TOWNSHIP OF OHIO
ORDINANCE NO. 48

AN ORDINANCE AMENDING ORDINANCE NO. 34 ENTITLED AN ORDINANCE REGULATING AND CONTROLLING SUBDIVISIONS IN OHIO TOWNSHIP BY DETERMINING THE REQUIREMENTS, CONSTRUCTION, DESIGN AND SPECIFICATION STANDARDS FOR ALL PARTS THEREOF, ESTABLISHING PLAN AND DRAWING REQUIREMENTS, PLAN PROCESSING AND PROCEDURE, ESTABLISHING FILING FEES, PROHIBITING THE SALE OF PROPERTY IN VIOLATION THEREOF AND PROVIDING PENALTIES THEREFOR AND GRANTING CERTAIN POWERS TO THE BOARD OF SUPERVISORS AND OTHER OFFICERS AND AGENCIES OF THE TOWNSHIP.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Ohio Township, Allegheny County, Pennsylvania, under the authority of the Act of July 10, 1947, P.L. 1481, as amended, and it is hereby ordained and enacted by and with the authority of the same that Ohio Township Ordinance No. 34 enacted August 20, 1958 is hereby amended as follows:

1. Section 2 of Ordinance No. 34 is hereby amended to read in its entirety as follows:

> "2. "Subdivision" is defined as the division of a single lot, tract or parcel of land, or a part thereof into two or more lots, tracts or parcels of land, including changes in street lines or lot lines for the purpose, whether immediate or future, of transfer of ownership or of building development; Provided however, that division of land for agricultural purposes in parcels of more than ten acres, not involving any new street or easement of access, shall be exempted."

2. Section 3 of Ordinance No. 34 is hereby amended to read in its entirety as follows:

> "3. On and after the effective date of this ordinance, no lot in a subdivision may be sold, no permit to erect, alter or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision unless and until a subdivision plat has been approved by the Board of Supervisors of Ohio Township and the Allegheny County Planning Commission and recorded, and until the improvements required herein or in resolutions supplemental hereto in connection with said subdivision have either been constructed or guaranteed as required by this ordinance or supplemental resolutions."

3. Section 4 Subsection (A) of Ordinance No. 34 is hereby amended by inserting the word "final" between the words "all" and "plans" thereof so that said subsection shall read:

> "(A) All final plans must be submitted to the Board of Supervisors of Ohio Township in quadruplicate thirty (30) days in advance of a regular meeting to consider the approval of such plans."

4. Section 4, Subsection (D) of Ordinance No. 34 is hereby amended by inserting the words "preliminary and final" between the words "of" and "plans" so that said subsection shall read:

> "(D) Additional steps and requirements for procedure in the submittal of preliminary and final plans may be made by resolution of the Board of Supervisors hereafter."

5. Sections 7 and 8 of Ordinance No. 34 are hereby renumbered 9 and 10 respectively.

6. A new section numbered Section 7 of Ordinance No. 34 is hereby inserted in said ordinance to read as follows:

> "7. Variances and Exceptions. Whenever the tract to be subdivided is of such unusual size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements of this ordinance and resolutions supplemental hereto would result in real difficulties, substantial hardship, or injustice, such requirements may be varied or modified by the Board of Supervisors so that the subdivision may be made in a reasonable manner, but at the same time, the public welfare and interest of the Township and the surrounding area are thoroughly protected and the general intent and spirit of this ordinance and supplemental resolutions is enforced."

7. A new section numbered section 8 of Ordinance No. 34 is hereby inserted in said ordinance to read as follows:

> "8. Appeals. In any case where the Board of Supervisors disapproves a subdivision plan, any persons aggrieved thereby may, within thirty days thereafter, appeal therefrom, by petition to the Court of Quarter Sessions of the County, which court shall hear the matter de novo and after hearing enter a decree affirming, reversing or modifying the action of the Board, as may appear just in

the premises. The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested. The decision of the court shall be final."

8. Section 10 (B) (formerly Section 8 (B) of Ordinance No. 34 is hereby amended to read as follows:

"(B) Any person, firm, copartnership or corporation who or which shall subdivide any lot, tract or parcel of land, layout, construct, open or dedicate any street, sanitary sewer, storm sewer, or water main, for public use or travel or for the common use of occupants of buildings abutting thereon, sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such copartnership, or the officers of such corporation responsible for such violation, shall be sentenced to suffer imprisonment not exceeding two years, or pay a fine not exceeding one thousand dollars, or both, in the discretion of the court."

Ordained and enacted into law this 21 day of June, 1961.

Attest:

Robert C. Rossman
Chairman, Ohio Township Board of Supervisors

E. J. Stephenson
Secretary