

## **Chapter 157**

### **SUBDIVISION OF LAND**

#### **ARTICLE I** *General Provisions*

§ 157.1. Purpose.

§ 157.2. Definitions.

#### **ARTICLE II** *Procedures for Approval and Acceptance*

§ 157.3. Filing of preliminary plan.

§ 157.4. Submission of final plans.

§ 157.5. Contractual agreements with BOROUGH.

§ 157.6. Final approval.

§ 157.7. Recording of plan.

§ 157.8. Filing of as-built plans.

#### **ARTICLE III** *Design Standards*

§ 157.9. Required improvements and facilities.

§ 157.10. Existing improved streets.

§ 157.11. Development along streets of insufficient width.

#### **ARTICLE IV** *Fees*

§ 157.12. Authorization to establish fee schedule.

#### **ARTICLE V** *Permits; Acceptance of Improvements*

§ 157.13. Permit required to construct improvements; notification.

- § 157.14. Requirements for issuance of permit.
- § 157.15. Acceptance of improvements.
- § 157.16. Conditions for acceptance of improvements.
- § 157.17. Compliance required.
- § 157.18. Building permits.

**ARTICLE VI**  
***Special Exceptions; Reservation of Land***

- § 157.19. Grant of special exception.
- § 157.20. Improper reservations of land or alterations.

**ARTICLE VII**  
***Appeals***

- § 157.21. Appeals procedure.

**ARTICLE VIII**  
***Penalties***

- § 157.22. Violations and penalties.

**[HISTORY: Adopted by the BOROUGH COUNCIL 10-27-57 as Ord. No. 296. Sections 157.3, 157.4 and 157.5 amended at time of adoption of CODE; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]**

GENERAL REFERENCES

Zoning - See Ch. 180.

**ARTICLE I**  
***General Provisions***

- § 157.1. Purpose.

The purpose of this chapter is to assure sites suitable for building purposes and human habitation and to provide for the harmonious development of the BOROUGH, for coordination of existing streets with proposed streets, for ensuring adequate open space for traffic regulation, light and air and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of the BOROUGH.

**§ 157.2. Definitions.**

157.2.1. Word usage. As used in this chapter, words in the singular shall include the plural, and the plural shall include the singular.

157.2.1.1. The word "PERSON" shall include a corporation, firm or partnership.

157.2.1.2. The word "Planning Commission" shall refer to the BOROUGH Planning Commission, unless specifically stated otherwise.

157.2.2. Definitions. Unless otherwise expressly stated herein, the terms hereinafter enumerated shall, for the purpose of this chapter, have the meanings as defined herein:

AS-BUILT PLAN - A plan showing all public improvements as actually constructed, showing street center line and profile, sanitary and storm sewer locations, wye location, sewer profiles, elevations and depths of manholes and storm inlets and such other information as the BOROUGH ENGINEER shall require.

CARTWAY - The improved or paved portion or portions of a street available for vehicular and other traffic; the portion or portions between curbs where curbs are used.

CUL-DE-SAC - The end of a street having no future outlet for public traffic.

DEAD END - The end of a street having a possibility of a future outlet for public traffic.

DRAINAGE PLAN - A complete drainage plan of a subdivision showing all necessary storm sewers and appurtenances and showing the method of drainage of adjacent and contiguous territory and the method and point of disposal of all stormwater collected. This plan shall be prepared and certified by a registered ENGINEER.

LOT - A parcel of land designated as a unit area on the plan of subdivision and which is the minimum area upon which an individual building can be erected.

MONUMENT - A permanent marker designating a property LOT corner or a street line location, with the top at finished grade and grounded below frost line to prevent natural movement. All "monuments" shall have a cast-iron cover as approved by the BOROUGH ENGINEER.

OFF-SITE IMPROVEMENTS AND FACILITIES - Any improvement or facilities, whether street, sewer or drainage construction, which are located outside the subdivision but which are deemed necessary by COUNCIL to be constructed to provide service for the subdivision or to relieve facilities overburdened by the development of the subdivision.

PRELIMINARY PLAN - An owner's tentative plan of how he proposes to subdivide his property, prepared and certified by a registered ENGINEER or surveyor, showing right-of-way lines, LOT lines, contours, existing structures and any other relevant information as required by the rules and regulations of the Planning Commission.

RECORDING PLAN - A plan for recording in the Recorder's Office of Allegheny County,

Pennsylvania, prepared and certified by a registered ENGINEER or surveyor, showing right-of-way lines, LOT lines and any other relevant information as required by the rules and regulations of the BOROUGH COUNCIL or Planning Commission or the Allegheny County Planning Commission to be shown on plans submitted for their approval, which rules and regulations by reference thereto are made part hereof.

RESTRICTION OR BUILDING LINE - A line within a LOT between which line and the adjacent boundary there shall be no enclosed or covered structure or portion thereof.

SANITARY SEWER PLAN - A complete sanitary sewer plan of the subdivision, including profiles and reports suitable for submission to the State Sanitary Water Board, for the construction of sanitary sewers in the watershed in which the subdivision is located. This plan shall be prepared and certified by a registered ENGINEER

STORMWATER MANAGEMENT PLAN - A complete stormwater management plan of a subdivision in accordance with Chapter 153 of the BOROUGH CODE. ***[Added 7-6-88 by Ord. No. 729]***

STREET - A general term used to describe a right-of-way serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties and with space for sewers, drainage facilities and public utilities.

- (1) ARTERIAL STREETS AND HIGHWAYS - Those which will be used primarily for high vehicular speeds or heavy volumes of traffic.
- (2) COLLECTOR STREETS - Those which will carry intermediate volumes of traffic from minor STREETS to ARTERIAL STREETS.
- (3) MINOR STREETS - Those which are used primarily for access to the abutting property and which will carry limited volumes of traffic.
- (4) MARGINAL ACCESS STREETS - MINOR STREETS which are parallel to and adjacent to ARTERIAL STREETS and highways and which reduce the number of access points to the ARTERIAL STREET for the purpose of increased traffic safety.

STREET IMPROVEMENT PLAN - A plan or plans for the grading, paving and curbing of STREETS in the subdivision, all in accordance with standards established.

STREET NAME SIGN - A sign, according to a design approved by COUNCIL, to be erected at all STREET intersections within the subdivision.

STREET PROFILE PLAN - A cloth tracing of profiles of STREETS on a scale of not less than one (1) inch equals fifty (50) feet, showing existing profiles of STREETS and grades to be established.

STRUCTURE - Anything constructed or erected, the use of which demands a permanent location on the soil, or anything attached to something having a permanent location on the soil.

SUBDIVISION - The division of a single LOT, tract or parcel of land or part thereof into two (2) 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 divisions of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new STREET or easement of access, shall not be included within the meaning of "SUBDIVISION."

**SURVEY** - A map or maps of areas to be developed or subdivided, prepared and certified by a registered ENGINEER or surveyor, showing property lines and topographic data. Property lines on "surveys" shall be based, wherever possible, upon a meridian taken from the City of Pittsburgh Geodetic and Topographic Survey and shall be coordinated on rectangular coordinates based upon said City Geodetic Survey. All "survey" maps submitted shall show complete property line information, property owners' names and distances to nearest public STREETS. Such "survey" maps shall show the names of the owners of adjoining properties and the name and place of record of adjoining SUBDIVISION plans.

**TOPOGRAPHIC MAP** - A map showing ground elevations by contour lines and the location of significant natural and other objects.

## **ARTICLE II**

### ***Procedures for Approval and Acceptance***

#### **§ 157.3. Filing of PRELIMINARY PLAN.<sup>1</sup>**

Any owner of land within the BOROUGH desiring approval of a SUBDIVISION of land shall submit to the BOROUGH MANAGER, at least ten (10) days prior to consideration by the Planning Commission, complete SURVEYS, together with a PRELIMINARY PLAN of SUBDIVISION showing the following information:

157.3.1. A scale not less than one (1) inch equals one hundred (100) feet.

157.3.2. Name of SUBDIVISION; names and addresses of the owner, the ENGINEER or surveyor and the owners of adjacent property; name and address of the developer if different from the owner; and names and addresses of officers of all corporations named.

157.3.3. Date, approximate North point and graphic scale.

157.3.4. Acreage of land to be subdivided.

157.3.5. Contours at an interval of not greater than five (5) feet, or when the slope is less than two percent (2%), spot elevations shall be indicated every one hundred (100) feet and at all breaks in grade or a lesser interval if deemed necessary by the Planning Commission.

157.3.6. Boundary lines of the area to be subdivided and their bearings and distances.

---

<sup>1</sup> Editor's Note: Amended at time of adoption of CODE; see Ch. 1, General Provisions, Art. I.

157.3.7. Existing and proposed easements and their location, width and distances.

157.3.8. STREETS on and adjacent to the tract and their names, widths and grade profiles and any other dimensions that may be required by the Planning Commission.

157.3.9. LOT lines, including the bearings and distances of each line; LOT numbers and LOT areas.

157.3.10. Utilities on and adjacent to the tract, showing proposed connections to existing utilities systems.

157.3.11. SITES and their acreage, if any, to be reserved or dedicated for parks, playgrounds or any public uses. SITES, if any, for semipublic, commercial or multifamily use.

157.3.12. Building lines.

157.3.13. Copies of the proposed deed restrictions, if any, shall be attached to the PRELIMINARY PLAN.

157.3.14. Topographic features, including all existing STRUCTURES, streams, gas wells, obstructions, etc.

**§ 157.4. Submission of final plans.<sup>2</sup>**

157.4.1. After approval by the Planning Commission of said PRELIMINARY PLAN of SUBDIVISION or as amended in conformity with the recommendations of the Planning Commission, the developer shall submit to the BOROUGH MANAGER, at least ten (10) days prior to consideration by the Planning Commission and the BOROUGH ENGINEER, his final plan consisting of the following:

157.4.1.1. The RECORDING PLAN shall include all items listed in **§ 157.3** above excepting contours and elevation data.

157.4.1.2. STREET profile plan. The STREET profile plan shall:

157.4.1.2.1. Be in conformity with Article III hereinafter stated and include a profile of each STREET at least two hundred (200) feet beyond the end of the area being developed.

157.4.1.2.2. Contain STREET cross sections at intervals not to exceed one hundred (100) feet and extending fifty (50) feet each side of STREET center line or twenty-five (25) feet outside the STREET right-of-way line, whichever is greater.

---

<sup>2</sup> Editor's Note: Amended at time of adoption of CODE; see Ch. 1, General Provisions, Art. I.

157.4.1.3. DRAINAGE PLAN. The drainage plan shall be in accordance with Chapter 153 of the CODE. **[Amended 7-6-88 by Ord. No. 729]**

157.4.1.4. SANITARY SEWER PLAN. The SANITARY SEWER PLAN shall:

157.4.1.4.1. Show all pipe sizes, bearings and distances.

157.4.1.4.2. Show the depth of the invert from finished grade level of each manhole as well as the elevation of the invert at each manhole, together with the grade of each sewer line.

157.4.1.4.3. Show the location of each wye as proposed for installation.

157.4.1.5. The location of MONUMENTS shall be shown on each of the above-mentioned plans.

These final documents, after approval by the Planning Commission and the BOROUGH ENGINEER, shall be presented to the COUNCIL for approval for recording purposes.

157.4.2. The approval of the PRELIMINARY PLAN does not constitute acceptance of the final plan by the Planning Commission.

**§ 157.5. Contractual agreements with BOROUGH. [Amended 4-18-94 by Ord. No. 680]**

157.5.1. Any owner of land within the BOROUGH desiring approval of a SUBDIVISION of land shall enter into a contract with the BOROUGH in such form as the BOROUGH may require and by the terms of which the owner of the SUBDIVISION, in consideration of the BOROUGH'S approval of the SUBDIVISION, shall agree to:

157.5.1.1. Be bound by and comply with the terms, provisions and conditions of all the documents submitted to the BOROUGH and on the basis of which the BOROUGH shall grant its approval of the SUBDIVISION.

157.5.1.2. Deposit with the BOROUGH a certified check in the amount of seventy-five dollars (\$75.) for each MONUMENT; the amount of said check will be returned as soon as the MONUMENTS have been set by the subdivider in accordance with this chapter, provided each MONUMENT shall have been installed within one (1) year after the SUBDIVISION has been approved for recording purposes; otherwise the BOROUGH COUNCIL will cause the MONUMENTS to be installed and pay for same out of the proceeds of the aforesaid deposit.

157.5.1.3. Furnish security to the BOROUGH to assure the completion of the improvements and facilities within two (2) years from the date of the execution of the contract herein required between the BOROUGH and the owner of the SUBDIVISION. The amount of said security shall be determined

by the BOROUGH ENGINEER. Said security shall be in one (1) of the following forms:

157.5.1.3.1. A performance bond with corporate surety in such form as the Solicitor shall approve, or a deposit of cash or securities in an amount determined by the BOROUGH ENGINEER to cover the cost of the completion of the improvements.

157.5.1.3.2. Upon approval by the Solicitor and the BOROUGH ENGINEER, a first mortgage or judgment lien upon the real estate in an amount determined by the BOROUGH ENGINEER to cover the cost of the completion of the improvements.

157.5.1.4. Pay to the BOROUGH the inspection fee of the BOROUGH ENGINEER, together with the ENGINEER'S fee of one and one-half percent (1-1/2%) of the ENGINEER'S estimated cost of the improvements, one-half (1/2) of which is to be paid before the approval of the plan for recording purposes and the balance prior to acceptance of the improvements by the BOROUGH.

157.5.1.5. Pay to the BOROUGH all costs and expenses incident to the preparation of the agreement and the acquisition and disposition of the security.

157.5.2. The contract between the owner of the SUBDIVISION and the BOROUGH may provide for the release of security to the owner during the progress of the construction of the improvements in accordance with a schedule predetermined by the Solicitor and BOROUGH ENGINEER.

157.5.3. All contracts between owners of SUBDIVISIONS and the BOROUGH shall provide that in the event that the owner fails to complete the construction, the security shall be forthwith forfeited to the BOROUGH. Said sum of the security forfeited to the BOROUGH shall be used by the BOROUGH for the purpose of completing said improvements and facilities, and in the event that the total cost to the BOROUGH for said completion, plus Solicitor's and ENGINEER'S fees, shall be less than the amount received by the BOROUGH, the excess shall be returned to the owners. If the cost to the BOROUGH of the construction, installation and completion of such improvements and facilities shall be in excess of the amount recovered by the BOROUGH, the BOROUGH may elect either to construct and install such portion or portions of the improvements and facilities as can be constructed and installed for the sum recovered by the BOROUGH as aforesaid or to revise any plans and specifications for such improvements and facilities in such manner as the BOROUGH shall determine to reduce the cost of such improvements and facilities to the amount recovered by the BOROUGH or to complete such improvements and facilities and assess the additional cost against the properties abutting such improvements and facilities on any basis allowed by law, in which event said contract shall constitute a petition for and waiver of damages for said improvements and facilities. The BOROUGH shall not be limited as to the time in which said improvements and facilities shall be constructed, installed and completed by it. The BOROUGH shall have the right to have such improvements and facilities constructed and completed in parts, from time to time, as it shall determine. Upon the completion of the construction and installation of said improvements and facilities by the



BOROUGH or the completion of any part or parts of such improvements and facilities as elected by the BOROUGH as aforementioned, the same shall be accepted by the BOROUGH as public improvements and facilities and be maintained thereafter by the BOROUGH.

157.5.4. In lieu of the owners providing security to assure completion of said improvements and facilities as aforesaid, the COUNCIL shall require that the necessary grading, paving and other STREET improvements, including, where specified by the COUNCIL, curbs, sanitary sewers and STORM SEWERS, shall have been installed in strict accordance with the standards and specifications of the BOROUGH before approving any SUBDIVISION plan.

**§ 157.6. Final approval.**

The owner shall obtain final approval from the Planning Commission of the plan to be recorded and from the COUNCIL of all plans and documents required under this chapter.

**§ 157.7. Recording of plan. [Amended 2-17-93 by Ord. No. 797]**

The owner shall record in the Recorder's Office of Allegheny County, Pennsylvania, the RECORDING PLAN of such SUBDIVISION within ninety (90) days after receipt of the final approval of the COUNCIL, as provided in § 157.6 immediately preceding. For failure to record said RECORDING PLAN within said period of ninety (90) days, the final approval theretofore granted by the COUNCIL shall become null and void unless said period shall be extended by action of the COUNCIL.

**§ 157.8. Filing of as-built plans.**

As-built plans for all PUBLIC improvements shall be filed in duplicate in the office of the BOROUGH MANAGER prior to filing a petition for acceptance of the improvements by the BOROUGH.

**ARTICLE III**  
***Design Standards***

**§ 157.9. Required improvements and facilities.**

The following standards and the Standard Construction Specifications of the BOROUGH shall be complied with in all SUBDIVISIONS in the BOROUGH:

157.9.1. STREETS.

157.9.1.1. The dedication of right-of-way measured from LOT line to LOT line for new STREETS shall be shown on all plans and shall meet the following standards:

<b>STREET Type</b>	<b>Minimum Dedicated Right-of-Way Width (feet)</b>
Arterial	80
Collector	60
Minor	50
Marginal access	50

157.9.1.2. The maximum distance between STREET intersections shall be six hundred (600) feet, and the minimum distance between STREET intersections shall be two hundred fifty (250) feet, unless specific exception is granted by the COUNCIL and/or Planning Commission.

157.9.1.3. All STREET intersections shall be at right angles where topography permits and shall under no circumstances intersect at an angle of less than sixty degrees (60°). All STREET intersections shall be connected by a minimum radius of twenty-five (25) feet.

157.9.1.4. There shall be no alleys in any plan.

157.9.1.5. STREET grades shall be no steeper than ten percent (10%) nor less than one percent (1%) except by special exception to be granted by the BOROUGH COUNCIL.

157.9.1.6. DEADEND STREETS shall be no longer than four hundred (400) feet except by special exception by the BOROUGH COUNCIL and/or the Planning Commission.

157.9.1.7. STREETS ending with CUL-DE-SAC shall be no longer than four hundred (400) feet except by special exception by the BOROUGH COUNCIL and/or the Planning Commission and shall have provisions for a turnaround at the DEAD END in a form of a circle with a diameter of at least one hundred (100) feet. This CUL-DE-SAC shall have an outside paved radius of thirty-seven (37) feet and shall have a curbed center island with a radius of eleven (11) feet.

157.9.2. STREET improvements shall be accomplished as hereinbefore provided. All STREETS shall be graded in accordance with the STREET IMPROVEMENT PLAN as set forth by the BOROUGH ENGINEER'S construction standards. Driveways constructed across sidewalk areas shall conform to the cross section of the graded width of the STREET right-of-way.

157.9.3. STREET paving. All paving and curbing of STREETS shall be constructed strictly in accordance with the type set forth by the BOROUGH ENGINEER'S construction standards.

157.9.4. STREET names. Due care shall be exercised in the selection of STREET names to ascertain that there is no duplicate in the same post office service

area. A letter from the local postmaster certifying that the STREET names used are not duplications of STREET names within the same post office service area shall be filed by the developer. STREET NAME SIGNS shall be constructed and installed by the developer as a part of the STREET construction program and shall be of a design and composition acceptable to the BOROUGH.

157.9.5. Storm DRAINAGE. The DRAINAGE PLAN for the SUBDIVISION shall be in accordance with Chapter 153 of the CODE of the BOROUGH. **[Amended 7-6-88 by Ord. No. 729]**

157.9.6. Sanitary sewers. All sanitary sewers shall be designed in accordance with the requirements of the State Sanitary Water Board as to flows, capacities, manholes and support and cover. Said SANITARY SEWER PLANS shall be approved by the BOROUGH ENGINEER. The developer shall obtain and pay for the necessary state sewer permit.

157.9.7. Easements: Where necessary for utilities, easements across LOTS or centered on rear or side LOT lines shall be provided at least fifteen (15) feet wide. Pole line easements shall be in the rear of the LOT unless special exception is granted by the COUNCIL and/or the Planning Commission.

157.9.8. LOTS. In general, sizes of LOTS shall be in conformity with good planning and shall have an area and frontage as prescribed by the zoning for the area in which the LOT lies. No SUBDIVISION plan will be approved by the Planning Commission or COUNCIL unless all LOTS whereon buildings are intended to be constructed shall, in the opinion of the Planning Commission and COUNCIL, be of such character that they can be used for building purposes without danger to health or peril from fire, flood or other hazard. Unbuildable areas shall be apportioned to adjacent LOTS. The subdivider shall cause to have hubs set at all corners of all LOTS at the time of original sale.

157.9.9. MONUMENTS. MONUMENTS shall be accurately set at such points as may be designated by the BOROUGH ENGINEER in order that the retracing of the MONUMENT lines may be accomplished with reasonable ease and convenience. Deposit shall be made to the BOROUGH as hereinbefore stated.

157.9.10. Sidewalks. Five-foot concrete sidewalks with a minimum thickness of four (4) inches shall be installed immediately adjacent to the curb in the front of each LOT being improved on ARTERIAL and COLLECTOR STREETS and state and county roads. Said sidewalks shall be constructed strictly in accordance with the type set forth by the BOROUGH ENGINEER'S construction standards. The sidewalk, where required, must be installed or sufficient security shall be provided in escrow to ensure installation before any occupancy permit will be issued for the building.

157.9.11. Pedestrian walks. Paved walks and/or steps not less than five (5) feet wide on a ten-foot right-of-way shall be required where deemed essential to provide circulation or access to community facilities. These walks and steps shall be improved and paved by the developer; this improvement shall be guaranteed as provided in § 157.5 herein.

**§ 157.10. Existing improved STREETS.**

Plans of SUBDIVISION wherein LOTS abut existing improved STREETS of sufficient width shall be subject to the approval of the Planning Commission and/or COUNCIL

**§ 157.11. Development along STREETS of insufficient width.**

Plans of SUBDIVISION wherein LOTS abut existing STREETS of insufficient width or STREETS proposed to be laid out through unimproved land shall be subject to the approval of the Planning Commission and/or COUNCIL. Where LOTS abut existing STREETS of insufficient width, there shall be dedicated for public use as part of such existing STREET the width required for new STREETS under this chapter or as required by the Planning Commission or COUNCIL for county and state road rights-of-way and major BOROUGH arteries.

**ARTICLE IV  
Fees****§ 157.12. Authorization to establish fee schedule.**

The COUNCIL may, by resolution, establish and amend, from time to time, a fee schedule to cover its costs and expenses in the study and approval of plans, inspections of construction operations and the acceptance of such improvements.

**ARTICLE V  
Permits; Acceptance of Improvements****§ 157.13. Permit required to construct improvements; notification.**

No construction of any improvements or facilities approved by COUNCIL pursuant to this chapter shall be commenced unless and until a permit authorizing such commencement shall be received from the BOROUGH SECRETARY. Not less than forty-eight (48) hours prior to the commencement of the actual construction of such improvements or facilities, a written notice setting forth the date on which such construction work will begin shall be given to the BOROUGH ENGINEER.

**§ 157.14. Requirements for issuance of permit.**

The permit authorized under **§ 157.13** hereof shall not be issued by the BOROUGH SECRETARY until the owner of the SUBDIVISION shall have complied with all of the following:

157.14.1. All final documents referred to in **§ 157.4** herein shall have been submitted to and approved by COUNCIL.

157.14.2. The contract referred to in **§ 157.5** hereof shall have been executed by both the owner of the SUBDIVISION and the BOROUGH.

157.14.3. The BOROUGH shall have received at least six (6) copies of the recorded plan bearing the signature and seal of the Recorder of Deeds and three (3) copies of each of the STREET PROFILE PLAN, DRAINAGE PLAN and SANITARY

SEWER PLAN. The PUBLIC improvements plans shall have the BOROUGH ENGINEER'S stamp of approval affixed.

**§ 157.15. Acceptance of improvements.**

Every STREET, sewer, DRAINAGE facility or other improvements shown on a SUBDIVISION plan that is recorded as provided herein shall, notwithstanding such recording, be deemed to be a private STREET, sewer, DRAINAGE facility or other improvement, and the BOROUGH shall have no responsibility with respect thereto until such time as the same shall have been offered for dedication to the BOROUGH and accepted by it by ordinance or resolution or until it shall have been duly condemned by the BOROUGH for public use.

**§ 157.16. Conditions for acceptance of improvements.**

No STREETS, right-of-way, sewers, DRAINAGE facilities or other improvements required by this chapter shall be accepted by ordinance or resolution of COUNCIL unless prior thereto there shall be submitted to COUNCIL:

157.16.1. A dedication thereof in form approved by the BOROUGH Solicitor.

157.16.2. AS-BUILT PLANS submitted in duplicate to the BOROUGH MANAGER.

157.16.3. A certificate by the BOROUGH ENGINEER that the improvements offered for acceptance have been constructed in accordance with the documents approved by COUNCIL.

157.16.4. A receipt for all charges and fees required to be paid by the BOROUGH.

**§ 157.17. Compliance required.**

From and after the effective date of this chapter, no SUBDIVISION of any LOT, tract or parcel of land shall be made, and no STREET, sanitary sewer, STORM SEWER or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use and travel or for the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of this chapter. Any LOT or parcel of land in a recorded SUBDIVISION plan cannot be further subdivided.

**§ 157.18. Building permits.**

157.18.1. From and after the effective date of this chapter, except on LOTS in plans of LOTS heretofore recorded in the Recorder's Office of Allegheny County, Pennsylvania, 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 plan of such SUBDIVISION shall have been approved and properly recorded and until the improvements required by COUNCIL in connection therewith shall have either been constructed or guaranteed as provided in this chapter.

157.18.2. Building on LOTS abutting dedicated STREETS. No permit to erect any building shall be issued unless the LOT abuts a dedicated STREET.

**ARTICLE VI**  
***Special Exceptions; Reservation of Land***

**§ 157.19. Grant of special exception.**

Where, owing to special circumstances and conditions, compliance with the provisions of this chapter would result in unnecessary hardship, the COUNCIL may make special reasonable exceptions thereto as will not be contrary to the public interest and subject to such conditions as COUNCIL, with advice of the Planning Commission, may deem necessary to assure adequate STREETS and other improvements and ensure compliance with future plans of the area.

**§ 157.20. Improper reservations of land or alterations.**

No PERSON, firm or CORPORATION shall hide, conceal or attempt to conceal any secret documents or agreements to isolate or abandon any plot or parcel of ground included in a proposed SUBDIVISION or DEVELOPMENT under consideration, and no PERSON, firm or CORPORATION shall alter any STREET, right-of-way, LOT line or easement without prior approval of COUNCIL and Planning Commission. Nor shall any SUBDIVISION be approved if any reserved areas or strips are shown thereon other than easements, rights-of-way, STREETS and other areas dedicated to public use.

**ARTICLE VIII**  
***Appeals***

**§ 157.21. Appeals procedure.**

157.21.1. In the event that any plan submitted for approval hereunder shall be disapproved by the BOROUGH ENGINEER, the reasons for such disapproval shall be set forth in writing and submitted to the owners. Any owner aggrieved by a decision of the BOROUGH ENGINEER may appeal to the BOROUGH COUNCIL within ten (10) days after such decision shall have been made. Such appeal shall be considered by COUNCIL within a reasonable time. The decision of COUNCIL shall be final.

157.21.2. In any case where COUNCIL disapproves a SUBDIVISION plan, any PERSON aggrieved thereby may, within thirty (30) days thereafter, appeal therefrom by petition to the Court of Quarter Sessions of the county wherein such SUBDIVISION is located, which Court shall hear the matter de novo and, after hearing, enter a decree affirming, reversing or modifying the action of the COUNCIL, as may appear just in the premises. The Court shall designate the manner in which notices of the hearing of such appeal shall be given to all parties interested. The decision of the Court shall be final.

157.21.3. The action of COUNCIL or of the Court on appeal in approving any SUBDIVISION plan and an approved duplicate copy of such plan shall, within thirty (30) days after the date of approval, be recorded by the owner in the office of the Recorder of Deeds of the county wherein such land is located.

**ARTICLE VIX*****Penalties*****§ 157.22. Violations and penalties.**

Any PERSON, copartnership or CORPORATION who or which shall subdivide any LOT, tract or parcel of land, or lay out, construct, open or dedicate any STREET, sanitary sewer or STORM SEWER for public use or travel or for the common use of occupants of buildings abutting thereon, or sell any LOT or erect any building in a SUBDIVISION without first having complied with all the provisions hereof, shall be guilty of a misdemeanor, and upon conviction thereof, such PERSON or the PERSONS of such copartnership or the officers of such CORPORATION responsible for such violations shall be sentenced to suffer imprisonment not exceeding two (2) years or pay a fine not exceeding one thousand dollars (\$1,000.), or both, in the discretion of the Court as provided by the Act of 1927, P.L. 519, as amended by the Act of 1951, P.L. 1026.<sup>3</sup>

---

<sup>3</sup> Editor's Note: See 53 P.S. § 10515.