the utility of any unimproved land without regard to subdivision, past, present or future, by construction of improvements thereon or the transfer to any lot of land of any structure, fabricated or manufactured elsewhere, and intended to be utilized on the land, whether affixed thereto permanently or temporarily, whether mobile or immobile, and it embraces any use or occupancy of any land as it may affect the health, safety, morals and general welfare of the citizens of the Township.

Section 3. Subdivision Control and Land Use Control.

(a) Subdivision Control.

(1) Subdivision of a lot or construction, opening or dedication of a street. No subdivision of any lot, tract, or parcel of land shall be effected, and no street, alley, sanitary sewer, storm drain, water main, or other facilities in connection therewith, 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 strict accordance with the provisions of this Ordinance and the subdivision regulations adopted hereunder.

(2) Sale of lots, issuance of building permits, or erection of buildings. No lot in a subdivision may be sold, no permit to erect any building upon land in a subdivision may be issued, and no building may be erected in a subdivision, unless and until a subdivision plan has been approved, and where required, recorded, and until the required improvements in connection therewith from the lot or building to an existing improved street have either been constructed or the Township has been assured by means of a proper completion guarantee in the form of a corporate bond, or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements, as estimated by the Township Engineer, and approved by the Supervisors that the improvements will subsequently be installed. Where, owing to special conditions, a literal enforcement of this requirement would result in unnecessary hardship, such reasonable exceptions thereto may be made as will not be contrary to the public interest, and the sale of a lot, issuance of a permit, or erection of a building may be permitted subject to conditions necessary to assure adequate streets and other public improvements.

(b) Land Use Control. Hereafter no person may construct any improvement upon any unimproved land and no person may transfer to any lot of land any structure fabricated or manufactured elsewhere and intended to be utilized on the land, whether affixed thereto permanently or temporarily, whether mobile or immobile, without making an application for a permit, accompanied by a plan of such proposed use to the Township, which may require a completion guarantee in the form of a corporate bond, or the deposit of funds or securities in escrow subject to approval of the Supervisors and sufficient to cover the cost of the required improvements, which will insure the health, safety, morals and general welfare of the citizens of the Township.

See Section 4. Regulations.

The regulations adopted hereunder to carry out the intent and purpose of this Ordinance may include definitions, design standards for streets, alleys, sidewalks, blocks, lots, recreational areas and community assets, monuments, storm drains, culverts, bridges, sanitary sewers or sewage disposal systems or other building sanitation regulations, plan requirements and processing procedures for the tentative sketch, preliminary plan, improvement construction requirements, and conditions of acceptance by the Township of sanitary sewers, streets and other improvements. Such regulations shall be prepared and approved by resolution of this Board and when so approved shall have the same force and effect as provisions of this Ordinance. The said regulations may be amended, modified, or repealed by resolution of the Board of Supervisors.

Section 5. Validity.

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

Section 6. Penalty.

Any person, partnership or corporation who or which shall violate any of the provisions of this Ordinance or the regulations adopted hereunder, shall upon conviction thereof forfeit and pay a fine of not less than Ten Dollars (\$10.00), nor more than Three Hundred Dollars (\$300.00), to the Township of East Norriton, the

same to be collected by summary proceedings brought in the name of the Township before any justice of the peace in said Township. A new and separate offense shall be deemed to be constituted for each day that such violation exists. In default of the payment of any fine or penalty imposed and the costs under the provisions of this ordinance, the person or persons so charged may be sentenced and committed to the county jail for a period not exceeding thirty (30) days.

Ordained and enacted this first day of June, 1954 A.D.

W. Standridge

Carl V. Huber

G. E. Wisler

Supervisors of East Norriton
Township

ATTEST:

Carl V. Huber

Secretary.