

ARTICLE I

SHORT TITLE, PURPOSE AND JURISDICTION

Section 100. Short Title.

This Ordinance shall be known and may be cited as “The Liberty Township Subdivision and Land Development Ordinance”. An ordinance establishing rules, regulations and standards governing the subdivision and development of land within the Township of Liberty, Adams County, Pennsylvania, pursuant to the authority set forth in Article V of the Pennsylvania Municipalities Planning Code as amended, and setting forth procedures to be followed by the Township Planning Commission and the Township Supervisors in applying, administering and amending these rules, regulations, and standards and prescribing penalties for the violation thereof.

Section 101. Purpose.

It is the intent, purpose, and scope of this Ordinance:

- A. To protect and promote safety, health and welfare;
- B. To accomplish coordinated development;
- C. To provide for the general welfare by guiding and protecting amenity, convenience, future governmental, economic, practical, and social and cultural facilities, development and growth, as well as the improvement of governmental processes and functions;
- D. To promote the conservation of energy through the use of planning practices and to promote the effective utilization of renewable energy sources; and
- E. To permit the Township to minimize such problems as may presently exist or which may be foreseen.

Section 102. Authority & Jurisdiction, Compliance with Ordinance Required.

The authority of the Township Supervisors to adopt this Ordinance regulating subdivision and land development within Liberty Township is granted by Article V of the Pennsylvania Municipalities Planning code of July 31, 1968, Act No. 247 as amended by Act 170 of 1988, and as amended thereafter. As a result no subdivision or land development of any lot, tract, or parcel of land shall be made, no streets, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.

Section 103. Interpretation.

The provisions of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of the Ordinance. Where the provisions of this Ordinance conflict, provide different standards for the same item or are inconsistent with the provisions of any other ordinance, regulation, or requirement, the more restrictive provisions shall apply. Where other ordinances, regulations or requirements are referenced (either literally or implicitly), the most recent, as amended, version or edition shall be adhered to.

Section 104. Payment of Fees.

No plan or application submission shall be deemed to have been filed unless all of the fees associated with that plan or application have been paid. In the case of payments made by check, payment shall not be considered made until the check has been cleared. Failure to pay all fees (as prescribed by Township ordinance, and/or Resolution, adopted from time to time by the Board of Supervisors) shall nullify an attempted filing and shall relieve the Township from any further duty to

review or otherwise process the purported filing. The Township shall not be required to forward any filing to the Adams County Office of Planning and Development unless the appropriate fee as imposed by the County is also tendered. A failure to provide copies of the plan or application for County review, and/or a failure to tender the fee imposed by the County shall render the purported filing to be null, void, and of no effect.

Section 105. County Review.

All applications for subdivision and/or land development approval within Liberty Township shall be forwarded upon receipt to the Adams County Office of Planning and Development for review and report. Such action shall occur at the Preliminary and Final Plan stages. The Township shall not take action on said plans until the county report is received or until the expiration of thirty (30) days from the date the plans were forwarded to the county.

Section 106. Municipal Liability.

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the liability upon the municipality, its officials, agents or employees.