

CHAPTER 39
AMENDMENT

SUBDIVISION
AND LAND
DEVELOPMENT

BOROUGH OF WYALUSING
ORDINANCE NO. 39 Amendment

AN ORDINANCE CHAPTER NO. 39, SUBDIVISION AND LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF WYALUSING, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

WYALUSING BOROUGH HEREBY ORDAINS AND ENACTS AS FOLLOWS: THE BOROUGH OF WYALUSING RESCINDS AND DELETES ORDINANCE CHAPTER 39 IN ITS ENTIRETY AS SET FORTH AND ANY AMENDMENTS FOLLOWED AS BELOW:

The Borough of Wyalusing shall comply with the Bradford County Subdivision and Land Development ordinance

This amendment to rescind and delete the above Ordinance shall take effect immediately upon adoption.

The Borough of Wyalusing hereby ordains and enacts as follows:

PART 1
SHORT TITLE, AUTHORITY, JURISDICTION AND PURPOSE

§101. SHORT TITLE.

This Chapter shall be known and may be cited as the “Land Subdivision Regulations, Borough of Wyalusing, Pennsylvania (Bradford County).”

§102. AUTHORITY.

The enactment of this Chapter is done under the authority granted by the Pennsylvania Municipalities Planning Code, Act No. 247, as amended (Pennsylvania Laws, 1968).

§103. JURISDICTION.

Those provisions within this Chapter shall govern all subdivision of lands within the corporate limits of the Borough of Wyalusing, Pennsylvania, hereinafter referred to as “Wyalusing” or the “Borough,” unless otherwise stated, as now or hereafter may be established.

§104. PURPOSE.

This Chapter is enacted for the following purposes:

- A. To assure that land development occurs in accordance with the Comprehensive Plan and any other plans current or further, adopted by the Borough of Wyalusing, Pennsylvania.
- B. To assure that the development of land will have economic stability.
- C. To assure the adequacy of streets, utilities and other facilities in land development.
- D. To assure that safe and convenient traffic access is provided for vehicles and pedestrians.
- E. To assure that the needed public open spaces and building sites for recreations, education and other purposes will be provide through dedication or reservation of land.

PART 2 DEFINITIONS OF TERMS USED IN THIS CHAPTER

§201. INTERPRETATION OF TERMS OR WORDS.

1. Any terms not specifically defined in this Chapter shall have the customary dictionary definitions. The term “shall” is always mandatory, while the term “may” is permissive. When not inconsistent with the context, words in the singular include the plural, while those used in the plural include the singular. Words in the present tense include the future tense.

2. Certain words or terms are defined as follows for the purpose of this Chapter. Such definitions are as follows.

§202. DEFINITIONS.

APPLICATION FOR DEVELOPMENT – every application, whether preliminary, tentative or final required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivisions plat or plan or for the approval of a development. [A.O.]

BUILDING – includes the word structure.

BOROUGH – the Borough of Wyalusing, Bradford County, Pennsylvania.

COMMON OPEN SPACE – a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas and areas set aside for public facilities. [A.O.]

DEVELOPER – any landowners, agent or such landowner or tenant with the permission of such landowner, who makes or cause to be made a subdivision of land or a land development. [A.O.]

DEVELOPMENT PLAN – the provisions 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 development plan,” when used in this Chapter, shall mean the written and graphic materials referred to in this definition. [A.O.]

LAND DEVELOPMENT – any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,

- (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;

B. A subdivision of land.

C. “Land development” does not include development which involves:

- (1) conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium;
- (2) The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or,
- (3) The addition or conversion of buildings or rides within the confines of an enterprise, which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

[A.O.]

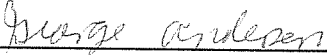
~~LOT includes the word plat, plot or parcel. A lot or parcel of land occupied by a principal building or use and any accessory building and use customarily incidental to it, and including open spaces not less in extent than those required in connection therewith by this Chapter. A “lot of record” is a parcel of land the dimensions of which are shown on a map on file with the Recorder of Deeds of Bradford~~

~~County, Pennsylvania, or in common use by County officials, and which actually exists as so shown, or any part of such parcel held in a recorded ownership separate from the ownership of the remainder thereof. All lots shall front on, and have ingress and egress by means of a public or private street, road or highway.~~

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or build upon as a unit. A "lot of record" is a parcel of land the dimensions of which are shown on a map on file with the Recorder of Dees of Bradford County, Pennsylvania, or in common use by County officials, and which actually exists as so shown, or any part of such parcel held in a recorded ownership separate from the ownership


THIS ORDINANCE shall take effect immediately upon adoption.

ENACTED AND ORDAINED BY THE BOROUGH OF WYALUSING, this 16th day of December, 2013.



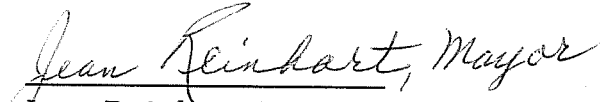
George Anderson, President

ATTEST:



Rhonda McCarty, Secretary

APPROVED THIS 16th DAY OF December 2013.



Jean Reinhart, Mayor