

## **ARTICLE II**

### **DEFINITIONS**

#### **Section 201 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 202 Definitions - Specific Terms**

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

**Administrator:** The officer as appointed by the Everett Borough Council to administer these regulations and to assist administratively the other Boards and officers of the Borough.

**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 Everett Borough Council.

**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 Borough, 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.

**Borough Council:** The Borough Council of Everett, Bedford County, Pennsylvania.

**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.

**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 Everett Borough 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 Bedford County and Everett Borough 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 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.

**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 Borough Council as a condition of the approval of the plan.

**County:** Bedford County, Pennsylvania.

**County Planning Commission:** The Bedford 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:** An excavation. 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 Bedford County.

Density:

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

Low Density: 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 stormwater 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 stormwater 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 of 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 stormwater 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.

**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 Everett Borough 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 therefrom.

**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 Borough Council and to be used wherever required by these regulations. (See Article III.)

**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.

**Governing Body:** The Everett Borough Council.

**Grade:** The slope of a road, street, or other public way specified in percentage terms.

**Hearing:** An administrative proceeding conducted by a board pursuant to Section 709.1 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, sanitary services, and wholesale trade.

**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.
- d. Grading and filling activities screen eg. minor and major.

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 Bedford 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 Everett Borough for the maintenance of any improvements required by this ordinance.

**Marker:** A wood or metal stake placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots.

**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.

**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:** Stone or concrete monument of known coordinates, established by Professional Land Surveyors, and utilized to locate property lines.



**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:** Everett Borough.

**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 Everett Borough Planning Commission as established and appointed by the Borough Council 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.

**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.

**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 Meeting:** A forum held pursuant to notice under the act of July 3, 1986 (P.L.388, No. 84), known as the "Sunshine Act."

**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.

**Regulatory Flood Elevation:** The elevation which includes the one hundred (100)-year floodplain plus a freeboard safety factor of one (1) and one-half (1/2) 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.

**Resubdivision:** Any replatting 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 stormwater 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.

**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.

**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 1/2) feet high, to a point three and one-half (3 1/2) 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.

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 the Everett Borough Council to furnish legal assistance for the administration of this ordinance.

**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.

**Stormwater Management Plan:** The plan for managing stormwater runoff as required by the Borough Engineer and/or a plan for managing stormwater as required by any Borough Stormwater 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 Borough facilities, or the creation of any public improvements.

Subdivision, Minor: Any subdivision containing four (4) or less lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Official Map, or these regulations.

**Substantially Completed:** Where, in the judgement of the Borough 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 stormwater drainage.

**Surveyor:** A licensed "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.

**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.

**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.

**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 Borough, a departure from this ordinance may be made without destroying the intent of such provisions, the Borough 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 203 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, the Pennsylvania Municipalities Planning Code, then said words shall have the meaning as set forth in said section.