

## Article II – DEFINITIONS

### SECTION 201 – Definitions

For the purposes of this ordinance, the following words and phrases shall have the meaning as given in this Article.

Words in the present tense include the future.

The singular includes the plural.

The word “shall” is mandatory; the word “may” is optional.

The word “person” means an individual, corporation, partnership, firm, association, company, or any other similar entity.

1. Alley – a minor right-of-way privately or publicly owned, primarily for service access to the back or side of properties.
2. Applicant – a landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors, and assigns.
3. Application for Development – every application whether preliminary 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 development plan.
4. Block – a tract of land or a lot or group of lots, bounded by streets, public parks or parkways, railroad rights-of-way, watercourse or body of water, subdivided land, or a boundary line or lines of the Borough.
5. Building Setback Line – a line parallel to and set back from the front lot line a distance equal to the depth of the front yard required.
6. Cartway – the surface of a street or road available for vehicular traffic.
7. 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.
8. Crosswalk - a publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

9. 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 a land development or resubdivision.
10. Dwelling – a building or a portion thereof designed for and used exclusively for residential occupancy.
  - a. Dwelling unit – one or more rooms having cooking and sanitary facilities and access directly outdoors or through a common entrance hall.
  - b. Dwelling, Single-Family Detached – a building containing only one (1) dwelling unit and two (2) side yards.
  - c. Dwelling, Single-Family Semi-Detached – a building containing two (2) dwelling units which are separated by one (1) common wall, and which has two (2) side yards.
  - d. Dwelling, Single-Family Attached – a building containing three (3) or more dwelling units, which are separated from each other by two (2) common walls, except for the two (2) end units.
  - e. Dwelling, Two-Family Detached – a building containing two (2) dwelling units arranged one over the other on separate floors, and which has two (2) side yards.
  - f. Dwelling, Multi-Family – a building other than a single-family attached dwelling containing three (3) or more dwelling units.
11. Easement, Utility – a right-of-way granted for the limited use of land for public or quasi-public purposes.
12. Engineer – a registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.
13. Engineering Specifications – the engineering specifications of the municipality regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.
14. Erosion – the removal of surface materials by the action of natural elements.
15. 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. It shall include the conditions resulting therefrom.

16. Fill – any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

17. Flood -

- a. Flood-prone area – a relatively flat or low land area adjoining a stream, river, or water course, which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.
- b. Floodway – the channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude.
- c. Regulatory flood – a flood having an average frequency of occurrence on the order of once in one hundred (100) years, although the flood may occur in any year.
- d. Regulatory flood elevation – the one hundred (100) year flood elevation based upon the information contained in the Official Flood Insurance Study, as prepared by the Federal Insurance Administration.

18. Governing Body – the Borough Council of Somerset Borough.

19. Improvements – those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

20. Land Development –

- a. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
  - 1) A group of two or more buildings; or
  - 2) The division or allocation of land or space between or among two or more existing or prospective occupants

by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other structures.

b. A subdivision of land.

21. 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 conditions), a lease if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this ordinance.
22. Lot – a plat or parcel of land, which is, or in the future may be, offered for sale, conveyance, transfer, or improvement.
23. Lot, through or double frontage – a lot with front and rear street frontage.
24. Lot Area – the area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street right-of-way, but including the area of any easement.
25. Lot, reverse frontage – a lot extending between, and having frontage on, an arterial street and a minor street, and with vehicular access solely from the latter.
26. Mobile Home – a transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly contained in one (1) unit, or in two (2) 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 may be used without permanent foundation.
27. Mobile Home Lot – a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.
28. Mobile Home Park – a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more mobile home lots.

29. Plan, Sketch – an informal plan, not necessarily to exact scale, indicating salient existing features of a tract, its surroundings, and the general layout of a proposed subdivision or a land development.
30. Plan, Preliminary – a tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.
31. Plan, Final – a complete and exact subdivision or land development plan prepared for official recording as required by statute.
32. Public Grounds – parks, playgrounds, and other public areas and sites for schools, sewer treatment, refuse disposal, and other publicly owned or operated facilities.
33. Public Notice – notice published once a week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time, place, and date of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days nor less than fourteen (14) days prior to the date of the hearing.
34. Resubdivision – any replatting or resubdivision of land limited to change in lot lines on an approved final plan or recorded plan.
35. 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.
36. 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.
37. 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.”

38. Sight Distance – the 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.
39. 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.
40. Street – a right-of-way or portion thereof dedicated or intended for general public, vehicular, and/or pedestrian use.
41. Streets –
  - a. Arterial Street – a major street or highway with fast or heavy traffic volumes of considerable continuity, and used primarily as a traffic artery for intercommunications among large areas.
  - b. Collector Street – a major street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of a residential development and streets for circulation within such a development.
  - c. Minor Street – a street used primarily for access to abutting properties.
  - d. Cul-de-sac – a street intersecting another street at one end and terminating at the other in a vehicular turn-around.
  - e. Marginal Access Street – a minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from traffic.
42. Structure – anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, factories, sheds, cabins, mobile homes, and other similar items.
43. Subdivider – the owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for the sale or development under the terms of this ordinance.
44. Subdivision (See Land Development) – the division or re-division of a lot, tract, or parcel of land by any means into two 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, transfer of ownership, or of building or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

45. Surface Drainage Plan – a plan showing all present and proposed grades and facilities for storm water drainage.
46. Top Soil – surface soils and subsurface soils which presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Top soil usually found in the uppermost soil layer called the ‘A’ Horizon.
47. Undeveloped Land – any lot, tract, or parcel of land which has not been graded or in any other manner improved or prepared for subdivision or land development, or the construction of a building.
48. Watercourse – a natural stream of water, river, brook, creek, or a channel of a perceptible extent with definite bed and banks to confine and conduct continuously or periodically flowing water.