

## ARTICLE 2

### DEFINITIONS

#### 200 General Provisions.

A. The following rules of construction shall apply in interpreting this Ordinance:

1. Words used in the present tense include the future.
2. Words used in the singular number include the plural, and the plural the singular.
3. The word "shall" is always mandatory; the words "may" and "should" are permissive.
4. The word "used" or "occupied", as applied to any land or building, includes the words "arranged or designed or intended to be used or occupied."

B. Unless otherwise expressly stated, the definitions of words and terms contained in this Article shall be used in interpreting this Ordinance. Words not herein defined are used with a meaning of standard usage.

#### 201 ALLEY

A right-of-way, other than a street, used for vehicular access to the side or rear of abutting property.

#### 202 APPLICANT

The person who submits an application for a land subdivision, which person shall be either the landowner or the duly authorized agent of the landowner, as defined herein.

#### 203 BLOCK

A lot or group of lots bounded on one side by a street, and other three sides by a street, a railroad right-of-way, a waterway, an unsubdivided area, and other definite barriers, or combinations thereof.

#### 204 BUILDING

A combination of materials having a roof, to form a structure for the shelter of persons, animals or property. The word "building" shall be construed as if followed by the phrase "or part thereof."

205 CARTWAY

The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

207 COMPREHENSIVE PLAN

The maps, charts and textual material adopted by the Mayor and Council in accordance with Article 66B of the Code of Public General Laws of Maryland and designated as a Comprehensive Plan for the continuing development of the Town.

208 CUT

An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.

209 DWELLING

A building or portion thereof arranged or designed to provide one or more dwelling units.

209.1 Dwelling Unit: A dwelling or portion thereof providing complete living facilities for one family; provided, however, that this terms shall not be deemed to include rooming, boarding or lodging houses or hotels, motels, tourist homes or other similar places offering overnight accommodations for transients.

209.2 Single-Family Detached Dwelling: A building, commonly known as a single family house, designed for and occupied exclusively as a residence having one dwelling unit from ground to roof and open space on all sides, where a private garage is structurally attached to such a dwelling, it shall be considered as a part thereof.

209.3 Two-Family Detached ("Duplex") Dwelling: A single building containing two dwelling units separated by a party-wall, and intended and designed to be occupied as a residence by two families living independently of each other as separate housekeeping units.

209.4 Single Family Attached ("Townhouse") Dwelling: A portion of a building designed for and occupied exclusively as a residence for only one family and having (i) only one dwelling unit from ground to roof, (ii) two points of independent outside access, (iii) at least two other dwellings built in conjunction therewith and (iv) any portion of one or two walls in common with an adjoining dwelling.

209.5 Multi-Family ("Apartment") Dwelling: A building containing one dwelling unit above another dwelling unit or a building containing three or more dwelling units and designed to be occupied by three or

more families living independently of one another.

210 EASEMENT

A right-of-way granted or reserved, but not dedicated, for limited use of private land for a public or quasi-public purposes, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

211 ENGINEER

A professional engineer, registered and/or licensed as such by the State of Maryland.

212 ENGINEER, TOWN

Either (i) an engineer employed by the Mayor and Council to perform engineering services at their direction; or (ii) an engineer employed by the subdivider, with the approval of the Mayor and Council, to perform the inspections, certifications and other duties herein specified to be performed by the Town Engineer.

213 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 and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

214 IMPROVEMENTS

Physical additions, installations, and changes, such as streets, curbs, sidewalks, watermains, sewers, drainage facilities, public utilities, and other appropriate items required to render land suitable for the subdivision and use proposed.

215 IMPROVEMENTS COMPLETION GUARANTEE

Any security which may be accepted by the Mayor and Council to guarantee that the proper construction of improvements be made by the developer as a condition for the approval of the plat, including corporate bonds, escrow agreements, and other similar collateral or security agreements.

216 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 condition), a lessee if he is authorized under the lease to exercise the rights of the landowners, or other person having a proprietary interest in land; the subdivider of the land, unless the subdivider be the authorized agent of the landowner.

217 LOT

A parcel of plot of land used or set aside and available for use as the site of one or more buildings and buildings accessory thereto, or for any other purpose, in one ownership and not divided by a street or including any land within the limits of a public or private street right-of-way. The term "recorded lot" means the land designated as a separate and distinct parcel of land on a legally recorded deed filed among the Land Records of Washington County.

217.1 Lot, Corner: A lot abutting two or more streets at their intersections, where the interior angle of the intersection does not exceed 135 degrees.

217.2 Lot, Width: The width of a lot measured at the building setback line.

217.3 Lot Area: The area contained within the property lines of a lot, including the area within all easements, but excluding the area within all street rights-of-way.

218 LOT LINE

Any boundary line of a lot.

218.1 Lot Line, Front: The street line, which shall be the same as the legal right-of-way line, provided that along streets for which a future right-of-way width is designated and legally adopted, pursuant to Article 66B of the Annotated Code, the front lot line shall be the future right-of-way line thus established.

218.2 Lot Line, Rear: Any lot line which is parallel to or within 45 degrees of being parallel to a street line, except for a lot line that is itself a street line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one lot line furthest from any street shall be considered a rear lot line.

219 MAINTENANCE GUARANTEE

Any security which may be accepted by the Town to insure that improvements will be kept in good condition for a designated period after completion of construction and installation, including corporate bonds, escrow agreements, and other similar collateral or surety agreements.

220 MAYOR AND COUNCIL

The elected Mayor and Town Council of the Town of Williamsport, Washington County, Maryland.

221 PERSON

A corporation, institution, partnership, trust, association or any other legal entity as well as a natural individual.

222 PLANNING COMMISSION

The Planning Commission of the Town of Williamsport, appointed by the Mayor and Council pursuant to Article 66B of the Code of Public General Laws.

223 PLAT

A map, plan, chart or drawing indicating the subdivision or resubdivision of land filed or intended to be filed for record.

223.1 Tentative Sketch Plan: A drawing of the proposed plat showing the subdivider's desires in regard to the future development of land prepared for informal consideration by the Planning Commission.

223.2 Preliminary Plat: A tentative map indicating the proposed subdivision of land, prepared in accordance with the requirements of these Regulations as a basis for consideration prior to the preparation of the final plat.

223.3 Final Plan: The final map or plan which legally describes the subdivision of land, containing a detailed plan of the property, giving all dimensions, angles and bearings, together with such information, statements and certificates as required by these Regulations, and presented to the Planning Commission for approval, and which, if approved, will be recorded among the land records in the Office of the Clerk of the Circuit Court of Washington County.

224 RESUBDIVISION

Any replatting or resubdivision of land, limited to changes in lot lines on approved Final Plats or Recorded Plans; other replattings shall be considered as constituting a new subdivision of land.

225 RIGHT-OF-WAY

A strip of land occupied or intended to be occupied by a street, alley,

crosswalk, sanitary or storm sewer, drainage ditch, or for another special use. The usage of the term "right-of-way" for land platting purposes in the Town shall mean that every right-of-way hereafter established and shown on the final plat is to be separate and distinct from lots or parcels adjoining such right-of-way, and not included with the dimensions or areas of such lots or parcels.

#### 226 RIGHT-OF-WAY, FUTURE

The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads or a right-of-way established to provide future access to or through undeveloped land.

#### 227 RUNOFF

The surface water discharge or rate of discharge of a given watershed after a fall of hail or snow that does not enter the soil but runs off the surface of the land.

#### 228 SEWAGE DISPOSAL SYSTEM

228.1 Centralized Sewage Disposal System: A utility system, serving two or more dwelling units, business, commercial, industrial or other establishments, which is designed and operated for the collection, transportation, treatment and disposal of sewage, in compliance with County and state health regulations.

228.2 Private Sewage Disposal System: A system of sewers, pipes, treatment tanks or other facilities serving only a single dwelling unit or a single business, commercial, industrial or other establishment, which is designed and operated for the collection, transportation, treatment and disposal of sewage in compliance with County and State health regulations.

#### 229 SEPTIC TANK

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.

#### 230 STREET

A strip of land, including the entire width of the right-of-way between street lines, used or intended for use by the public for vehicular travel or to provide vehicular access to three (3) or more abutting lots or principal uses and designed and improved in accordance with these Regulations. Streets are further classified according to the function they perform as follows:

230.1 Major Arterial Street: Designed for large volumes and high

speed traffic with access to abutting properties restricted.

230.2 Minor Arterial Street: Designed to carry a moderate volume of fast moving traffic from collector and local streets to major arterial streets.

230.3 Collector Street: Designed to carry a moderate volume of traffic to intercept local (residential) streets, to provide routes to minor arterial streets and to community facilities and to provide access to the abutting properties.

230.4 Local Street: Designed to provide access to the abutting properties and a route to collector streets.

230.5 Cul-De-Sac Street: A local street intersecting another street at one end, and terminating in a vehicular turn-around at the other.

#### 231 STREET LINE

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 where a future right-of-way width for a street is officially established pursuant to Article 66B of the Annotated Code, then the street line shall be the site of the future right-of-way so established.

#### 232 SUBDIVISION

The division of a lot, tract or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development. It includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or territory subdivided.

#### "Legislative intent"

Within the authority granted by Article 66B of the Code of Public General Laws of Maryland, the above definition of subdivision includes:

(a) Land offered for sale by a single developer or group of developers acting in concert; where such land is contiguous, or is known, designated or advertised as a common name, such land shall be presumed, without regard to the number of lots covered by each individual offering, as being for sale as part of a common development plan.

(b) Any development of a parcel of land which involves the installation of streets, driveways or alleys (for example, a shopping center, industrial park, or apartment project), even though such vehicle accessways may not be dedicated to the township, or the lot, tract or parcel may not be divided for the purpose of conveyance,

transfer or sale.

For administrative purposes, certain types of land subdivision may be considered "minor" subdivisions, as defined below.

233 SUBDIVISION, MINOR

At the discretion of the subdivider, a subdivision which does not involve the provision of any new street, and which meets one of the following conditions, may be submitted as a minor subdivision:

233.1 Division of land among the immediate members of a family for personal use and not for development.

233.2 A division of land upon dissolution of a bona fide partnership in existence for two (2) or more years.

233.3 A division of land exclusively for agricultural purposes and not for development.

233.4 A division of land into not more than five (5) lots, parcels or tracts, where use of existing streets is judged by the Commission not to constitute undue traffic or safety hazards.

234 SURVEYOR

A professional surveyor registered and/or licensed as such by the State of Maryland.

235 WATER SUPPLY SYSTEM

235.1 Centralized Water Supply System: A utility system serving two or more dwelling units, business, commercial, industrial or other establishments, which is designed and operated to supply potable water, in compliance with County and State health regulations.

235.2 Private Water Supply System: A utility system serving only one dwelling unit or a single commercial, business, industrial, or other establishment, which is designed and operated to supply potable water, in compliance with County and State health regulations.

ARTICLE 3

REQUIREMENTS AND PENALTIES

300 PLATS AND PLAT APPROVAL REQUIRED