WHEREAS, pursuant to the Pennsylvania Municipalities Planning Code, Article IV, as reenacted and amended, the Council of the Township of College adopted an Official Map Ordinance on November 14, 1985 as Chapter 133 in Ordinance No. 83; amended in its entirety by Ordinance No. O-06-08; and

WHEREAS, the Council of the Township of College remanded to the Township Planning Commission to review the existing Official Map, collect feedback from the Township Parks and Recreation Committee on facilities desired within the Township, and prepared a proposed Official Map; and

WHEREAS, a new Official Map (EXHIBIT 1) has been prepared by the Township that shows the locations of desired bicycle and pedestrian facilities, streets, parks, pedestrian improvements, priority corridors, and land reservations; and

WHEREAS, the Township has received recommendations of the College Township Planning Commission, College Township Parks and Recreation Committee, Centre Region Planning Commission, Centre County Planning Commission, as well as recommendations of adjacent municipalities that the streets, parks, corridors, and other public facilities and improvements as designated on the Official Map attachment hereto should be so located; and

WHEREAS, the Council of the Township of College has given due public notice of hearings of the proposed ordinance and has held such public meetings; and

WHEREAS, the Township desires to repeal the prior Official Map and adopt a new Official Map for College Township.

SECTION 1 – OFFICIAL MAP REGULATIONS

Article I
General Provisions

§ 133-1 Title.
This chapter shall be known and may be cited as the "College Township Official Map Ordinance."
§ 133-2 Statutory authority.
This chapter is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania in the Pennsylvania Municipalities Planning Code, Act of 1968, L.L.805, No. 247 as reenacted and amended.

§ 133-3 Purpose.
This chapter is enacted for the purpose of serving and promoting the public health, safety, convenience and general welfare; to facilitate adequate provision of public streets and facilities; to improve traffic circulation; to provide for the recreational and open space needs of the community; to protect and enhance water resources; to facilitate the subdivision of land and the use of land and watercourses; and to provide, protect, and/or promote natural areas/nature preserves.

§ 133-4 Severability.
Should any section or provision of this chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any other section or provision of the chapter than the one so declared.

Article II
Establishment of Controls

§ 133-5 Official Map provisions.
A. The Official Map, as enacted by ordinance, and subsequently amended, shall identify the location of the lines or boundaries of:

(1) Existing and proposed public streets, well sites, watercourses, and public grounds, including widenings, narrowings, extensions, diminutions, openings, or closings of same.

(2) Existing public and proposed active recreation areas and natural/preservation areas.

(3) Bicycle/pedestrian paths and easements.

(4) Railroad and transit rights-of-way and easements.

(5) Flood control basins, floodways and floodplains, stormwater management areas and drainage easements.

(6) Support facilities, easements and other properties held by public bodies undertaking the elements described in Section 301 of the Pennsylvania Municipalities Planning Code.

(7) Conservation easements and riparian buffers.

(8) Priority Corridor.
     (a) Primary, secondary, and potential state investment corridors.

(9) Greenways.

B. At the time of enactment of this chapter, all existing property records, aerial photography, photogrammetric mapping or surveys designating the location of the lines of existing public streets, rights-of-way, watercourses and public grounds, including surveys prepared by government agencies
or incorporated as part of a final recorded subdivision and land development plans duly approved by
the College Township Council, shall, by reference, be deemed an attachment to the Official Map for
the purpose of designating the location of said existing lines. For the acquisition of lands or easements,
boundary descriptions by metes and bounds shall be made and sealed by a licensed surveyor registered
in the Commonwealth of Pennsylvania.

C. For the purpose of initially reserving land on the Official Map, property records, aerial photography,
photogrammetric mapping, or other methods sufficient for the identification, description and
publication of areas for reservation on the Official Map will be sufficient. For the acquisition of lands
and easements, boundary descriptions by metes and bounds shall be made and sealed by a licensed
surveyor, registered in the Commonwealth of Pennsylvania.

D. The College Township Council, by amending ordinances, may make additions or modifications to
the Official Map or part thereof by adopting surveys, property records, aerial photography, or
photogrammetric mapping designating the location, the lines, or boundaries of public streets,
watercourses or public grounds to be so added or modified and may also vacate any existing or
proposed public street, watercourse or public ground contained in the Official Map or part thereof.

§ 133-6 Incorporation of Map; certification and changes.
The Official Map, including all notations, references and other data shown thereon, is hereby incorporated
by reference into this chapter as if it were fully described herein.

A. Certification of the Official Map.

(1) The Official Map shall be identified by the signatures of the College Township Council members,
attested by the College Township Secretary, under the following words: "This is to certify that this is
the Official Map of the Township of College adopted by Ordinance No. O-23-03 and referred to in
Article II of Ordinance No. O-23-03 of the Township of College, Centre County, Pennsylvania,"
together with the date of enactment of this chapter. The Map shall be kept on file with the College
Township Manager.

(2) The Official Map and Official Map Ordinance have been adopted pursuant to the provisions
provided in Section 402 of the Pennsylvania Municipalities Planning Code. A copy of the Official
Map and the Official Map Ordinance of the Township of College, Centre County, Pennsylvania is
recorded in the Centre County Recorder of Deeds Office.

B. Changes in the Official Map. If, in accordance with the provisions of this chapter, changes are made
to the location of lines designating existing or proposed public streets, watercourses or public
grounds, such changes shall be entered promptly on said Map. All changes, except those resulting
from subdivision and land development plans as specified in § 133-11 below, shall be certified by
initialing of the Map by the Chairman of Council, together with the amending ordinance number and
date of enactment.

§ 133-7 Relationship to County Official Map.
The adoption of an Official Map by Centre County shall not affect the Official Map of College Township,
except that the Centre County Official Map shall govern as to county streets and public grounds of Centre
County in accordance with the Pennsylvania Municipalities Planning Code.
§ 133-8 Relationship to adjacent municipalities.
If the Official Map or amendment thereto shows any street intended to lead into any adjacent municipality, a certified copy of the Official Map or amendment thereto shall be forwarded to such adjacent municipality.

Article III
Definitions

§ 133-9 Word usage.
For the purposes of this chapter, certain terms and words used herein shall be interpreted as follows:

A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender, and words of feminine gender include masculine gender.

B. The word "includes" or "including" shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.

C. The word "person" includes an individual, firm, association, organization, partnership, trust, company, corporation or any other similar entity.

D. The words "shall" and "must" are mandatory; the words "may" and "should" are permissive.

E. The words "used or occupied" include the words "intended, designed, maintained or arranged to be used or occupied."

§ 133-10 Terms defined.
Unless a contrary intention clearly appears, the following words and phrases shall have the meanings given in this section. All words and terms not defined herein shall be used with a meaning of standard usage.

ACTIVE RECREATION AREAS
Public grounds which would be used for the purposes of providing for activities such as sports, walking, running, biking and play areas. For the purposes of the Official Map, active recreation areas would be parks that are envisioned to be improved to build facilities such as playgrounds and sports fields/courts.

BICYCLE/PEDESTRIAN PATHS
A pathway used for the purposes of providing travel options for bicyclists and/or pedestrians. For the purposes of the Official Map, bicycle and pedestrian ways shall be implemented as easements or through fee simple ownership and typically will be 20 feet wide if not adjacent to an existing right-of-way such as a street.

BUILDING
A structure, including any part thereof, having a roof and used for the shelter or enclosure of persons or property.

CONSERVATION EASEMENT
A nonpossessory interest in whole or part of real property imposing limitations or affirmative
obligations, the purposes of which include retaining or protecting natural, scenic, or open space values of real property.

**EASEMENT**
A nonpossessory interest in whole or part of real property imposing limitations or affirmative obligations, the purposes of which stated in the easement in the form of a document recorded with the Recorder of Deeds of Centre County.

**GREENWAY**
A passive, less developed corridor that provides opportunities for both recreation and connectivity; likely to have limited maintenance and as such should not be considered commuter routes in the traditional sense.

**LAND RESERVATION (RESERVATION)**
A tract of land or portion of which is demarcated for public benefit on the College Township Official Map and thus is considered reserved for the purposes of this chapter. Reservations on the College Township Official Map include active recreation areas, natural/preservation areas, riparian buffers, bicycle/pedestrian ways and roads.

**NATURAL/PRESERVATION AREAS**
Public grounds reserved on the Official Map for the purpose of preserving or protecting environmentally sensitive areas, scenic vistas or to provide open space. For the purposes of the Official Map, natural/preservation areas are envisioned to remain unimproved and provide for passive recreation activities such as hiking or mountain biking.

**OFFICIAL MAP (MAP)**
A combined map and ordinance designated to implement the goals and community vision set forth in the comprehensive plan.

**PRIORITY CORRIDOR**
A passageway, route, and/or street where the municipality would like to see future developments in the pedestrian facilities network.

Primary Investment – passageway, route, and/or street identified and/or created based of their high potential for pedestrian traffic within the Township; aimed at closing gaps within the core system to provide the basic level of connectivity needed.

Secondary Investment – passageway, route, and/or street identified as the path of least resistance to overcome an existing significant barrier such as, engineering barriers, policy barriers, and/or private property barriers; the alignment for the connection may not be direct, but represents a more feasible linkage.

Potential State Investment - passageway, route, and/or street identified as being owned by the Commonwealth of Pennsylvania and recognized by the Township to be significant in providing connectivity throughout the pedestrian facilities network.

**PUBLIC**
Owned, operated or controlled by a government agency.
PUBLIC ACCESS
A means of physical approach to and through a property made available to the general public.

PUBLIC GROUNDS
A. Parks, playgrounds and other public areas.
B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

PUBLIC NOTICE
Notice published once each week for two 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 be not more than 30 days nor less than 14 days from the date of the hearing.

RIGHT-OF-WAY
The surface of and space above and below any real property in the Township of College in which the Township has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, bike path, shared-use path or any other public place, area or property under the control of the Township, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes but excluding lands other than streets that are owned by the Township. The phrase “in the right(s)-of-way” means in, on, over, along, above and/or under the right(s)-of-way.

RIPARIAN BUFFER
A portion of land adjacent to a body of water which is used to filter stormwater runoff, shade and cool streams, and stabilize stream banks or shorelines. Riparian buffers consist of natural elements, such as trees, shrubs and grasses, and can be used for the purposes of the Official Map as a conservation easement or to allow public access or both.

STREET
A strip of land or part thereof within the right-of-way, whether dedicated or not, that is intended or used for vehicular and pedestrian traffic. The phrase “in the (a) street(s)” means in, on, over, along, above and/or under the (a) street(s).

TOWNSHIP
The Township of College. County of Centre, Commonwealth of Pennsylvania.

WATERCOURSE
A stream of surface water, including river, stream, creek or run, whether or not intermittent.

Article IV
Effect of Controls
§ 133-11 Construction within mapped streets, watercourses or public grounds.
For the purpose of preserving the integrity of the Official Map of College Township, no permit shall be issued for any building within the lines of any street, watercourse or public ground shown or laid out on the Official Map. No person shall recover any damages for the taking for public use of any building or improvements constructed within the lines of any street, watercourse or public ground after the same shall
have been included in the Official Map, and any such building or improvement shall be removed at the expense of the owner.

§ 133-12 Special encroachment permit.
A. Application. When the property of which the reserved location forms a part that cannot yield a reasonable return to the owner unless a permit shall be granted, the owner may apply to the College Township Council for the grant of a special encroachment permit to build on said property. Before granting any special encroachment permit authorized in this section, the College Township Council may submit the application for a special encroachment permit to the College Township Planning Commission and allow the Planning Commission 30 days for review and comment and shall give public notice and hold a public hearing at which all parties of interest shall have an opportunity to be heard.

B. Appeal. A refusal by the College Township Council to grant the special encroachment permit applied for may be appealed by the applicant to the Zoning Hearing Board in the same manner, and within the same time limitation as is provided in Article IX of the Pennsylvania Municipalities Planning Code in accordance with Article VI of this chapter.

§ 133-13 Reservations.
College Township shall designate reservations as follows:

A. Size and location. The size and location of a reservation shall be determined as follows:

(1) Reservations shown on the Official Map which are shown as constituting an entire property shall be the same size and the same location as that of the property designated on the Official Map.

(2) Reservations shown on the Official Map which are shown as constituting only a portion of a property shall be sized and located based on the approximate size and location of the designation as shown on the Official Map.

(3) Reservations shown on the Map as corridors or rights-of-way, such as bicycle/pedestrian ways or streets, shall be of a sufficient width to allow for the designated purposes. Rights-of-way for streets shall be in conformance with Chapter 177, Streets and Sidewalks, and bicycle/pedestrian ways shall be at least five feet wide for pedestrian ways or 10 feet wide for off-street bicycle ways, plus a buffer on both sides of the path which would amount to a twenty-foot wide easement or right-of-way.

(4) At the Council's discretion, the size and/or location may deviate from the requirements listed above if it determines that the new size and/or location will allow sufficient size and access for the proposed public use and that new size and/or location will meet the intent of the reservation.

B. Public access. Public access shall be granted for all reservations shown on the Map except for those properties designated as "riparian buffers" on the Official Map. The Council may require public access as part of the acquisition of riparian buffers shown reserved on the Official Map if one of the following conditions is met:

(1) The tract of land in question is proposed to be subdivided, as defined in Chapter 180, Subdivision of Land, into four or more lots, or

(2) The tract of land in question is proposed for a land development as defined in Chapter 180,
Subdivision of Land.

C. Bicycle/pedestrian ways. The Official Map shall designate bicycle/pedestrian ways to be located and provided for as follows:

(1) Those bicycle/pedestrian ways designated as within the right-of-way or public utility easement shall be located within said right-of-way or easement. No land shall be acquired from individual property owners unless there are physical site constraints, in which case the acquisition of additional right-of-way for the bicycle/pedestrian way shall be necessary and permitted.

(2) Those bicycle/pedestrian ways designated as on private property shall require the acquisition of such land necessary from those properties reserved on the Official Map. The location of the acquired land shall be similar to that shown on the Official Map.

(3) Those bicycle/pedestrian ways designated as undetermined shall be located in a manner that limits the need for acquiring private property. Preference shall be given to routes that are within or directly adjacent to rights-of-way and shall be located as to limit the impact to private property as much as possible.

D. Exemptions. Any modifications to a single-family house involving actions listed in § 133-13A which constitute an addition of 25% or less area of the structure or impervious coverage shall be exempt from the provisions of this chapter. The percentage increase shall be measured from the area existing at the time of adoption of the College Township Official Map.

§ 133-14 Reservation period.
The College Township Council shall fix the time for which streets and public grounds shown on the Official Map shall be deemed reserved for future taking or acquisition for public use. The reservation for public grounds including riparian buffers shall lapse and become void after the owner of such property has submitted a written notice to the Council announcing his intentions to build, subdivide or otherwise develop the land covered by the reservation, or made formal application for an official permit to build a structure for private use unless the College Township Council shall have acquired the property or begun condemnation proceedings to acquire such property before the end of the following reservation periods as measured from the date of the written notice or made formal application to the Township:

A. Single-family houses. The reservation period for any action which requires a driveway permit, building/zoning permit and/or a zoning change of use permit for a single-family house shall be 90 days unless exempt pursuant to § 133-13D.

B. Land development, subdivisions, conditional use permits. The reservation period for any action which requires land development and/or subdivision approval pursuant to Chapter 180 of the College Township Code or conditional use permit pursuant to Chapters 86 and 87 of the College Township Code shall be one year.

§ 133-15 Effect of Official Map on mapped streets and other public grounds.
The adoption of any street or street lines as part of the Official Map shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street nor the taking or acceptance of any land for street purposes, nor shall it obligate College Township to improve or maintain any such street. The adoption of proposed watercourses or public grounds as part of the Official Map shall not, in and of itself, constitute or be deemed to constitute a taking or acceptance of any land by College Township.
§ 133-16 Release of damage claims or compensation.
A. Any releases or agreements, when properly executed by the College Township Council and the owner and recorded, shall be binding upon any successor in title.

B. The College Township Council may designate any of its agencies or Township Solicitor to negotiate with the owner of land under the following circumstances:

(1) Whereon reservations are made;

(2) Whereon releases of claims for damages or compensation for such reservations are required; or

(3) Whereon agreements indemnifying the College Township Council from claims by others may be required.

Article V
Adoption and Amendment

§ 133-17 Procedure.
Prior to the adoption of any survey of existing or proposed public streets, watercourses or public grounds as the Official Map or part thereof, or any amendments to the Official Map, the College Township Council shall refer such surveys and amendments to the College Township Planning Commission, the Centre Regional Planning Commission and the Centre County Planning Commission for review. The Commissions shall report their recommendations on said proposed Official Map, part thereof or amendment thereto within 45 days unless an extension of time shall be agreed to by the College Township Council. If, however, the Planning Commission(s) fails to act within 45 days, College Township Council may proceed without its recommendations. Centre County and adjacent municipalities may offer comments and recommendations during said forty-five-day review period. Local authorities, park boards, environmental boards and similar public bodies may also offer comments and recommendations to College Township Council or Planning Commission if requested by same during the said forty-five-day review period. Before voting on the enactment of the proposed Official Map, part thereof or amendment thereto, the College Township Council shall hold a public hearing thereon after giving public notice of such hearing.

§ 133-18 Recording.
Following adoption of the chapter and Official Map, or part thereof or amendment thereto, a copy of same, verified by the College Township Council, shall be submitted to the Recorder of Deeds of Centre County and shall be recorded within 30 days of the effective date. The fee for recording and indexing ordinances and amendments shall be paid by College Township and shall be in the amount prescribed by law for the recording of ordinances by the Recorder of Deeds.

§ 133-19 Amendment by subdivision plan.
After adoption of the Official Map or part thereof, all streets, watercourses and public grounds on final recorded subdivision and land development plans which have been duly approved by the College Township Council shall be deemed amendments to the Official Map. Notwithstanding any other terms of this chapter, no public hearing need be held or notice given if the amendment of the Official Map is the result of the addition of a plan which has been duly approved by the College Township Council.
Article VI
Violations, Penalties and Appeals

§ 133-20 Notice of violation.
Whenever any person, partnership or corporation shall have violated the terms of this chapter, the College Township Manager shall cause a written notice to be served upon the owner, applicant, developer, property manager or other person responsible for the property or the violation, directing him to comply with all the terms of this chapter within seven days or such additional period, not to exceed 30 days, as the Manager shall deem reasonable, and further the Manager shall give notice to the owner, applicant, developer, property manager or other person responsible for the property or the violation that if the violation is not corrected, College Township may correct the same and charge the landowner or other persons responsible the cost thereof plus penalties as specified herein for failure to comply. Such notice may be delivered by the United States Postal Service, first class, postage prepaid, or by certified or registered mail; or by personal service; or, if the property is occupied, by posting notice at a conspicuous place upon the affected property.

§ 133-21 Violations and penalties.
Any person, partnership or corporation who fails to comply with this chapter within the period stated in the notice of the Manager shall, upon conviction thereof, be guilty of a summary offense and shall be sentenced to pay a penalty as set forth by resolution by the College Township Council. Each and every day of continued violation shall constitute a separate violation.

A. In the event that the owner, developer, occupant, applicant, property manager or other person responsible fails to comply with the terms of this chapter within the time specified by the Manager, College Township may take any actions necessary to correct the violation. The costs for correction of the violation shall be in addition to any penalties for violations for failure to comply.

B. In addition to the fines for violations, costs and penalties provided for by this section, College Township may institute proceedings in courts of equity to prevent, restrain, correct or abate such building, structure or land or to prevent in or about such premises any act, conduct, business or use constituting a violation.

C. The cost for removal, fines and penalties hereinabove mentioned may be entered by College Township as a lien against such property in accordance with existing provisions of law or may be collected by action in assumpsit.

§ 133-22 Appeals.
Any appeal from a decision or action of the College Township Council or of any officer or agency of College Township in matters pertaining to this chapter shall be made in the same manner and within the same time limitation as is provided for zoning appeals in Article X of the Pennsylvania Municipalities Planning Code, as amended.

SECTION 2 – SERVERABILITY

If any sentence or clause, section, or part of this ordinance is found to be unconstitutional, illegal or invalid, such findings shall not affect or impair any of the remaining parts of this ordinance. It is hereby declared to be the intent that this ordinance would have been adopted had such part not been included.
SECTION 3 – EFFECTIVE DATE

This ordinance shall take effect five (5) days after enactment.

ENACTED AND ORDAINED, this 21st day of September 2023, by the College Township Council, Centre County, Pennsylvania.

ATTEST: COLLEGE TOWNSHIP COUNCIL

Adam T. Brumbaugh Dustin Best

Adam T. Brumbaugh, Secretary Dustin Best, Chair