ORDINANCE NO. 6 of 2013

AN ORDINANCE OF WHITE HAVEN BOROUGH, LUZERNE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 26, SUBDIVISION AND LAND DEVELOPMENT, PART 2, DEFINITIONS, THE TERM SUBDIVISION TO REDUCE THE NUMBER OF LOTS QUALIFYING AS A MAJOR SUBDIVISION TO MORE THAN FIVE AND EXEMPTING LOT CONSOLIDATIONS OF FIVE OR LESS CONTIGUOUS LOTS FROM REQUIRING FORMAL SUBDIVISION APPROVAL

BE IT ENACTED AND ORDAINED by White Haven Borough Council and it is hereby enacted and ordained by the authority of Borough Council, an amendment to the term Subdivision (Minor) under Section 201(66)(B) of the White Haven Borough Code of Ordinances (Subdivision and Land Development Ordinance) to read as follows:

Part 2
Definitions

§201. General Interpretation.

(66)(B) Subdivision (Minor). A subdivision of a parcel of land into not more than five (5) lots, which has access, direct or indirect, onto an existing public street, not involving the extension thereof, the extension of municipal facilities, the creation of any public improvements and not adversely affecting the remainder of the parcel of adjoining property. However, if a lot consolidation is proposed of five (5) contiguous lots or less totaling not more than five (5) acres in size after consolidation, then the Borough shall exempt an applicant from the subdivision process if the applicant agrees in writing to pay all reasonable review fees incurred by the Borough and the applicant can produce the following documents to the satisfaction of Council: (1) A recorded deed for each of the existing parcels to be combined; (2) A certified property outbound survey or legal description and illustration prepared by a Professional Land Surveyor licensed in the Commonwealth of Pennsylvania for the combined parcel; and (3) A deed in recordable form containing the legal description prepared by a Professional Land Surveyor licensed in the Commonwealth of Pennsylvania for the combined parcel and also containing any additional language that may be required by Luzerne County at the time of filing of the new deed. Once approved by Council, the applicant shall record the new deed within 90 days from the date of the approval. A failure by the applicant to record the deed within the 90 days unless extended by written approval of Borough Council will result in the approval being void.

NOW THEREFORE, this amendment to the White Haven Borough Subdivision and Land Development Ordinance is hereby enacted and becomes effective this 23 day of September, 2013.

ATTEST:

Manager

White Haven Borough Council:

President

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NOW THEREFORE, this amendment to the White Haven Borough Subdivision and Land Development Ordinance is hereby enacted and becomes effective this 28 day of October, 2013.

ATTEST:

Manager

White Haven Borough Council:

President