

ARTICLE II

DEFINITION OF TERMS

201. Rules of Interpretation

- a. The following words are defined in order to facilitate the interpretation of the Ordinance for administrative purposes and in the carrying out of duties by appropriate officers. Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations have the meaning indicated:
 - (1) Words in the singular include the plural and those in the plural include the singular.
 - (2) Words used in the present tense include the future tense.
 - (3) The words “person”, “Subdivider”, “Developer”, and “owner” include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual engaged in the subdivision of land and/or land development.
 - (4) The word “building” includes structure and shall be construed as if followed by the phrase “or part thereof”.
 - (5) The word “watercourse” includes channel, creek, ditch, dry run, spring, stream and river.
 - (6) The words “should” and “may” are permissive; the words “shall” and “will” are mandatory and directive.
 - (7) The word “lot” includes the word plot or parcel.
 - (8) The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be used or occupied.”
- b. Other terms or words used herein shall be interpreted or defined as follows:
 - (1) Accelerated Erosion: The removal of surface material by the action of natural elements caused by man’s manipulation of the landscape.
 - (2) Access Spacing: The distance required to encourage small speed differentials between vehicles moving in the traffic

stream and vehicles entering the traffic stream from a stop condition. Said spacing is recommended by the Institute of Transportation Engineers (ITE) as a guideline for location of unsignalized access, and is based upon American Association of State Highway and Transportation Officials (AASHTO) acceleration distances for passenger cars on level grades.

- (3) Alley (or service drive): A minor right-of-way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.
- (4) Applicant: A landowner or developer, as hereinafter has filed an application for development including his heirs, successors and assigns.
- (5) Application for Development: A written 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 subdivision, plat or plan or for the approval of a development plan. The form of application shall be as prepared by the Board of Supervisors.
- (6) Appointing Authority: The Township Board of Supervisors.
- (7) 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".
- (8) Best Management Practices (BMPs): State-of-the-art technology as applied to a specific problem. The BMP represents physical, institutional, or strategic approaches to environmental problems, particularly with respect to non-point source pollution control.
- (9) Berm: An earthen mound designed to create a visual and sound barrier between a use and adjoining properties, streets, and adjacent uses.
- (10) Block: An area bounded by streets.
- (11) Board of Supervisors (Supervisors): The Board of Supervisors of the Township of South Middleton.

- (12) Building: Any structure on a lot, having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattels, and including covered porches or bay windows, and chimneys.
- (13) Building Setback Line (setback): The line within a property defining the required minimum distance between any enclosed structure and adjacent right-of-way, and the line defining side and rear yards, where required.
- (14) Capped Sewers: Sanitary sewerage facilities which are installed and capped where existing sanitary sewerage facilities are not accessible and available, but are proposed in the Official Sewage Facilities Plan of the Township. Such facilities shall include sanitary sewers, force mains, pumping stations, and all other appurtenances necessary to serve the entire subdivision and/or land development.
- (15) Cartway or Roadway: That portion of a street or alley that is improved, or intended for vehicular use excluding the shoulders.
- (16) Certification: A signed statement appended to a plan or other document whereby the signer represents that to the best of their knowledge and belief said plan or document is true and correct and that the Township may rely upon the accuracy thereof.
- (17) Centralized Sewage System: A public or private utility system designed to collect, centrally treat, and dispose of sewage from customers, in compliance with Pennsylvania Department of Environmental Protection regulations or regulations of the Township, whichever may be more stringent.
- (18) Centralized Water System: A public or private utility system designed to transmit potable water from a common source to customers, in compliance with Pennsylvania Department of Environmental Protection regulations or regulations of the Township, whichever may be more stringent.
- (19) Clear Sight Triangle: A triangular-shaped portion of land established by a street or driveway intersection in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the site distance of motorists entering or leaving the intersection

- (20) 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, stormwater detention ponds, off-street parking areas, and areas set aside for public facilities.
- (21) Comprehensive Plan: The complete plan, or any of the parts, for the development of the Township of South Middleton prepared by the Planning Department and the Planning Commission and adopted with the code pertaining to Townships of the Second Class.
- (22) Conditional Use: A use permitted in a particular zoning district pursuant to conditions of the Zoning Ordinance.
- (23) County: Cumberland County, Pennsylvania.
- (24) County Planning Commission: The Planning Commission of Cumberland County.
- (25) Crosswalk: A right-of-way, publicly or privately owned, intended to furnish access for pedestrians.
- (26) Cul-de-sac: A street or system of streets with only one point of access to a through street. An arrangement such that, at one point, the only way out is to go back the way you came.
- (27) Cul-de-sac length: The maximum length measured from the intersection of the through street to a point at which you return back to the entrance. For cul-de-sac with a closed end vehicular turn-around, the return point shall be the center of the turning circle.
- (28) 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.
- (29) Deciduous: Plants that drop their leaves before becoming dormant in the winter.
- (30) Decision: The final adjudication of any board or other body granted jurisdiction under any land use ordinance or the Municipalities Planning Code 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 the county and judicial district wherein the municipality lies.

- (31) Dedication: The deliberate appropriation of land by its owner for any general and public, or limited public, use, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
- (32) Deed Covenant or Restriction: A restriction on the use of the land set forth in the deed or instrument of conveyance. Such restriction(s) usually runs with the title of the land and is binding upon subsequent owner(s) of the property. The Board of Supervisors is not responsible for enforcing such deed restrictions, unless the restriction(s) resulted from a condition or stipulation of the subdivision and land development process.
- (33) Design Storm: The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24-hour), and used in computing storm water management control systems.
- (34) Designated Flood Plain Areas: A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation in a 100 year flood, as designated in the South Middleton Township Zoning Ordinance, as amended.
- (35) Determination: The final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:
 - (a) the Board of Supervisors;
 - (b) the Zoning Hearing Board;
 - (c) the Township Planning Commission, only if and to the extent the Planning Commission is charged with final decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions.

Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

- (36) Detention Structure: A pond, swale, or other structure designed to detain surface water runoff for a given storm event and release it at a predetermined rate.
- (37) Developer: Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development.
- (38) Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging, fillings, grading, excavation or drilling operations, and the subdivision of land.
- (39) Development Plan: The provisions for 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 the development plan” when used in this Ordinance shall mean the written and graphic materials referred to in this definition.
- (40) Drainage: The flow of water or liquid waste and the methods of directing such flow.
- (41) Drainage Easement: An easement required for the installation of storm water management apertures (ponds, pipes, swales, etc.), and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.
- (42) Drainage Facility: Any ditch, gutter, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part or any subdivision or contiguous land areas.
- (43) Driveway: A minor vehicular right-of-way, constructed at least 12 feet in width and of at least six (6) inches of compacted stone for a distance of at least twelve (12) feet beyond the right-of-way line, providing access between a

street and a parking area or garage within a lot or property. Driveways shall be designated as follows:

- (a) Minimum Use: A residential or other driveway that is used by not more than 25 vehicles per day.
 - (b) Low volume: A driveway that carries generated trips more than 25 but less than 750 vehicles per day.
 - (c) Medium volume: A driveway that carries generated trips more than 750 but less than 1,500 vehicles per day.
 - (d) High volume: A driveway that carries generated trips equal to or greater than 1,500 vehicles per day.
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- (44) Dwelling: A building or structure designed for living quarters for one (1) or more families, including mobile homes which are supported by a permanent foundation, but not including tents, cabins, travel trailers, motels, hotels, rooming houses, boarding homes, convalescent homes or other accommodations used for transient occupancy.
 - (45) Dwelling Unit: One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one (1) family or a single person.
 - (46) Earth Disturbance: An activity including but not limited to construction, mining, farming and timber harvesting which alters, disturbs, or exposes the existing land surface.
 - (47) Earthmoving Activity: Any construction or other activity which disturbs the surface of the land including, but not limited to, excavation, embankments, land development, subdivision development, mineral extraction and the moving, depositing, or storing of soil, rock or earth.
 - (48) Easement: A right granted for the use of private land for certain public or quasi-public purposes; also the land to which such right pertains.
 - (49) Energy Dissipater: A device used to slow the velocity of storm water, particularly at points of concentrated discharge such as pipe outlets.

- (50) Engineer, Professional: A person duly registered as a professional engineer by the Commonwealth of Pennsylvania.
- (51) Engineer, Township: The Township Engineer or any consultant designated by the Board of Supervisors to review a subdivision plan and perform the duties of Township Engineer on behalf of the Township.
- (52) Engineering Specifications: The Engineering Specifications of the municipality regulating the installation of any required improvement or for any facility installed by any other, subject to public use.
- (53) Erosion: The natural process by which the surface of the land is worn away by water, wind or chemical actions.
- (54) Erosion and Sediment Pollution Control Plan: A plan that is designed to minimize accelerated erosion and prevent sediment pollution to the waters of the Commonwealth.
- (55) Excavation: Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.
- (56) Fill:
- (a) Any act by which earth, sand, gravel or rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the stripped surface and shall include the conditions resulting therefrom;
 - (b) The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade;
 - (c) The material used to make a fill.
- (57) Flood: A temporary inundation of normally dry land areas.
- (58) Flood Hazard Area: All lands in the Township established as "Flood Hazard Areas" under Section 1301 of the Zoning Ordinance.

- (59) Flood Plain: See definition of "Flood-Prone Area" below.
- (60) Floodproofing: Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water or sanitary facilities, structures and their contents.
- (61) Flood-Prone Area: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
- (62) Floodway: The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the 100-year magnitude without increasing the water surface elevation of that flood more than one foot (1'0") at any point.
- (63) Freeboard: The difference between the design flow elevation in the emergency spillway and the top of the settled embankment.
- (64) Frontage: The minimum distance between side property lines measured at the building setback line.
- (65) Future Right-of-Way:
- (a) Right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads.
 - (b) A right-of-way established to provide future access to or through undeveloped land.
- (66) Guarantee, Completion: The financial security that may be accepted by the Township as a guarantee that improvements required as part of an application for subdivision and/or land development are completed to the satisfaction of the Township. Such financial security shall include, but is not limited to, performance bonds, Federal or Commonwealth chartered lending institution irrevocable letters of credit, and restrictive or escrow accounts in such lending institutions.

- (67) Governing Body: The South Middleton Township Board of Supervisors.
- (68) Grassed Waterway: A natural or man-made drainageway of parabolic, trapezoidal or v-shaped cross-section shaped to required dimensions and vegetated for safe disposal of runoff. (Also known as a swale).
- (69) Holding Pond: A retention or detention pond.
- (70) Identified Flood-Prone Area: The flood plain area specifically identified in the South Middleton Township Zoning Ordinance as being inundated by the 100-year flood. Included would be areas identified as Floodway (FW), Flood-Fringe (FF) and General Flood Plain (FA).
- (71) Impervious Area: Any portion of a lot covered by material impenetrable by precipitation, including buildings, structures and paved areas.
- (72) Impervious Cover: Any natural or man-made material utilized to cover, pave or re-surface any portion or area of a lot whether permeable or impermeable excepting only soil, plants or vegetative coverings. Impervious cover shall include, among other materials, any form or mixture of concrete, stone, asphalt, tar, porous pavement, or other substance designed and intended to alter the natural state of the land.
- (73) Impervious Coverage: That portion of any lot, tract or property covered by an Impervious Surface.
- (74) Impervious Surface: A surface covered with Impervious Cover that prevents the percolation of water into the ground.
- (75) Improvements: Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including but not limited to: grading, paving, curb, gutter, storm sewers and drains, improvements to existing watercourses, sidewalks, crosswalks, street signs, monuments, water supply facilities, and sewerage disposal facilities.
- (76) Incidental Stormwater Management Plan: A stormwater management plan prepared in conjunction with a subdivision application and incidental to a land survey as defined by the

Professional Engineers Registration Law Act of 1945, P.L. 913, as amended; provided, and on condition that, no improvements are proposed as part of the subdivision application.

(77) Land Development: Any of the following activities:

- (a) A subdivision of land;
- (b) Any improvement to one (1) or more parcels of land, or change or expansion of a use, that significantly affects the existing character of the parcel, as determined by the Township Engineer or Zoning Officer. Improvements that may affect the character include, but are not limited to, changes that would affect the following items;
 - a. stormwater management,
 - b. grading,
 - c. landscape screening requirements,
 - d. parking requirements,
 - e. impervious coverage,
 - f. potable water consumption,
 - g. sanitary sewer discharge rate,
 - h. uses regulated by the wellhead protection requirements,
 - i. traffic generation or distribution;
- (c) Excluded from this definition of land development are the following:
 - (i) the conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
 - (ii) the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
 - (iii) the addition or conversion of buildings or rides within the confines of an enterprise that would be considered an amusement park. For the purposes of this subclause, and amusement park is defined as a tract or area used

principally as the 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 proper authorities.

- (78) 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.
- (79) Landscaping: The planting of turf, trees, shrubs, and other appropriate vegetative materials and ground cover within the open areas of a lot other than for agricultural purposes, and including the maintenance and replacement thereof, for the purposes of erosion control, retention of precipitation, protection against the elements and promotion of human comfort and welfare.
- (80) 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 built upon as a unit.
- (81) 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 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 may be used without a permanent foundation.
- (82) Mobilehome Lot: A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome.
- (83) Mobilehome Park: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobile homes.

- (84) Monument: A tapered, permanent survey reference point of stone or concrete having a round top four (4) inches on each side with a length of twenty-four (24) inches.
- (85) Municipal Authority Engineer: The Municipal Authority Engineer or any registered Professional Engineer designated by the South Middleton Township Municipal Authority to perform the duties of Engineer on behalf of the Municipal Authority.
- (86) Municipality: South Middleton Township, Cumberland County, Pennsylvania.
- (87) Obstruction: Any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, tree, shrubbery or matter, in, along, across or projecting into any channel, watercourse or floodprone area, which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or is placed where the flow of the water might carry the same downstream to the damage of life and property.
- (88) Official Map: A map adopted by the Board of Supervisors pursuant to the provisions of Article IV of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended.
- (89) Official Sewage Facilities Plan: A comprehensive plan for the provision of adequate sewage disposal systems within the Township, adopted by the South Middleton Township Board of Supervisors and approved by the Pennsylvania Department of Environmental Protection in accordance with the Pennsylvania Sewage Facilities Act (Act 537).
- (90) One Hundred (100) Year Flood: A flood that on the average, is likely to occur once every one hundred (100) years (i.e., a flood that has a one percent (1%) chance of occurring each year, although the flood may occur in any year).
- (91) On-Site Stormwater Management: The control of runoff to allow storm water on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site is not significantly different than if the site had remained undeveloped.

- (92) Peak Discharge: The maximum rate of flow of water at a given point and time resulting from a specified storm event.
- (93) Percolation Test: A procedure to determine the absorption rate of the soil in an area proposed as the installation site for an on-lot septic system. Such a test will be carried out according to the requirements of the Pennsylvania Department of Environmental Protection.
- (94) Plan: The map or plan of a subdivision or land development, whether preliminary or final.
- (95) Planning Code: The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, Act 247, as amended by Act 170 of 1988.
- (96) Planning Commission: South Middleton Township Planning Commission.
- (97) Planning Department: The South Middleton Township Planning Department.
- (98) Plat: See "Plan".
- (99) Professional Land Surveyor: An individual licensed and registered under the laws of the Commonwealth of Pennsylvania to engage in the practice of land surveying.
- (100) Public Grounds: Includes the following:
- (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; and
 - (c) publicly owned or operated scenic and historic sites.
- (101) Public Hearing: A formal meeting held pursuant to public notice by the Board of Supervisors, Zoning Hearing Board or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.
- (102) 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 less than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

- (103) Recreation, Active: Leisure time activities, usually of a more formal nature and performed with other individuals, often requiring equipment and taking place at prescribed places, site or fields. Such areas usually require physical alteration to the area before they can occur and are intensively used, such as playgrounds, ball courts and swimming pools.
- (104) Recreation, Passive: Leisure time activities, usually of an informal nature and which can be carried out with little alteration or disruption to the area in which they occur, such as hiking and picnicking.
- (105) Regulatory Flood Elevation: The 100-year flood elevation plus a freeboard safety factor of one and one-half feet (1-1/2').
- (106) 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.
- (107) Reserve Strip: A narrow parcel of ground separating a street from other adjacent properties.
- (108) Right-of-Way, Street: A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.
- (109) Road: A street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or

intended to be used by vehicular traffic or pedestrian whether public or private.

- (110) Road Access Point: An intersection of any combination of two or more streets, roads, driveways, or access drives.
- (111) 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.
- (112) Runoff Characteristics: The surface components on any water shed which either individually or in any combination thereof, directly affect the rate, amount and direction of storm water runoff. These may include, but are not limited to: vegetation, soils, slopes and any type of manmade landscape alterations.
- (113) Safe Sight Distance:
 - (i) Desirable: Sight distance that is desirable for safe operation of a driveway or street intersection.
 - (ii) Minimum: Sight distance less than desirable, but which is the minimum acceptable for safe operation of a driveway or street intersection.
 - (iii) Screening: The use of plant or landscaping materials, fencing, walls and/or earthen berms to aid in the concealment of such features as parking areas and vehicles within them or open storage areas, and to provide privacy between two or more different land uses which abut one another.
- (114) Sediment: Soils or other surficial materials transported by surface water as a product of erosion.
- (115) Sediment Basin: A barrier, dam, detention or retention basin designed to retain sediment.
- (116) Sediment Pollution: The placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with 25 PA Code Chapter 102 (Erosion and Sediment Pollution Control).

- (117) Sedimentation: The process by which mineral or organic material is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is referred to as “sediment”.
- (118) Seepage Pit/Seepage Trench: An area of excavated earth filled with loose stone or similar material and into which surface water is directed for infiltration into the ground.
- (119) Septic Tank: A watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.
- (120) Sewage Disposal System (on-site): Any structure designed to eliminate sanitary sewage within the boundaries of the lot.
- (121) Sewage Disposal System (public): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.
- (122) Sight Distance: The length of roadway visible to the driver of a passenger vehicle at a given point on the roadway when the view is unobstructed by traffic.
- (a) Passing Sight Distance: A line of unobstructed vision from the height of a driver’s eye three and one-half (3.5) feet above the surface of a roadway to see an object on the roadway at a height of three and one-half (3.5) feet high.
- (b) Stopping Sight Distance: A line of unobstructed vision from the height of a driver’s eye three and one-half (3.5) feet above the surface of a roadway to see an object on the roadway at a height of one-half (0.5) feet high.
- (123) Sketch Plan: A voluntary, non-binding schematic plan submitted for informational purposes only.
- (124) Slope: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

- (125) Soil Percolation Test: A field test conducted to determine the absorption capacity of soil to be a specified depth in a given location for the purpose of determining suitability of soil for onsite sewage disposal.
- (126) Soil Stabilization: Chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise to improve its engineering properties.
- (127) South Middleton Township Municipal Authority: A properly created municipal body incorporated under the provisions of the Municipal Authorities Act of 1945 by the General Assembly of the Commonwealth of Pennsylvania.
- (128) Storage Structure: A retention or detention structure.
- (129) Storm Water: Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.
- (130) Stormwater Management: The control of storm water runoff on a given site.
- (131) Stormwater Management Plan: A plan or design for controlling storm water so that it will preclude erosion or flooding and/or the adverse effects of storm water from impervious areas, as required by Article X of this Ordinance.
- (132) Stormwater Management Survey: A survey, layout, or staking out of stormwater facilities as designed and established by a stormwater management plan prepared pursuant to the provisions of this Ordinance.
- (133) Street: A 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.
- (134) Street Line or Street Right-of-way Line: The dividing line between a lot and a street.
- (135) Street, Private: A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation, but not intended to be dedicated for public use.

- (136) Street, Public: A strip of land, including the entire right-of-way, intended to be dedicated for use as a means of vehicular and pedestrian circulation by the public at large.
- (137) Structure: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.
- (138) Subdivider: See Applicant and Developer.
- (139) 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 divisions 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: Provided, however, that the subdivision by lease of land for agricultural purpose into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
- (140) Substantially Completed: Where, in the judgment of the Township Engineer, at least ninety percent 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.
- (141) Surface Drainage Plan: A plan showing all present and proposed grades and facilities for storm water drainage.
- (142) Surveyor: See "Professional land surveyor".
- (143) Swale: A low-lying stretch of land characterized as a depression used to carry surface water runoff.
- (144) Through Street: A street that extends continuously between two or more streets.
- (145) Tile Disposal Field: A system of open jointed or perforated pipes laid in the upper strata of the soil for absorption.
- (146) Time of Concentration: The interval of time required for water from the most remote portion of the drainage area to reach the point in question.

- (147) Top Soil: Surface soils and subsurface soils that presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.
- (148) Township: The Township of South Middleton, Cumberland County, Pennsylvania, Board of Supervisors, its agents or authorized representatives.
- (149) Transferable Development Rights: The attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands within the municipality where more intensive development is deemed by the municipality to be appropriate.
- (150) Undeveloped Land: Any lot, tract or parcel of land that has not been graded or in any other manner prepared for the construction of a building.
- (151) Unit: A part of the property, structure, or building designed or intended for any type of independent use, which has direct exit to a public street or way, or to a common element or common elements leading to a public street or way or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or buildings.
- (152) Usable Open Space: Same as "Common Open Space".
- (153) Visual Screen: A well-maintained hedge, landscaped berm, or other vegetative materials which upon planting or installation is both of sufficient height and of sufficient density to conceal from the view of adjacent properties the structures and uses on the premise where the screening is located.
- (154) Watercourse: Any channel of conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

- (155) Water Facility: Any water works, water supply works, water distribution system, or part thereof designed, intended or constructed to provide or distribute potable water.
- (156) Water Survey: An inventory of the source, quantity, yield and use of groundwater and surface-water resources within a municipality.
- (157) Waters of the Commonwealth: Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground waters, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.
- (158) Watershed: The entire region or area drained by a river or other body of water whether natural or artificial.
- (159) Wellhead Protection Area: Zones 1, 2 and 3 adjacent to and surrounding a municipal water wellfield as delineated on maps set forth in the Wellhead Protection Study: "Production Wells 1, 2 and 3 (September, 1997), R. E. Wright Environmental, Inc. and included in Appendix A, which are hereby made a part of this Ordinance.
- (160) Wetland: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.