

Part 1

General Provisions

Section 101. Title. An Ordinance establishing rules and regulations governing the subdivision and development of land within Amity Township, Berks County, Pennsylvania, pursuant to the authority set forth in the Pennsylvania Municipalities Planning Code (Act 247, as amended), setting forth the procedure to be followed by the Amity Township Board of Supervisors and Planning Commission in applying these rules, regulations, standards and specifications, and prescribing the manner of enforcement and penalties for the violation thereof. (Ordinance 135, November 18, 1992, Section 101)

Section 102. Short Title. This Ordinance shall be known and cited as the "Amity Township Subdivision and Land Development Ordinance of 1992, as amended". (Ordinance 135, November 18, 1992, Section 102)

Section 103. Purpose. These regulations are adopted to protect, promote and create conditions favorable to the health, safety, convenience and general welfare of the citizens of Amity Township by:

(a) Ensuring that sites will be suitable for building purposes, human habitation, commercial and industrial operations, and other uses for which land may be used.

(b) Providing for the orderly, efficient, integrated and harmonious development of land within the Township.

(c) Effectively coordinating the planning, design and construction of proposed transportation and community facilities with existing facilities in the Township.

(d) Ensuring the conformance of subdivision and land development plans with the public improvement plans and programs of the Township, County and/or State.

(e) Providing for the efficient and orderly extension of community facilities and services.

(f) Ensuring that all subdivision and land development applications are consistent with the goals, objectives and policies of the Amity Township Comprehensive Plan and the Amity Township Zoning Ordinance (see Chapter XXXIII of the Township Code of Ordinances).

(g) Providing for adequate open spaces for traffic, recreation, light and air, and for proper distribution of population.

(h) Assuring the equitable and just processing of subdivision and land development plans by providing uniform procedures and standards for the observance by both the applicant and Township officials.

(i) Encouraging and promoting flexibility in subdivision and land development design when it results in an improvement to the environment and overall conditions of the site.

(j) Creating conditions favorable to the health, safety and general welfare of the residents of Amity Township.

(Ordinance 135, November 18, 1992, Section 103)

Section 104. Interpretation.

(a) The provisions of this Amity Township Subdivision and Land Development Ordinance shall be held to be the minimum requirements to meet the stated purposes indicated under Section 103.

(b) Where the provisions of this Chapter impose greater restrictions than those of any other Township statute, ordinance or regulation, the provisions of this Chapter shall be complied with. Where the provisions of any other Township statute, ordinance or regulation impose greater restrictions than this Chapter, the provisions of such other Township statute, ordinance or regulation shall be complied with unless otherwise stated in this Chapter.

(Ordinance 135, November 18, 1992, Section 104)

Section 105. Application.

(a) After the effective date of this Ordinance, any subdivision or land development shall be in conformity with this Subdivision and Land Development Ordinance including all standards and specifications adopted as part of this Ordinance.

(b) All subdivision and land development applications shall conform with the goals, objectives and policies of the Amity Township Comprehensive Plan.

(c) All subdivision and land development applications shall conform with the standards and provisions of the Amity Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances).

(d) No subdivision or land development of any lot, tract or parcel of land shall be made, and no street sanitary sewer, storm sewer, water main or other improvements 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 accordance with the provisions of this Chapter.

(e) Unless and until a subdivision and/or land development plan has been approved and recorded in accordance with all standards and provisions of this Chapter, no lots within a proposed subdivision or land development may be sold and no permits shall be issued in order to erect any building upon land within a development.

(f) Where under special and unique conditions, a literal enforcement of these regulations would result in an unnecessary hardship, such reasonable exceptions thereto may be made, provided it will not effect the public health, safety and general welfare of the Township residents.

(g) After approval or endorsement by the Amity Township Planning Commission and Board of Supervisors, the subdivision or land development plan shall be recorded in the Berks County Recorder of Deeds Office located in Reading, Pennsylvania.

(Ordinance 135, November 18, 1992, Section 105)

Section 106. Severability. Should any article, section, subsection, paragraph, clause, phrase or provision of this Chapter be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of this Chapter as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional. (Ordinance 135, November 18, 1992, Section 106)

Section 107. Repealer. All ordinances or parts of ordinances, together with the amendments and supplements thereto, are hereby repealed to the extent that the same conflict with the provisions of this amended Subdivision and Land Development Ordinance; provided however, that the provisions of this amended Subdivision and Land Development Ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any provision of such repealed ordinance or to punish any offense against any such repealed ordinance committed prior to the effective date of this amended Subdivision and Land Development Ordinance. (Ordinance 135, November 18, 1992, Section 107)

Section 108. Effective Date. This Subdivision and Land Development Ordinance has been enacted by the Amity Township Board of Supervisors on November 18, 1992. This Ordinance shall become effective on November 25, 1992. (Ordinance 135, November 18, 1992, Section 108)