

TOWNSHIP OF SOUTH BEAVER
ORDINANCE NO. 77

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 56, AS AMENDED BY ORDINANCE NO. 62, ORDINANCE NO. 70 AND ORDINANCE NO. 75, COMMONLY REFERRED TO AS SOUTH BEAVER TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. SAID AMENDMENT ADDRESSES THE DEFINITION OF SUBDIVISION AS SET FORTH IN SAID ORDINANCE.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of South Beaver Township, a Second Class Township under the Commonwealth of Pennsylvania, and it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION 1. PURPOSE.

The existing definition of subdivision as it appears in the South Beaver Township Subdivision and Land Development Ordinance, Article II, Section 201, prior to this amendment, would have required South Beaver Township property owners to apply for and acquire subdivision approval for the grant of a right-of-way or easement across property.

SECTION 2. AMENDMENT.

The definition of subdivision as it appears in the South Beaver Township Subdivision and Land Development Ordinance is hereby amended to read as follows:

SUBDIVISION: The division or re-division 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 but not limited to changes in existing lot lines for the purpose of, whether immediate or future, for leasing a part of same, for partition by the Court for distribution to heirs or devisees, transfer of ownership, or for building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of or right-of-way for access, or involving any residential dwelling, shall be exempt.

SECTION 3. REPEALER CLAUSE.

All other parts of the South Beaver Township Subdivision and Land Development Ordinance shall remain the same, and in full force and effect to the extent that any other Ordinance of South Beaver Township now in effect shall be inconsistent herewith, the inconsistent provisions thereof are hereby repealed.

SECTION 4. SEVERABILITY.

The provisions of this Ordinance are severable and if any section, clause, sentence, word, part of provision shall be deemed illegal, invalid or unconstitutional, the decision of the Court shall not affect or impair any of the remaining sections, clauses, sentences, words or parts of this Ordinance. It is hereby declared the intent of the Board of Supervisors of South Beaver Township that this Ordinance would have been adopted if such illegal, invalid or unconstitutional portion had not been included herein.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be effective five (5) days after enactment.

ENACTED this 12 day of August, 2013.

ATTEST:

Wesley C. Carr

SOUTH BEAVER TOWNSHIP:

Deborah P. Baird
Supervisor

Danely Rastetter
Supervisor

[Signature]
Supervisor