

**Article II — Official Street Plan**

§ 53-201	Adoption of Official Street Plan. ....	53-18
§ 53-202	Amendments to Official Street Plan. ....	53-18
	(a) In General. ....	53-18
	(b) Revisions to Drawing. ....	53-18
§ 53-203	Effect of Official Street Plan. ....	53-18
§ 53-204	Status Under Municipalities Planning Code. ....	53-19
§ 53-205	Repealer. ....	53-20

## Article II — Official Street Plan

### § 53-201 Adoption of Official Street Plan.

The plan attached to Ordinance 307 as **Exhibit A**, and identified as “Official Street Plan / Borough of Alburdis / Lehigh County, Pennsylvania”, drawing #0043-004, prepared by Martin, Bradbury & Griffith, Inc. of Allentown, Pennsylvania, is hereby adopted as the Official Street Plan of the Borough of Alburdis, and is incorporated herein by reference.

### § 53-202 Amendments to Official Street Plan.

(a) **In General.** The Official Street Plan as adopted by Ordinance 307 has been amended by the following provisions: §§ 53-102(a), 53-103(b), 53-108(a), 53-112(b)-(d), 53-113, 53-115, 53-116(a), 53-117(a), 53-118(b), 53-119, 53-121(a), 53-122.1(a), 53-123(a), 53-129.1, ~~and~~ 53-130, 53-132.1, and 53-132.2. Pursuant to 8 PA. CONS. STAT. § 1712(b), the Official Street Plan is also deemed amended by final approval of a subdivision or land development plan.

(b) **Revisions to Drawing.** The Borough Engineer is authorized and directed to revise drawing #0043-004 from time to time to reflect amendments to the Official Street Plan by ordinances subsequent to Ordinance 307, and deemed amendments by final approval of subdivision and/or land development plans.

### § 53-203 Effect of Official Street Plan.

The Official Street Plan shall have the following effect:

(a) All street and alley names associated with any street shown on the Official Street Plan are the official names for those streets and alley.

(b) All streets identified on the Official Street Plan as state streets are recognized by the Borough as being rights-of-way owned by the Commonwealth of Pennsylvania, and the Borough makes no claim of ownership in any such streets. The Borough does not hereby relinquish any rights of regulation or otherwise granted by state law with respect to such streets or activities related to such streets or abutting properties.

(c) All streets identified on the Official Street Plan as Borough streets are those streets which the Borough claims to own as rights-of-way under previous grants (whether express or implied) accepted by the Borough or condemnations, *or* which have already been offered for dedication to the Borough on recorded subdivision plans, are part of subdivisions already under construction, and will be accepted as soon as construction is completed in accordance with Borough standards. The Official Street Plan shows a scale rendering of the approximate locations of these Borough streets, but does not purport to represent an exact survey of the precise boundaries of the rights-of-way.

(d) All streets identified on the Official Street Plan as Ordained Unimproved Borough Streets are those streets which the Borough claims to own as rights-of-way under previous grants

(whether express or implied) accepted by the Borough or condemnations, but which have not yet been improved for regular use by the public. The Official Street Plan shows a scale rendering of the approximate locations of these Borough streets, but does not purport to represent an exact survey of the precise boundaries of the rights-of-way.

(e) All streets identified on the Official Street Plan now or in the future as Private Streets are ways of passage noted by Borough officials, but in which the Borough does not claim to have any rights of ownership. The Borough does not hereby relinquish any rights of regulation or otherwise granted by state law with respect to such streets or activities related to such streets or abutting properties.

(f) The approximate width of each street shown on the Official Street Plan is indicated on the plan. These widths represent the right-of-way widths recognized by the Borough, but the Official Street Plan does not purport to represent an exact survey of the precise boundaries of the rights-of-way. For some streets, a set of three widths are indicated in addition to the total width of the street. These three widths represent the approximate width from one right-of-way line to the edge of the cartway, the width of the cartway, and the width from the other edge of the cartway to the other right-of-way line. These additional widths are included for information only, and shall have no official effect.

(g) Waterways and railways are shown for convenience only. Nothing in the Official Street Plan shall represent any Borough claims or recognition of claims with respect to such waterways and railways, or the relinquishment of any rights by the Borough.

(h) Nothing in this Article shall be deemed to constitute the vacation or closing of any streets or alleys not shown on the Official Street Plan. Although the Borough does not recognize rights in any other streets or alleys at this time, if any such rights do exist, the Borough retains them until they are properly relinquished and the streets/alleys are properly vacated and/or closed in accordance with state law.

(i) Nothing in this Article shall be deemed to constitute the laying-out or opening of any streets or alleys or the condemnation of any property by the Borough.

(j) Nothing in this Article shall be deemed to constitute official Borough recognition of any private rights which may exist in rights-of-way in the Borough, whether or not shown on the Official Street Plan, and nothing in this Article shall be deemed to constitute Borough rejection or extinguishment of any private rights which may exist in rights-of-way in the Borough, whether or not shown on the Official Street Plan.

### **§ 53-204 Status Under Municipalities Planning Code.**

The Official Street Plan is not, and is not intended to be, an “Official Map” within the meaning of Article IV of the Municipalities Planning Code, 53 PA. STAT. ANN. § 10401 *et seq.*

**§ 53-205 Repealer.**

Ordinance 204 is expressly superseded. However, nothing in this Article shall revoke any rights acquired by the Borough under Ordinance 204. All other ordinances or parts of ordinances inconsistent with this Article are repealed to the extent of the inconsistency.