

**WEST MANHEIM TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE TOWNSHIP OF WEST MANHEIM, YORK COUNTY, PENNSYLVANIA, AMENDING CHAPTER 235, SUBDIVISION AND LAND DEVELOPMENT, OF THE WEST MANHEIM TOWNSHIP CODE

BE IT ENACTED AND ORDAINED, by the West Manheim Township Board of Supervisors, York County, Pennsylvania as follows:

The following sections of Chapter 235 of the West Manheim Township Code of Ordinances are amended to read as follows:

1. ARTICLE III - Plan Submission and Processing Requirements

Amend as follows:

§235-18. Submission of final plan.

B. Submission of the final plan shall take place within five years after the approval of the preliminary plan by the Board of Supervisors. If the applicant does not submit the final plan during that time, the approved preliminary plan becomes null and void. However, the applicant may, due to extenuating circumstances, apply for a time extension from the Board of Supervisors upon recommendation of the Planning Commission.

§235-23. Approval of final plan.

Amend as follows:

A. Approval of the final plan by the Board of Supervisors constitutes final approval of the subdivision or land development as to the character and intensity of development, the layout and the dimensions of streets, lots and other planned features. The approval binds the applicant to the scheme shown on the final plan and the conditions imposed by the Board of Supervisors if the approval was conditional and the applicant has agreed to the conditions. The plan shall not be signed by the Board of Supervisors until all conditions are complied with and all required fees have been paid to the Township.

2. ARTICLE V- Design and Construction Standards

§235-51. Driveways.

Amend as follows:

E. Driveways must be located in a safe relationship to sight distance and barriers to vision. The drive may not exceed a slope of 5% within 25 feet of the street right-of-way line. Driveways shall not exceed 15% slope. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed 50% in slope within 25 feet of the point the drive intersects the right-of-way. The safe sight distance at each driveway shall not be less than the distances found in Chapter 441 of Title 67 of the Pennsylvania Code, as amended.

§235-61. Recreation areas; fees in lieu of dedication.

Amend Paragraph B as follows:

(3) All monies paid to the Township in this manner must be kept in an interest bearing capital reserve fund established as provided by law. Moneys in such capital reserve fund must be used for the purpose of providing, acquiring, operating or maintaining park or recreational facilities.

(5) Upon request of any person who paid any fee under this section, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township has used the fee paid for a purpose other than the purposes set forth in B(3) of this section.

3. SEVERABILITY

That if any section, subsection, sentence, clause or phase of this ordinance is, for any reason, held to be unenforceable, such decision shall not affect the validity of the remaining portions of this ordinance.

4. REPEALER

All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed insofar as the same affects this ordinance.

5. EFFECTIVE DATE

This ordinance shall become effective immediately.

Enacted and ordained this 16th day of August 2016.

**West Manheim Township
Board of Supervisors**

Miriam E. Clapper
Secretary

Harold L. Smith
Chairman

Vice Chairman

Ally DeBoro
Member

Ryan A. Bette
Member

Member