

ARTICLE X

DEFINITIONS: SPECIFIC TERMS

SECTION 1001: Interpretation – General Terms

For the purpose of this Ordinance words in the singular include the plural, and those in the plural include the singular. Words in the present tense include the future tense. Words in the masculine gender include the feminine and the neuter. The word "Person", "Subdivider", and "Owner" include a corporation, unincorporated association, and a partnership, or other legal entity, as well as an individual. The word "Street" includes Street, Avenue, Boulevard, Road, Highway, Freeway, Parkway, Lane, Alley, Viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. The word "Building" includes structures, and shall be construed as if followed by the phrase "Or Part Thereof". The word "Watercourse" includes Channel, Creek, Ditch, Drain, Dry Run, Spring, and Stream. The words "Should" and "May" are permissive; the words "Shall" and "Will" are mandatory.

SECTION 1002: Definitions – Specific Terms

For the purpose of this Ordinance, the terms or words used herein unless otherwise expressly stated shall have the following meanings:

Access Drive - A private drive that intersects with the public road intended to serve access to a commercial establishment or no more than two (2) dwelling units.

Administrator: The officer as appointed by the Township of Jackson Board of Supervisors to administer these regulations and to assist administratively the other Boards and officers of the Township.

Agricultural Operation: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticulture, silviculture and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

Alley or Service Drive: A minor right-of-way, privately or publicly owned, primarily for service access to the back or sides of properties.

Appeal: A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Ordinance.

Applicant: A landowner or developer, as hereinafter defined, who has filed an application for subdivision and/or development including his heirs, successors and assigns. (See also Developer.)

Application for Development: Every application, whether conceptual, preliminary, tentative, or final, required to be filed and approved prior to the start of construction or development, including but not limited to, an application for a building permit, for the approval of a subdivision plat or plan, or for the approval of a development plan.

Appointing Authority: The Township of Jackson Board of Supervisors.

Authority: A political or corporate body created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as "Municipality Authorities Act of 1945."

Block: A tract of land, a lot, or a group of lots bounded by streets, public parks, railroad rights-of-way, watercourses, and boundary lines of the Township, non-subdivided land, other definite barriers, or by a combination of the above.

Board: Any body granted jurisdiction under a land use Ordinance or under this act to render final adjudications.

Buffer Area: Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances. (Also, see transitional zone).

Building: A combination of materials to form a permanent structure having walls and a roof, including but not limited to, all mobile homes.

Building, Accessory: A building which is subordinate to the main building on the lot and is used for purposes customarily incidental to the use of the main building or lot.

Building Setback Line: The line within a property, parallel to, and defining the required minimum distance between the foremost part of any building and the adjacent right-of-way or property boundary line.

Campsite: Any site intended to be used for temporary and/or seasonal use for camping, inclusive of the area required to sustain a tent, camper, motor home, or other temporary camping facility.

Campground: Any portion of land used for the purpose of providing a space or spaces for trailers or tents, for camping purposes regardless of whether a fee has been charged for the leasing, renting, or occupancy of such space.

Cartway (Roadway): The portion of a street right-of-way, paved or unpaved, intended for vehicular traffic.

Center for Local Government Services: The Governor's Center for Local Government Services located within the Department of Community and Economic Development.

Channelization: (1) The straightening and deepening of channels and/or the surfacing thereof to permit water to move rapidly and/or directly; (2) a traffic control device that forces vehicles into certain traffic flows or turning movements.

Clear Sight Triangle: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

Commerce Park: A tract of land that has been planned, developed, and operated as an integrated facility intended for a number of non-retail professional, business, personal, and other service uses, with special measures for traffic circulation, parking, utilities, and compatibility.

Commission: The Township of Jackson Planning Commission.

Common Open Space: A parcel or parcels of land, an area of land, an area of water, or a combination of land and water within a development site designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public facilities.

Comprehensive Plan: The complete Plan plus any Amendments or any of its component parts for the development of Cambria County and Jackson Township providing the continuing orderly development of the municipality and being recognized by the governing bodies of the County as the "Official Plan" including such elements as a statement of community development objectives, plans and policies for land use, housing, transportation, community facilities and public utilities, and strategies for plan implementation.

Condominium: Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices, and other types of space in commercial and industrial buildings or on real property.

Consistency: An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.

Construction Plan: The maps or drawings accompanying a subdivision or development plan and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Township Supervisors as a condition of the approval of the plan.

County: Any county of the second class through eighth class, eg. Cambria County.

County Comprehensive Plan: A land use and growth management plan prepared by the county planning commission which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plans and land use regulations.

County Planning Commission: The Cambria County Planning Commission.

Crosswalk: A right-of-way, municipally or privately owned, intended to provide access for pedestrians.

Cul-de-sac: A short street having one end open to traffic and being permanently terminated by a vehicular turn-around.

Culvert: A pipe, conduit, or similar enclosed structure, including appurtenant works, which carries surface water.

Cut: The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in excavation.

Decision: Final adjudication of any board or other body granted jurisdiction under any land use Ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Cambria County.

Designated Growth Area: A region within a county or counties described in a municipal or multi-municipal plan that preferably includes and surrounds a city, borough or village and within which residential and mixed use development is permitted or planned for at densities of one unit to the acre or more, commercial, industrial and institutional uses are permitted or planned for and public infrastructure services are provided or planned.

Development of Regional Significance and Impact: Any land development that, because of its character, magnitude or location, will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

Density, High: Those residential subdivisions and land developments in which the density is equal to or greater than four (4) dwelling units per acre.

Density, Low: Those residential districts in which the density is between one (1) and three (3) dwelling units per acre.

Dedication: The deliberate appropriation of land by its owner for any general and public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

Department of Environmental Protection (PA DEP): The Pennsylvania Department of Environmental Protection, its Bureaus, Departments, or Divisions.

Design Storm: The magnitude of precipitation from a storm event measured in probability of occurrence [e.g., fifty (50)_year storm] and duration [e.g., twenty-four (24) hour], and used in computing storm water management control systems.

Determination: Final action by an officer, body, or agency charged with the administration of any land use Ordinance or applications thereunder, except the governing body and the local planning commission, only to the extent the planning agency is charged with final decision on preliminary or final plans under the subdivision and land development Ordinance or planned residential development provisions. Determination shall be applicable only to the boards designated as having jurisdiction for such appeal.

Detention Basin: A basin designed to hold storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin is designed to drain completely after a storm event.

Developer: A person, firm, partnership, corporation, trust, or authorized agent thereof proposing to divide land so as to constitute a Subdivision, or engage in land development, as defined by the Pennsylvania Municipalities Planning Code, Act 247, as amended by Act 170 of 1988. (See also Subdivider.)

Development: The division of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure.

Development Plan: The provision for development including: a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

Drainage: The removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

Drainage Facility: Any ditch, gutter, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of carrying, diverting, or controlling surface water or groundwater.

Drainage Right-of-Way: The lands required for the installation of storm water sewers, drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Driveway: A private vehicular passageway providing access between a street and a private parking area or private garage.

Driveway Permit: A permit obtained from the Township of Jackson to gain access to a Township road from a private or public driveway, access drive, or street.

Dwelling: Any building which is designed for human living quarters.

Dwelling or Dwelling Unit: Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

- a. Detached House: A dwelling unit occupying the whole of a freestanding residential structure.
- b. Twin or Semi-Detached House: A residential structure occupied by two (2) dwelling units with a common wall.
- c. Duplex: A residential structure divided horizontally into two (2) dwelling units.
- d. Row House or Town House: A structure with two (2) or more party walls of three (3) or more units not having any horizontal division between units with no more than ten total units.
- e. Apartment: A dwelling unit separated horizontally and/or vertically from one (1) or more other units in a structure.
 - (1) Apartment House or Multiple Dwelling Unit: A residential structure containing three (3) or more apartments.
 - (2) Garden Apartment: An apartment house not exceeding three (3) stories in height.
 - (3) High-Rise Apartment: An apartment house exceeding three (3) stories in height.

Easement: A right-of-way granted, but not dedicated, for specific use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structure, trees or shrubs but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Engineer: A person licensed to practice in the Commonwealth of Pennsylvania as a "Registered Professional Engineer".

Engineering Specifications: The engineering criteria of Jackson Township regulating the installation of any improvement or facility.

Erosion: The removal of surface materials by the action of natural elements.

Erosion, Accelerated Water: Erosion of the soil or rock over and above normal erosion brought about by changes in the natural cover or ground conditions, including changes caused by human activity. There are several kinds of accelerated erosion, they are: Sheet, Rill, and Gully erosion.

Excavation: Any act by which earth, sand, gravel, rock, or any other material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed. It shall include the conditions resulting there from.

Extension of Municipal Facility: Any extension of a municipal facility but not including the addition of a water or sewer lateral.

Fill: Sand, gravel, earth or other material placed or deposited so as to form an embankment or raise the elevation of the land surface. The term includes material used to replace an area with aquatic life with dry land or to change the bottom elevation of a surface water area.

Financial Security: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit and restrictive of escrow accounts from Federal or Commonwealth chartered lending institutions in an amount and form satisfactory to the Township Board of Supervisors and to be used wherever required by these regulations.

Flag Lot: A large lot not meeting minimum frontage requirements and where access to the public road is provided by a narrow strip of land owned to the public road.

Floodplain: The Lands adjoining a river or stream that have been or may be expected to be inundated by flood waters in a one hundred (100)-year frequency flood.

Forestry: The management of forests and timberlands when practiced in accordance with accepted silviculture principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

Future Growth Area: An area of a municipal or multi-municipal plan outside of and adjacent to a designated growth area where residential, commercial, industrial and institutional uses and development are permitted and planned at varying densities and public infrastructure services may or may not be provided, but future development at greater densities is planned to accompany the orderly extension and provision of public infrastructure services.

General Consistency, Generally Consistent: That which exhibits consistency.

Governing Body: The council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.

Grade: The slope of a road, street, or other public way specified in percentage terms as calculated by rise over run.

Hearing: An administrative proceeding conducted by a board pursuant to Section 909.1(a) and 909.1(b) of Act 170 of 1988 of the Pennsylvania Municipalities Planning Code.

Industrial: Those fields of economic activity including construction contractors, mining, manufacturing, transportation, communication, electric, gas, and sanitary services.

Industrial Park: A tract of land that has been planned, developed, and operated as an integrated facility intended for a number of individual industrial uses, with special measures for traffic circulation, parking, utilities, and compatibility.

Infiltration Structures: A structure designed to direct runoff into the ground, e.g., French drains, seepage pits, dry wells, and seepage trenches.

Land Development: Any of the following activities which involves the improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:

- a. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure, as per the definition in the Municipalities Planning Code (MPC).
- b. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
- c. A subdivision of land.

For the purposes of this Ordinance, Land Development specifically excludes the addition of an accessory building, including farm buildings, and gardens, on a lot or lots subordinate to an existing principal building.

Landowner: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Lot: A tract or parcel of land, regardless of size, intended for transfer of ownership, use, lease, improvements, or development, regardless of how it is conveyed. Lot shall mean parcel, plot, site, or any similar term which shall not be further subdivided.

Lot Area: The horizontal area contained within the property lines of a parcel of land as shown on a subdivision plan, excluding space within any street, but including the area of any easement.

Lot, Corner: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty-five (135) degrees.

Lot, Frontage: That side of a lot abutting on a street or way, and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

Lot, Interior: A lot having side lot lines which do not abut on a street.

Lot of Record: Any lot which individually, or as part of a subdivision, has been recorded in the office of the Cambria County Recorder of Deeds.

Lot, Reverse Frontage: A lot extending between and having frontage on an arterial and a minor street with vehicular access solely from the latter.

Lot, Through or Double Frontage: A lot with both front and rear street frontage.

Maintenance Guarantee: Any security, other than cash, which may be accepted by The Township of Jackson for the maintenance of any improvements required by this Ordinance.

Marker: A metal pin, set by a Professional Land Surveyor, to mark property lines or lot corners. A marker shall be at least 5/8 inches in diameter and thirty (30) inches in length with an indented "punch" mark on the exposed end of the pin marking the exact location of the property line or corner.

Marginal Access Streets: Minor collector streets parallel and adjacent to arterial streets providing access to abutting properties and control of intersections with an arterial street.

Mediation: A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

Minerals: Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron, ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

Mobile Home: A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it shall be used without a permanent foundation.

Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

Mobile Home Park: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

Modifications: Waivers of the requirements of one (1) or more provisions of the Ordinance as the literal enforcement will exact undo hardship because of particular conditions pertaining to the land in question.

Monument: A stone or concrete monument, set by a Professional Land Surveyor to mark property corners. A monument shall have a flat top at least four inches square and four inches in diameter and at least twenty four (24) inches in length. Stone monuments shall contain a ¼ inch drill hole or an indented cross inscribed to indicate the exact location of the property corner. Concrete monuments shall contain a steel, copper or brass rod with an indented "punch" mark to indicate the exact location of the property corner.

Multimunicipal Plan: A plan developed and adopted by any number of contiguous municipalities, including a joint municipal plan as authorized by this act.

Multimunicipal Planning Agency: A planning agency comprised of representatives of more than one municipality and constituted as a joint municipal planning commission in accordance with the MPC or otherwise by resolution of the participating municipalities, to address on behalf of the participating municipalities multimunicipal issues, including, but not limited to, agriculture and open space preservation, natural and historic resources, transportation, housing and economic development.

Municipal Authority: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the Municipality Authorities Act of 1945.

Municipal Engineer: A professional engineer licensed as such in the Commonwealth of Pennsylvania, who may be appointed as the engineer for a municipality, planning agency, or joint planning commission.

Municipality: Any city of the second class A or third class, borough, incorporated town, township of the first or second class, county of the second class through eighth class,

home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly.

Nonresidential Subdivision: A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

Organized Camp: A combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children, youth, and adults, with social, recreational, and educational objectives and operated and used for five (5) or more consecutive days during one (1) or more seasons of the year.

Peak Discharge: The maximum rate-of-flow of water at a given point and time resulting from a storm event.

Planning Commission, Local: The Jackson Township Planning Commission as established and appointed by the Township Board of Supervisors or, the council acting in lieu of a planning commission as the governing body.

Plan, Sketch: An informal optional submission preparatory to the Preliminary Plan showing the general intent of the subdivider.

Plan, Preliminary: A subdivision plan or land Development Plan in lesser detail than the Final Plan.

Plan, Final: A complete and exact Subdivision Plan prepared for official recording as required by statute; a final plat.

Plat: The map or plan of a Subdivision or Land Development, whether preliminary or final, indicating the location and boundaries of individual properties.

Pre-Application Conference: A meeting convened between a developer and the Township in an attempt to properly address any design or submission issues prior to the submission of a formal application.

Preservation or Protection: When used in connection with natural and historic resources, shall not include means to conserve and safeguard these resources from wasteful or destructive use but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

Prime Agricultural Land: Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey.

Property Line Change/Side Lot Addition: A change in lot lines between two (2) adjacent lots of record which does not involve the creation of a third new lot.

Public Grounds:

- a. Parks, playgrounds, trails, paths, and other recreational areas and other public areas.
- b. Sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities.
- c. Publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action, in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

Public Infrastructure Area: A designated growth area and all or any portion of a future growth area described in a county or multimunicipal comprehensive plan where public infrastructure services will be provided and outside of which such public infrastructure services will not be required to be publicly financed.

Public Infrastructure Services: Services that are provided to areas with densities of one or more units to the acre, which may include sanitary sewers and facilities for the collection and treatment of sewage, water lines and facilities for the pumping and treating of water, parks and open space, streets and sidewalks, public transportation and other services that may be appropriate within a growth area, but shall exclude fire protection and emergency medical services and any other service required to protect the health and safety of residents.

Public Meeting: A forum held pursuant to notice under 65 Pa.C.S. Ch.7 (relating to open meetings).

Public Notice: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Recreational and Seasonal Land Development: The improvement and development of land for camping and/or related activities via the provision of campsites and any supportive facilities on a rental basis.

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper, and motor home.

Recreational Vehicle Park: A lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for vacation or recreation purposes.

Recreational Vehicle Site: A plot of ground within a recreation vehicle park intended for the accommodation of either a recreation vehicle or other similar individual camping unit on a temporary basis.

Regional Planning Agency: A planning agency that is comprised of representatives of more than one county. Regional planning responsibilities shall include providing technical assistance to counties and municipalities, mediating conflicts across county lines and reviewing county comprehensive plans for consistency with one another.

Regulatory Flood Elevation: The elevation which includes the one hundred (100)-year floodplain plus a freeboard safety factor of one (1) and one-half (½) feet.

Report: Any letter, review, memorandum, compilation, or similar writing made by any body, board, officer, or consultant other than a solicitor to any other body, board, officer, or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body, or agency nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer, or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

Reserve Strip: A parcel of ground separating a street from other adjacent properties, or from another street, which shall prevent a street from being connected or extended across property lines.

Re-subdivision: Any replanning or redivision of land involving changes of street layout, or any reserved for public use, or any lot line on an approved or recorded plan. Any other more major changes shall be considered as constituting a new subdivision of land. (Also see Subdivision.)

Retention Pond: A facility designed to be used for the permanent storage of storm water runoff. A permanently wet basin. (A retention pond is not permitted by this Ordinance.)

Right-of-way: A public thoroughfare for vehicular or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, or alley and including both cartway and shoulders.

Runoff: The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

Rural Resource Area: An area described in a municipal or multimunicipal plan within which rural resource uses including, but not limited to, agriculture, timbering, mining, quarrying and other extractive industries, forest and game lands and recreation and tourism are encouraged and enhanced, development that is compatible with or supportive of such uses is permitted and public infrastructure services are not provided except in villages.

Sanitary Sewage Disposal, Community: A sanitary sewage collection system, either publicly or privately owned, in which sewage is carried from individual lots by a system of pipes to a temporary central treatment and disposal plant, generally serving a neighborhood area.

Sanitary Sewage Disposal, Public: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

Sanitary Sewage Disposal, On-Lot: Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot.

Sedimentation: The process by which mineral or organic matter is accumulated or deposited by moving, wind, water, or gravity. Once this matter is deposited (or remains suspended in water) it is usually referred to as "sediment".

Septic Tank: A watertight receptacle which receives sewage or industrial wastes and is designed and constructed to provide for sludge storage, sludge decomposition, separate solids from liquids through a period of detention before allowing the liquid to be discharged.

Service Street: A minor public right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

Setback Line: The line within a property defining the required minimum distance between any building to be erected and the adjacent property line. The front yard setback shall be measured at right angles from the front street right-of-way line which abuts the property on which said building is located and shall be parallel to said right-of-way line.

Shade Tree: A tree in a public place, street, special easement, or right-of-way adjoining a street as provided in these regulations.

Shopping Center: A group of retail establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provision of goods delivery separated from customer access, and protection from the elements via a canopy or other enclosure.

Side Lot Addition/Property Line Change: A change in lot lines between two (2) adjacent lots of record which does not involve the creation of a third new lot.

Sight Distance: The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point ten (10) feet from the edge of cartway, three and one-half (3 ½) feet high, to a point three and one-half (3 ½) feet above the road surface.

Slope: The rise or fall of the land usually measured in percent slope. The percent slope is equal to the rise or fall in feet for a horizontal distance of one hundred (100) feet. Refer to the table on the next page:

Description	Percent Slope
(a) Gentle	0-8 percent
(b) Buildable	9-15 percent
(c) Moderately steep	16-25 percent
(d) Steep	25+ percent

Soil Percolation Test: A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

Solicitor: The licensed attorney designated by Jackson Township Council to furnish legal assistance for the administration of this Ordinance.

Specific Plan: A detailed plan for nonresidential development of an area covered by a municipal or multimunicipal comprehensive plan, which, when approved and adopted by the participating municipalities through Ordinances and agreements, supersede all other applicable Ordinances.

Stabilization: Natural or mechanical treatment of a mass of soil or ground area to increase or maintain its stability and ensure its resistance to erosion, sliding, or other movement.

State Land Use and Growth Management Report: A comprehensive land use and growth management report to be prepared by the Center for Local Government Services and which shall contain information, data and conclusions regarding growth and development patterns in this Commonwealth and which will offer recommendations to Commonwealth agencies for coordination of executive action, regulations and programs.

Storm Water Management Plan: The plan for managing storm water runoff as required by the Township Engineer and/or a plan for managing storm water as required by any Township Storm Water Management Ordinance.

Streets: A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation, and further defined by the following:

- a. **Arterial Streets:** Those streets whose primary function is to serve comparatively high volumes of through-traffic at speeds higher than desirable on a collector and minor street.
- b. **Collector Streets:** Those streets which, in addition to providing access to abutting properties, collect traffic from minor streets and provide routes to community facilities and the arterial streets system.
- c. **Expressway:** Those highways whose primary function is to move traffic with little or no land service and to accommodate large volumes of relatively high speed traffic. Usually, a high degree of access control is provided with few, if any, intersections at grade.
- d. **Local Streets (Minor Streets):** Those streets used primarily to provide access to abutting properties; including but not limited to Cul_de_sac and marginal access streets.
- e. **Marginal Access Streets:** Minor streets parallel and adjacent to arterial streets providing access to abutting properties and control of intersections with arterial street.
- f. **Service Street:** A minor public right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

Street Line: The limit of a right-of-way.

Street, Private: Those streets not officially dedicated and/or accepted by the municipality.

Structure: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Subdivider: Same as developer.

Subdivision: The division or redivision of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels, or other division of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development and grading and filling activities: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not

involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision, Major: All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of five (5) or more lots, or any size subdivision requiring any new street or extension of Township facilities, or the creation of any public improvements.

Subdivision, Minor: Any subdivision that meets three (3) of the five (5) following criteria: (1) the proposed subdivision must not contain more than six (6) lots; (2) all lots must have adequate access to an existing street, (3) the extension of a main line is not required, (4) there is no need for public improvements, and (5) it does not adversely affect the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan or these regulations.

Subject Tract (Residual Acreage): The remaining acreage of a lot after one (1) or more subdivisions have occurred. The subject tract (residual acreage) shall be labeled as Lot 1.

Substantially Completed: Where, in the judgement of the Township Engineer, at least ninety percent (90%) based on the cost of the required improvements for which financial security was posted pursuant to Article II of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied, or operated for its intended use.

Surface Drainage Plan: A plan showing all present and proposed grades and facilities for storm water drainage.

Surveyor: A licensed "Professional Land Surveyor" registered by the Commonwealth of Pennsylvania.

Swale: A low-lying stretch of land which gathers or carries surface water runoff.

Temporary Occupancy: Occupancy of a campground or organized camp for no more than six (6) months in any consecutive twelve (12) month period.

Tent: A portable lodging unit usually made of skins, canvas, plastic, or strong cloth stretched and usually sustained by poles, and dependent upon separate toilet and lavatory facilities.

Topographic Map: A map showing the elevations of the ground by contours or elevations including all existing topographic features such as streams, roads, streets, existing facilities, and improvements, as specified herein.

Top Soil: Surface soil and subsurface soil which presumably is fertile soil and ordinarily rich in organic matter or humus debris.

Traditional Neighborhood Development: An area of land developed for a compatible mixture of residential units for various income levels and nonresidential commercial and workplace uses, including some structures that provide for a mix of uses within the same building. Residences, shops, offices, workplaces, public buildings and parks are interwoven within the neighborhood so that all are within relatively close proximity to each other. Traditional neighborhood development is relatively compact, limited in size and oriented toward pedestrian activity. It has an identifiable center and a discernible edge. The center of the neighborhood is in the form of a public park, commons, plaza square or prominent intersection of two or more major streets. Generally, there is a hierarchy of streets laid out in a rectangular or grid pattern of interconnecting streets and blocks that provides multiple routes from origins to destinations and are appropriately designed to serve the needs of pedestrians and vehicles equally.

Trailer: A vehicular portable structure built on, or designed to be mounted, on a chassis or wheels, or constructed as an integral part of a self-propelled vehicle for use as a temporary dwelling for travel, recreation, and vacation and commonly known as travel trailers, pick-up coaches, motor homes, or camping trailers.

Transferable Development Rights: The attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands where more intensive development is deemed to be appropriate.

Transitional Area: An area in the process of changing from one use to another or changing from one racial or ethnic occupancy to another; an area that acts as a buffer between two land uses of different intensity and compatibility.

Transition Zone: A zoning district that permits uses compatible with uses permitted in two adjacent zones that, without the transition zone, could be considered incompatible to each other.

Village: An unincorporated settlement that is part of a township where residential and mixed use densities of one unit to the acre or more exist or are permitted and commercial, industrial or institutional uses exist or are permitted.

Waiver: When the subdivider can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to because of conditions peculiar to the site, and where, in the opinion of the Township, a departure from this Ordinance may be made without destroying the intent of such provisions, the Township may authorize a waiver. A modification to the minimum standards of this Ordinance. (Refer to Modification.)

Watercourse: A permanent or intermittent stream, river, brook, creek, channel, or ditch for collection and conveyance of water, whether natural or man-made.

Water Supply and Distribution System, Community: A system for supplying and distributing water from a common source to two (2) or more dwellings and other buildings within a subdivision, neighborhood, or whole community, the total system being publicly or privately owned.

Water Supply and Distribution System, On-Lot: A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

Water Survey: An inventory of the source, quantity, yield, use of groundwater, and of surface-water resources within a municipality.

SECTION 1003: Terms Not Defined

Where terms or words are not defined in the foregoing definitions, they shall have their ordinarily accepted meanings or such as the context may imply; provided, however, that as to those terms which are not defined herein, but are defined in Section 107 of the Act of July 31, 1968 P.L. 247 (53 P.S. 10107), as amended by Act 170 of 1988, Act 131 of 1992, Act 67 & 68 of 2000, Act 43 of 2002, and Act 206 of 2004 of the Pennsylvania Municipalities Planning Code, then said words shall have the meaning as set forth in said section.

