

Part 3

Application Procedures

Section 301. General Procedures.

(a) This Part provides an overview of the general procedures for the application, submission, review and approval of proposed subdivision plans or land development plans within Amity Township.

(b) All subdivision and land development plans within the corporate limits of Amity Township shall be reviewed by the Amity Township Planning Commission, the Berks County Planning Commission and other Township, State and County officials as deemed necessary, and shall be approved or disapproved by the Amity Township Board of Supervisors in accordance with the procedures specified within this Part and within other sections of this Chapter.

(c) For all proposed subdivision and land development plans, except those exempted from standard procedures, a Sketch Plan, Preliminary Plan, and Final Plan must be submitted to the Township for review and approval. Those plans exempted from this standard procedure shall comply with the procedures identified under Section 306 of this Chapter.

(Ordinance 135, November 18, 1992, Section 301)

Section 302. Jurisdiction.

(a) The Board of Supervisors shall have jurisdiction of subdivision and land development within the Township limits. In order to assist the Board of Supervisors in its consideration of subdivisions and land developments, the Board of Supervisors hereby decrees that the Township Planning Commission shall serve the following functions:

(1) All plans proposing subdivision or land development, upon submission to the Township, shall be referred to the Planning Commission for review.

(2) The Planning Commission shall make recommendations to the Board of Supervisors concerning approval, conditional approval or disapproval of such plans.

(3) The Planning Commission shall also make recommendations to the Board of Supervisors concerning the interpretation of this Chapter and the Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances).

(b) The Board of Supervisors shall consider the recommendations offered by the Planning Commission prior to taking action on any proposed subdivision or land development plan.

(Ordinance 135, November 18, 1992, Section 302)

Section 303. Sketch Plan Application and Review.

(a) Sketch Plan Submission.

(1) A Sketch Plan shall be considered as an unofficial submission to the Township for the purposes of informal review and discussion between the applicant and the Township.

(2) Although a Sketch Plan submission is not required, applicants are strongly encouraged to consult with the Township prior to formal application. For maximum usefulness, Sketch Plans should contain the information specified in Section 401 of this Chapter.

(b) Sketch Plan Review.

(1) The Planning Commission shall meet with the applicant and informally discuss the conceptual suitability of the proposed development, its relationship to existing streets and utilities, the proposed arrangement and density of the development, and the compatibility of the proposed plan with the Comprehensive Plan. Such meeting may be part of the regular monthly meeting of the Planning Commission or at a special public meeting.

(2) Based upon this meeting, the Planning Commission shall approve, approve with certain conditions or disapprove the Sketch Plan. If approved, the applicant may submit a Preliminary Plan to the Township for review and comment. If disapproved by the Planning Commission, the applicant should consider revising the Sketch Plan prior to the submission of a Preliminary Plan.

(Ordinance 135, November 18, 1992, Section 303)

Section 304. Preliminary Plan Application and Review.

(a) Preliminary Plan Submission.

(1) When filing for Preliminary Plan approval, the applicant shall submit to the Township Code Enforcement Officer one (1) complete copy of the proposed Plan and all data specified under Section 402 of this Chapter at least seven (7) days prior to the regularly scheduled monthly meeting of the Township Planning Commission.

(2) The applicant shall submit ten (10) complete copies of the proposed Preliminary Plan to the Township Planning Commission. Submissions will be accepted for review by the Township only at the regularly scheduled monthly meeting of the Township Planning Commission.

(3) All submissions shall be accompanied by the proper application forms, letter(s) of transmittal and review fees as determined by the Township.

(4) The applicant shall be responsible for submitting and distributing the proposed Plan to the Township Engineer, the Township Solicitor, the Township Zoning Officer, the Berks County Planning Commission, the Berks County Soil Conservation District, and all pertinent reviewing body or bodies, as specified by this Chapter or required by law.

(5) No application shall be deemed filed and accepted for review until all supplementary data, reports and studies as may be required under Parts 4 and 5 of this Chapter have been received, application fees have been fully paid, and any other requirements for submission specified herein have been met.

(6) At the discretion of the Township, the applicant shall submit and distribute the proposed Preliminary Plan to any of the following agencies or authorities for review and comment:

Pennsylvania Department of Environmental Protection
Pennsylvania Department of Transportation
Regional Water Authority/Company
Township Sewage Enforcement Officer
Township Parks and Recreation Board
Township Police Department
Regional Fire Company
Daniel Boone Area School District

(b) Preliminary Plan Review

(1) The Township Engineer and the Township Solicitor shall review the Preliminary Plan to determine its conformance to the Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances) and this Chapter. The Township Engineer and the Township Solicitor may recommend changes, alterations or modifications, as they may deem necessary. The report of the Township Engineer and the Township Solicitor shall be in writing and shall be submitted to the Township Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Township Planning Commission.

(2) The Township Zoning Officer and Code Enforcement Officer shall review the Preliminary Plan to determine its conformance to the Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances). The Zoning Officer and Code Enforcement Officer shall check all zoning data to determine if the information shown on the proposed Preliminary Plan is in accordance with the latest amendments to the Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances). The report from the Township Zoning Officer and the Code Enforcement Officer shall be in writing and shall be submitted to the Township Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Planning Commission.

(3) When a Preliminary Plan has been officially accepted for review by the Township, the applicant shall forward two (2) complete copies of the proposed Plan to the Berks County Planning Commission for their review and comment. Failure of the Berks County Planning Commission to act within thirty (30) days shall constitute a waiver of their right to review the Plan as submitted and the Township may officially act on the basis of such a waiver.

(4) When a Preliminary Plan has been officially accepted for review by the Township, such Plan shall be reviewed by the Township Planning Commission at its next regularly scheduled meeting, or at the discretion of the Planning Commission, at a special meeting. During the review of the Preliminary Plan, the Township Planning Commission shall consider the written reports of the Township Engineer, the Township Solicitor, the Township Zoning Officer, the Township Code Enforcement Officer, the Berks County Planning Commission and other designated agencies or authorities before rendering its decision on the proposed Preliminary Plan.

(5) Upon completion of its review, the Planning Commission shall promptly submit its recommendations to the Board of Supervisors for their consideration. This recommendation shall be forwarded to the Board of Supervisors within ninety (90) days from the date the Preliminary Plan was officially accepted for review by the Township.

(6) During the course of the Planning Commission's review of the Preliminary Plan and prior to any action by the Board of

Supervisors within the required ninety (90) day period, the proposed Preliminary Plan may be revised by the applicant. Upon the submission of a revised Plan the applicant shall sign a statement withdrawing any previously submitted Plans from consideration and a new ninety (90) day time period for formal review and notification shall commence from the date of submission of the revised Plan. The revised Plans shall be submitted to the Planning Commission not later than ten (10) working days prior to a regularly scheduled meeting of the Planning Commission.

(c) Preliminary Plan Approval.

(1) Following the review of the Preliminary Plan and the accompanying data by the Township Engineer, the Township Solicitor, the Township Zoning Officer, the Township Code Enforcement Officer, the Township Planning Commission, and the Berks County Planning Commission, the Board of Supervisors shall approve, approve with conditions, or reject the proposed Preliminary Plan. Conditions for approval must be clearly stated in writing. If rejected, the Township Board of Supervisors shall specify the reasons for rejection, including citation of or reference to the pertinent sections of this Chapter and/or any other Township ordinances.

(2) The decision of the Board of Supervisors shall be rendered no later than ninety (90) days after the date of the regular Planning Commission meeting next following the date upon which the applicant has made a complete submission to the Township Code Enforcement Officer. However, if the next regular meeting of the Planning Commission is more than thirty (30) days after the submission date, the first day of the ninety (90) day review period shall commence on the thirtieth (30th) day after a complete submission has been given by the applicant. This review period may be extended by mutual agreement of the applicant and the Township.

(3) Approval or approval with conditions of a Preliminary Plan shall not constitute approval of the Final Plan. Rather, it shall be deemed an expression of approval of the layout shown on the Preliminary Plan as a guide to the preparation of the Final Plan. The Final Plan must also be reviewed and approved by the Township as outlined under Section 305 of this Chapter.

(Ordinance 135, November 18, 1992, Section 304)

Section 305. Final Plan Application and Review.

(a) Final Plan Submission.

(1) Within twelve (12) months of receiving approval or approval with conditions of a Preliminary Plan, the applicant shall submit to the Township Code Enforcement Officer one (1) complete copy of the Final Plan and all supplementary data as required within this Chapter at least seven (7) days prior to the regularly scheduled monthly meeting of the Township Planning Commission.

(2) The applicant shall submit eight (8) complete copies of the proposed Final Plan to the Township Planning Commission. Submissions will be accepted for review by the Township only at the regularly scheduled monthly meeting of the Township Planning Commission.

(3) All submissions shall be accompanied by the proper application forms, letter(s) of transmittal and review fees as determined by the Township.

(4) The applicant shall be responsible for submitting and distributing the proposed Plan to the Township Engineer, the Township Solicitor, the Township Zoning Officer, the Berks County Planning Commission, the Berks County Soil Conservation District and all pertinent reviewing body or bodies, as specified by this Chapter or required by law.

(5) No application shall be deemed filed and accepted for review until any supplementary data, reports and studies as may be required under Parts 4 through 7 of this Chapter (including revisions required during the Preliminary Plan review) have been received, application fees have been fully paid, and any other requirements for submission specified herein have been met.

(6) At the discretion of the Township, additional copies of the proposed Final Plan may be requested from the applicant for review and comment.

(b) Final Plan Review

(1) The Township Engineer and the Township Solicitor shall review the proposed Final Plan to determine its conformance to the Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances) and this Chapter. The Township Engineer and the Township Solicitor may recommend changes, alterations or modifications, as they may deem necessary. The reports of the Township Engineer and the Township Solicitor shall be in writing and shall be submitted to the Township Planning Commission prior to the regularly scheduled or special meeting at which the Final Plan is to be considered by the Township Planning Commission.

(2) The Township Zoning Officer and the Code Enforcement Officer shall review the Final Plan to determine its conformance to the Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances). The Zoning Officer and the Code Enforcement Officer shall check all zoning data to determine if the information shown on the proposed Final Plan is in accordance with the latest amendments to the Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances). The reports from the Township Zoning Officer and the Code Enforcement Officer shall be in writing and shall be submitted to the Township Planning Commission prior to the scheduled meeting at which the Final Plan is to be considered by the Township Planning Commission.

(3) If required by the Township, the applicant shall forward two (2) complete copies of the proposed Final Plan to the Berks County Planning Commission for their review and comment. Failure of the Berks County Planning Commission to act within thirty (30) days shall constitute a waiver of its right to review the Plan as submitted and the Township may officially act on the basis of such a waiver.

(4) When a Final Plan has been officially accepted for review by the Township, such Plan shall be reviewed by the Township Planning Commission at its next regularly scheduled meeting. During the review of the Final Plan, the Township Planning Commission shall consider the written reports of the Township Engineer, the Township Solicitor, the Township Zoning Officer, the Township Code Enforcement Officer, the Berks County Planning Commission and other designated agencies or authorities before rendering its final decision on the proposed Final Plan.

(5) Upon completion of its review, the Planning Commission shall promptly submit its recommendations to the Board of Supervisors for its consideration. This recommendation shall be forwarded to the Board of Supervisors within ninety (90) days from the date the Final Plan was officially accepted for review by the Township.

(6) During the course of the Planning Commission's review of the Final Plan and prior to any action by the Board of Supervisors within the required ninety (90) day period, the proposed Final Plan may be revised by the applicant. Upon the submission of a revised plan the applicant shall sign a statement withdrawing any previously submitted plans from consideration and a new ninety (90) day time period for formal review and notification shall commence from the date of submission of the revised plan. The revised plans shall be submitted to the Planning Commission not later than ten (10) working days prior to a regularly scheduled meeting of the Planning Commission.

(c) Final Plan Approval.

(1) Following review of the proposed Final Plan and the accompanying data by the Township Engineer, the Township Solicitor, the Township Planning Commission, and the Berks County Planning Commission, the Board of Supervisors shall approve, approve with conditions, or reject the Final Plan.

(2) Any conditions for approval must be clearly stated in writing. If the Plan is rejected, the Board of Supervisors shall specify the reasons for rejection, including citation of or reference to the pertinent sections of this Chapter and other Township ordinances. Copies of the statement shall be forwarded to the applicant and all concerned parties no more than fifteen (15) days following the decision.

(3) The decision of the Board of Supervisors shall be rendered no later than ninety (90) days after the date of the regular Planning Commission meeting next following the date upon which the applicant has made a complete submission to the Township Code Enforcement Officer. However, if the next regular meeting of the Planning Commission is more than thirty (30) days after the submission date, the first day of the ninety (90) day review period shall commence on the thirtieth (30th) day after a complete submission has been given by the applicant. This review period may be extended by mutual agreement of the applicant and the Township.

(4) All pertinent agreements, contracts, fees and contributions shall be satisfactorily completed and/or executed by the applicant prior to municipal approval.

(Ordinance 135, November 18, 1992, Section 305)

Section 306. Plans Exempted from Standard Procedures.

(a) Annexation Plans.

(1) Where the sole purpose of the proposed Plan is to annex a lot or parcel to an adjacent lot or parcel, the applicant may submit a Final Plan to the Township Planning Commission for review, comment and approval.

(2) The proposed Plan shall indicate that the purpose of the Plan is for annexation purposes only. No new building lots are proposed as a result of this Plan.

(3) The Final Plan shall be submitted and reviewed in accordance with Sections 305 and 403 of this Chapter.

(b) Minor Subdivisions.

(1) Where the sole purpose of the proposed Plan is to create two (2) and only two (2) parcels, lots or tracts of land from the original tract of land, and has adequate frontage on an improved public road, the applicant may submit a Final Plan to the Township for review, comment and approval.

(2) The applicant shall express in writing that the property in question has not been subdivided after September 16, 1966. The proposed Plan shall reflect this statement and shall also indicate that further subdivision of the tract will require a review of Plans in accordance with the standard review procedures of this Chapter.

(3) The Final Plan shall be submitted and reviewed in accordance with Sections 305 and 403 of this Chapter.

(c) Auction Sales.

(1) Where a property owner proposed to offer his land for sale at auction in two (2) or more parts, the owner shall prepare and submit a Preliminary Plan to the Township.

(2) The Preliminary Plan shall be prepared in accordance with Sections 304 and 402 of this Chapter. In addition, the Preliminary Plan shall contain the following notation:

"This property is intended to be sold by auction on or about (Month - day - year), in whole or in part, according to this Plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no actual transfer of ownership or interest in such lots shall proceed until a Final Plan has been approved by Amity Township in accordance with these regulations."

(3) The auction sale may then proceed in accordance with the above notation, after which the subdivider shall prepare and submit a Final Plan to the Township for review, comment and approval. The Final Plan shall be prepared in accordance with Sections 305 and 403 of this Chapter.

(d) Revised Plan of Record. Any revision, replatting or resubdivision of land which includes changes to a recorded Plan shall be considered a subdivision and shall comply with all regulations within this Chapter, except that:

(1) Lot lines may be changed from those on a recorded Plan, provided that in making such changes:

(i) No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Township Zoning Ordinance (see Chapter XXXII of the Township Code of Ordinances).

(ii) Easements or rights-of-way shall not be changed.

(iii) Street locations and block sizes shall not be changed.

(iv) No lot shall be created which does not abut an existing or proposed street.

(v) Open space and recreational areas shall not be reduced.

(2) In every case wherein lot lines are changed as permitted above, the applicant shall:

(i) Prepare and submit a revised Plan of record to the Township for review and approval. The Final Plan shall be prepared in accordance with Sections 305 and 403 of this Chapter.

(ii) The revised Plan of record shall specifically identify the previous Plan of record superseded and shall also contain the record references.

(iii) After the revised Plan of record has been approved by the Township, the applicant shall then record the new plan in accordance with this Chapter.

(Ordinance 135, November 18, 1992, Section 306)

Section 307. Land Development Plans. Unless specifically stated within this Chapter, a "land development plan" shall comply with the standard review procedures of this Chapter. (Ordinance 135, November 18, 1992, Section 307)

Section 308. Application Fees. An applicant submitting a plan for subdivision and/or land development shall tender the following fees made payable to the Township of Amity at the time of application and plan submission:

(a) Residential.

(1) One (1) to twenty-five (25) dwelling units or lots: an application fee of Two Hundred Fifty Dollars (\$250.00) plus Twenty-Five Dollars (\$25.00) per dwelling unit or lot.

(2) Twenty-six (26) to seventy-five (75) dwelling units or lots: an application fee of Three Hundred Fifty Dollars (\$350.00) plus Twenty Dollars (\$20.00) per dwelling unit or lot.

(3) Seventy-six (76) to one hundred fifty (150) dwelling units or lots: an application fee of Four Hundred Fifty Dollars (\$450.00) plus Seventeen Dollars (\$17.00) per dwelling unit or lot.

(4) One hundred fifty (150) plus dwelling units or lots: an application fee of Five Hundred Fifty Dollars (\$550.00) plus Fifteen Dollars (\$15.00) per dwelling unit or lot.

(b) Non-residential/Mixed Uses.

(1) Zero (0) to twenty-five thousand (25,000) gross square feet of floor space: an application fee of One Thousand Dollars (\$1,000.00) plus Twenty-Five Dollars (\$25.00) per one thousand (1,000) gross square feet of floor space.

(2) Twenty-five thousand one (25,001) to fifty thousand (50,000) gross square feet of floor space: an application fee of Two

Thousand Dollars (\$2,000.00) plus Twenty Dollars (\$20.00) per one thousand (1,000) gross square feet of floor space.

(3) Fifty thousand one (50,001) to one hundred thousand (100,000) gross square feet of floor space: an application fee of Three Thousand Dollars (\$3,000.00) plus Seventeen Dollars (\$17.00) per one thousand (1,000) gross square feet of floor space.

(4) One hundred thousand one (100,001) plus gross square feet of floor space: an application fee of Four Thousand Dollars (\$4,000.00) plus Fifteen Dollars (\$15.00) per one thousand (1,000) gross square feet of floor space.

(c) Any submission of revised plans will bear a Twenty-Five Dollar (\$25.00) administrative fee.

(d) The applicant is also required to pay any review fees required by the Berks County Planning Commission, the Berks County Conservation Service, and any other reviewing authority or agency.

(e) The proposed application shall not be considered by the Township until all pertinent fees are paid in full.

(f) If the expenses of the Township for reviews of a subdivision or land development exceed the total fees that have been paid by the applicant, such excess expenses shall be paid by the applicant prior to the release of the Final Plan by the Township.

(Ordinance 135, November 18, 1992, Section 308; as amended by Ordinance 157, October 6, 1997, Section 1)

Section 309. Consultants Fees. The Board of Supervisors hereby directs that review fees for consultants engaged by the Township to review, comment upon or address such applications shall be chargeable to and payable by the applicant, in addition to the aforesaid application fees, at such rates as are herein established and having been determined that such rates are reasonable and in accordance with the ordinary and customary charges by the municipal consultant for similar service in the community and do not exceed the rate or cost charged by the same when fees are not reimbursed or otherwise imposed on applicants, as follows:

- (a) Township Engineer: Fifty Dollars (\$50.00) per hour.
- (b) Township Surveyor: Seventy Dollars (\$70.00) per hour.
- (c) Township Solicitor: One Hundred Dollars (\$100.00) per hour.

(Ordinance 157, October 6, 1997, Section 2)

Section 310. Advanced Escrow Deposit of Consultants Fees. The applicant shall, upon submission of the application, be required to tender, in accordance with the following schedule, certain monies to be placed in an escrow fund to be applied to satisfy professional and consultants fees and/or other costs incurred by the Township in reviewing said plans:

(a) Residential Subdivision and/or Land Development.

Annexation	\$ 500.00
0-10 Lots	\$1,000.00 + \$100.00/lot
11-50 Lots	\$1,500.00 + \$100.00/lot
51 or more Lots	\$5,000.00 + \$ 50.00/lot

(b) Nonresidential.

Subdivision only: \$1,000.00 + \$200.00 per acre

Land Development: (Note: mfs is 1,000 square feet of floor space)

No Buildings: \$1,000.00 + \$50.00 per acre

Up to 25,000 square feet of floor space: \$3,000.00

25,001 to 50,000 square feet of floor space: \$3,000.00
+ \$100.00 per msf

50,001 to 100,000 square feet of floor space:
\$4,000.00 + \$100 per msf

100,001 square feet or more floor space: \$5,000.00 +
\$100 per msf

Said monies shall be placed in an escrow fund at the time of submission of said plans and/or applications and shall be applied to fees as they are accrued and billed to the Township. In the event that the actual cost for professional and consultant review fees do not exhaust said escrow fund, the balance thereof shall be refundable to the applicant. Said funds shall be maintained to insure satisfaction of all such fees, and in the event that such escrow fund shall be reduced by payment of such fees to an amount equal to or less than twenty percent (20%) of the original escrow deposit, applicant shall post additional monies, as may be directed by the Township, to renew such fund, which additional monies shall be tendered and paid to the Township within ten (10) days of a written request by the Township. In the event that applicant fails to post said additional monies as directed by the Township, the review, comment or approval of said plan shall be withheld until and unless applicant furnishes such additional monies. Applicant shall retain all of the benefits and entitlements of review of such fees in accordance with the terms of the Pennsylvania Municipalities Planning Code now in effect, or as hereinafter amended. (Ordinance 157, October 7, 1997, Section 3)

Section 311. Modification of Fee Schedule by Resolution. The Board of Supervisors hereby reserves the right and entitlement to revise, modify, adjust or change the schedule of fees, costs or expenses as may be necessary from time to time. (Ordinance 157, October 7, 1997, Section 4)

Section 312. Modifications.

(a) The provisions of this Chapter are intended as minimum standards for the protection of the public health, safety, convenience and general welfare of the residents of the Township. The Township may waive or modify these provisions in individual cases as may be deemed necessary in the public interest, provided that such modification shall not have the effect of nullifying the purpose and intent of this Chapter.

(b) If the literal compliance with any mandatory provision of this Chapter is shown by the applicant to be unreasonable and causes undue hardship to his property, the Township may grant a waiver of such mandatory provision.

(c) The applicant shall submit a written waiver request to the Planning Commission for review and comment. The waiver request shall reference the applicable section of this Chapter and indicate the reason or purpose for such a request. The Planning Commission shall provide a recommendation to the Board of Supervisors for each waiver requested by the applicant. The Board of Supervisors shall consider all waiver requests at a regularly scheduled meeting.

(d) The list of such modifications shall be entered in the minutes of the Township Planning Commission and/or Board of Supervisors. In addition, the waiver shall be clearly identified on the proposed Plan.

(Ordinance 135, November 18, 1992, Section 309)

Section 313. Improvements and Contributions.

(a) All conditions, standards and provisions pertaining to the guarantee and/or the installation of all required improvements have been included under Part 6 of this Chapter.

(b) All conditions and provisions pertaining to developer contributions have been included under Part 7 of this Chapter.

(Ordinance 135, November 18, 1992, Section 310)

Section 314. Approval and Recording of Plans.

(a) After the completion of the procedures required within this Chapter, the Township Planning Commission shall place its endorsement on at least five (5) copies of the Plan which is to be recorded. The Plans shall be dated and signed by at least a majority of the members on the Planning Commission.

(b) After the completion of the procedures required within this Chapter, the Board of Supervisors shall place its endorsement on at least five (5) copies of the Plan which is to be recorded. The Plans shall be dated, sealed and signed by at least a majority of the Township Supervisors.

(c) No changes, erasures, modifications or revisions shall be made to any Subdivision or Land Development Plan after the Plan has been endorsed by the Township, unless the Plan has been resubmitted to the Township for review as required within this Chapter.

(d) After the Plan has been properly endorsed by the Township, the applicant shall submit the Plans to the Berks County Planning Commission for their endorsement. No Plan may be legally recorded unless it has been properly endorsed by the Township and the Berks County Planning Commission.

(e) After the Plan has been properly endorsed by the Township and the Berks County Planning Commission, the applicant shall record the Plans with the Berks County Recorder of Deeds within ninety (90) days of the date the Plan was endorsed by the Township. If the applicant fails to record the Plan within said ninety (90) day time period, the action of the Township will become null and void.

(f) After the Plan has been recorded, the applicant shall provide the Township with one (1) certified copy of the recorded Plan.

(Ordinance 135, November 18, 1992, Section 311)

Section 315. Appeals. Decisions of the Board of Supervisors may be appealed in accordance with the Pennsylvania Municipalities Planning Code (Act 247, as amended). (Ordinance 135, November 18, 1992, Section 312)

Section 316. Public Inspection of Plans.

(a) All plans submitted to the Township shall be available for public inspection during normal business hours. Requests by any member of the public to view plans outside of the Township Municipal Building shall be denied, except as stated below. Citizens may request any developer for a copy of a proposed plan.

(b) All plans submitted to the Township for review in accordance with the Township Zoning Ordinance (see Chapter XXXIII of the Township Code of Ordinances) and this Chapter shall be made available for copying provided that the citizen so requesting pays a fee equal to the costs of copying and all related costs of the Township in arranging for the copying (i.e. personnel's hourly rate, mileage allowance, courier fees, etc.).

(c) Additionally, citizens may request the use of a Township office copy for personal copying themselves provided that a deposit equal to the cost of copying as determined by the Township Manager plus a fee of Ten Dollars (\$10.00) (to cover incidental costs) is deposited with the Township. This deposit shall be returned provided that the plan is returned in the exact condition that it was originally loaned. The time of loaning the plan for copying shall not exceed twenty-four (24) hours or the entire deposit shall be forfeited. All fees must be paid prior to copying.

(d) Developers, by applying for subdivision, land development, zoning, planned residential development, cluster use or any other type of application, hereby waive any and all rights as they relate to copying and distribution of plan copy issues.

(Ordinance 171, April 3, 2000, Section 1)