

Article II — Definitions

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Article II — Definitions

§ 22-201 Word Usage.

Unless otherwise expressly stated, the following rules and definitions shall be applied in the construction of this Chapter:

- (a) Words in the singular include the plural, and those in the plural include the singular.
- (b) Words in the present tense include the future tense.
- (c) The words “person,” “developer,” “subdivider,” and “owner” include a corporation, unincorporated association, a partnership, or other legal entity, as well as an individual.
- (d) The word “building” includes structure and shall be construed as if followed by the phrase “or part thereof.”
- (e) The words “should” and “may” are permissive; the words “shall” and “will” are mandatory and directive.
- (f) The word “Borough” means the Borough of Alburtis, Lehigh County, Pennsylvania.
- (g) The term “Council” means the Borough Council of the Borough of Alburtis.
- (h) The term “Planning Commission” means the Planning Commission of the Borough of Alburtis.
- (i) The term “Board” means the Zoning Hearing Board of the Borough of Alburtis.

§ 22-202 Definitions—In General.

For purposes of this Chapter, the terms defined in the remaining Sections of this Article II shall have the meanings indicated, whether with or without initial capital letters, unless the context in which they are used clearly indicates a different meaning.

§ 22-203 Accessory Building.

The term “Accessory Building” shall mean a detached structure the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

§ 22-204 Alley.

The term “Alley” shall mean a minor private street primarily for service access to the back or sides of properties.

§ 22-205 Building Setback Line.

The term “Building Setback Line” shall mean the line within a property defining the minimum required front yard distance between any building to be erected and an adjacent right-of-way.

§ 22-206 Cartway.

The term “Cartway” shall mean the portion of a street right-of-way, paved or unpaved, intended for vehicular use.

§ 22-207 Comprehensive Plan.

The term “Comprehensive Plan” shall mean the maps, charts, and textual material adopted by Council in accordance with the Pennsylvania Municipalities Planning Code, 53 PA. STAT. ANN. § 10101 *et seq.*, and designated, as a whole or in its several parts, as a Comprehensive Plan for the continuing development of the Borough.

§ 22-208 Cul-de-sac.

The term “Cul-de-sac” shall mean a local street intersecting another street at one end and terminating in a vehicular turnaround at the other.

§ 22-209 Developer.

The term “Developer” shall mean any person who makes or causes to be made a subdivision of land or a land development.

§ 22-210 Double or Reverse Frontage Lot.

The terms “Double Lot” or “Reverse Frontage Lot” shall mean a lot extending between and having frontage on two (2) generally parallel streets, with vehicular access from only one (1) street.

§ 22-211 Dwelling Unit.

The term “Dwelling Unit” shall mean any structure or part thereof designated to be occupied as living quarters for a single housekeeping unit.

§ 22-212 Easement.

The term “Easement” shall mean a right-of-way for limited use on which no structure may be built.

§ 22-213 Floodplain.

The term “Floodplain” shall mean the area along a natural watercourse which is periodically overflowed by water therefrom. “Floodplain” areas are designated as “alluvial soils” on the Official Zoning Map.

§ 22-214 Improvements.

The term “Improvements” shall mean those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

§ 22-215 Lot.

The term “Lot” shall mean a parcel of land intended for transfer of ownership, use, development, or improvement and/or dedication.

§ 22-216 Monument.

The term “Monument” shall mean a stone, metal, or concrete marker with a flat top at least four (4) inches in diameter or square, containing a steel dowel and at least thirty (30) inches in length.

§ 22-217 Official Map.

The term “Official Map” shall mean the Borough map adopted by ordinance showing exact locations of existing and proposed lines for public streets, watercourses, and public grounds, including widenings, narrowings, extensions, diminutions, opening, or closing of same for the entire Borough.

§ 22-218 Plan.

(a) **Sketch Plan.** The term “Sketch Plan” shall mean an informal drawing indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision, to be used as a basis for consideration by the Borough.

(b) **Preliminary Plan.** The term “Preliminary Plan” shall mean a tentative plan, in lesser detail than a final plan, showing proposed streets and lot layout and such other information as required by this Chapter.

(c) **Final Plan.** The term “Final Plan” shall mean a complete and exact plan, with professional engineer’s or registered surveyor’s seal affixed, and prepared for official recording as required by this Chapter to define property rights, streets, and other proposed improvements.

(d) **Record Plan.** The term “Record Plan” shall mean a copy of the final plan which contains the original endorsements of Council, the Planning Commission, and the Lehigh Valley Planning Commission, and which is intended to be recorded with the County Recorder of Deeds.

§ 22-219 Right-of-way.

The term “Right-of-way” shall mean land reserved or dedicated as a street, sidewalk, or for other public or semipublic purposes.

§ 22-220 Septic Tank.

The term “Septic Tank” shall mean a watertight receptacle which receives sewage or industrial waste and is designed and constructed to provide for sludge storage, sludge decomposition, and to separate solids from the liquid, through a period of detention, before allowing the liquid to be discharged.

§ 22-221 Soil Stabilization.

The term “Soil Stabilization” shall mean chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise improve its engineering properties.

§ 22-222 Street.

The term “Street” shall mean a strip of land, including the entire right-of-way (*i.e.*, not limited to the cartway), intended for use as a means of vehicular and pedestrian travel.

§ 22-223 Street Line.

The term “Street Line” shall mean the dividing line between the street and the lot. The “street line” shall be the same as the legal right-of-way line, *provided* that the street right-of-way

line shall be not less than sixteen and one-half (16 1/2) feet from the center line of any existing road or street, and that where a future right-of-way width for a road or street has been officially established, then the street right-of-way line shall be the side line of the future right-of-way so established.

§ 22-224 Structure.

The term “Structure” shall mean any man-made object having an ascertainable stationary location.

§ 22-225 Subdivision.

(a) **In General.** The term “Subdivision” shall mean 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, transfer of ownership or buildings, or lot development; *provided* 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.

(b) **Minor Subdivision.** The term “Minor Subdivision” shall mean the division of a single lot, tract, or parcel of land into not more than five (5) lots, tracts, or parcels of land, including the remaining portion of the tract, for the purpose, whether immediate or future, of transfer of ownership or of building development, *provided* the proposed lots, tracts, or parcels of land thereby created have frontage on an improved public street or streets; that there is not created by the subdivision any new street or streets, the need for required improvements, and/or an easement of access or the need therefor; and also that the subdivision does not adversely affect the development of the remainder of the parcel or adjoining property, and is not in conflict with any provision of an adopted Comprehensive Plan, Official Map, or Zoning Ordinance.