

**TOWNSHIP OF CARROLL
YORK COUNTY, PENNSYLVANIA
ORDINANCE NO. 84-1989**

AN ORDINANCE ENACTED ON DECEMBER 28, 1989, REGULATING THE SUBDIVISION AND DEVELOPMENT OF LAND INCLUDING MOBILEHOME PARKS WITHIN THE TOWNSHIP OF CARROLL, YORK COUNTY, PENNSYLVANIA, PROVIDING FOR THE PREPARATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER AND DEVELOPER; REGULATING SALES OF LOTS, ERECTION OF BUILDINGS, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, SEWERS, OTHER FACILITIES, AND PUBLIC IMPROVEMENTS IN CONNECTION WITH SUBDIVISIONS AND LAND DEVELOPMENTS AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors of the Township of Carroll, in the County of York and the Commonwealth of Pennsylvania, that Ordinance No. 84 of 1989 (The Carroll Township Subdivision and Land Development Ordinance) is as follows:

ARTICLE I

AUTHORITY, PURPOSE, TITLE and JURISDICTION

Section 101. Title

These regulations shall be known and may be cited as "The Carroll Township Subdivision and Land Development Ordinance."

Section 102. Purpose

This Ordinance has been adopted by the Carroll Township Board of Supervisors to protect the health, safety and general welfare of the citizens of the Township; to provide for the harmonious development of the Township by insuring equitable handling of all subdivisions or land development plans by providing uniform standards and procedures; to provide for the general welfare by providing and protecting cultural facilities; by guiding the development and growth of structures, types and locations of streets, open spaces and public grounds, recreation, proper traffic flows, light and air, and the proper distribution of population to insure conditions favorable to the health, safety, morals, and general welfare of the citizens of the Township.

Section 103. Authority

The Planning Commission is hereby designated by the Board of Supervisors as the agency which shall review and make recommendations on all Preliminary and Final Plans as required herein. The Board of Supervisors shall have authority to act on all Preliminary and Final Plans as required herein for the Township of Carroll.

Section 104. Application of Regulations

- a. No subdivision or land development of any lot, tract, or parcel of land located in Carroll Township shall be effected; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until a final subdivision plan has been approved by the Board of Supervisors and publicly recorded in the manner prescribed herein; nor otherwise - except in strict accordance with the provisions of this Ordinance.

- b. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision plat has been approved by the Board of Supervisors and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.

Section 105. Interpretation

In interpreting and applying the provisions of This Ordinance, they shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare. Where provisions of a statute, other ordinance, resolution, or regulation imposes greater restrictions than This Ordinance, the provisions of such statute, resolution, ordinance, or regulation shall be controlling.

The Municipalities Planning Code (Act 247) and the Sewage Facilities Act (Act 537) are two separate but related Acts. The Township's approval of plans under either Act can be requested first. However, subdivision and land development plans which are approved prior to receipt of the DEP(S) notification of compliance with Act 537 shall not be signed by the Township for recording purposes until such notification is received.

Section 106. Effective Date

This Ordinance shall become effective in accordance with applicable law and may be amended from time to time in accordance with procedure established by law. No plan submitted prior to the effective date of This Ordinance will be subject to the more stringent regulations under This Ordinance.

Section 107. Zoning Applicability

Nothing contained in This Ordinance shall relieve the owner or developer from complying with the applicable provisions of the Carroll Township Zoning Ordinance. It is the expressed intent that the Carroll Township Subdivision and Land Development Ordinance and Zoning Ordinance be reinforceable and together foster the stated planning goals and objectives of the Township.

Section 108. Repealer

Any resolution, ordinance, or part of any ordinance or resolution inconsistent herewith, and any amendment thereof, are hereby expressly repealed.