

SHAMOKIN TOWNSHIP
NORTHUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 1996 - 1

AN ORDINANCE OF THE TOWNSHIP OF SHAMOKIN, NORTHUMBERLAND COUNTY, PENNSYLVANIA, PROVIDING RULES AND REGULATIONS FOR THE ADOPTION OF THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION AND OPENING OF DRIVEWAYS ONTO PUBLIC ROADS, STREETS, AND DRAINAGE FACILITIES IN CONNECTION THEREWITH FOR PUBLIC OR PRIVATE USE IN THE TOWNSHIP OF SHAMOKIN, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Township of Shamokin, has suffered damage to the streets and property owned by the Township as a result of the improper connection of driveways to Township roads which improper connections have caused inadequate drainage and hazardous driving conditions; and

WHEREAS, the Township of Shamokin deems it necessary for the proper management, care and control of its public road system, to regulate the connection of driveways to Township roads.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Shamokin Township, at regular meeting assembled, and it is hereby ORDAINED and ENACTED by and with the authority of the same:

Section 1:

This Ordinance shall be known and hereafter referred to as the Shamokin Township Driveway Ordinance.

Section 2:

For the purposes of this Ordinance, the following terms shall have meanings ascribed thereto, as follows:

- (A) Board - The Board of Supervisors of Shamokin Township, Northumberland County, Pennsylvania.
- (B) Contractor - The party, person, firm, partnership and/or corporation who or which installs a driveway, including all agents, officers or employees of said party, person, firm, partnership and/or corporation.
- (C) Driveway - Any area of land designated or to be used as a means of ingress and/or egress for either vehicles and/or pedestrian traffic from a public road to a parcel or tract of land.
- (D) Owner - Owner of the land on which the driveway is located.
- (E) Permit - Permit issued by the Board to signify approval of the driveway connection.
- (F) Person - Any individual, partnership, company, association, society, corporation or other group or entity;
- (G) Public Road - Any road, street, alley or public thoroughfare, whether actually maintained by Shamokin Township by part of its road system, or whether shown on a subdivision or land development plan and intended to be offered or dedicated to Shamokin

Township in the future as part of its road system.

(H) Township - The Township of Shamokin, Northumberland County, Pennsylvania.

Section 3:

No person, owner and/or contractor shall hereafter install, construct, alter, reconstruct or initiate any work; or allow the installation, construction, alteration, reconstruction or initiation of any work in reference to the installation of a driveway, without first obtaining a permit therefor from the Board. The application for a permit shall be in a form prescribed by the Township and submitted to the Township in triplicate. The application shall reflect and illustrate the location of the driveway relative to the premises and shall designate the course, grade, structure, materials and drainage facilities, if any, involved in the construction, alteration or reconstruction of the driveway.

Section 4:

(A) The application shall be reviewed by the Township's designated Engineer and/or Roadmaster. They shall determine if the proposed method of constructing, reconstructing, altering or effecting the connection, as reflected on the application, is such that it will:

- (1) Minimize the adverse effect of storm water run-off;
- (2) Not cause damage to the road to which the driveway is to be connected; and

(3) Not create or increase hazardous driving conditions for those persons using the road to which the driveway is to be connected.

(B) Attached to the application shall be the conditions of construction, which shall be considered part of the application. Any applicant, by submitting the application, agrees to abide by all general conditions listed thereon or attached hereto, together with such special conditions as may be promulgated by the Township Roadmaster or the Building Code Officer.

Section 5:

If the application is found satisfactory by the Township Engineer and/or Roadmaster, they shall so advise the Board, and the Board and/or a Board designated official, will issue, or cause to be issued, the permit. If the plan is found deficient, or if in the opinion of the Township Engineer and/or Roadmaster the plan requires improvement so as to minimize the adverse effect of storm water run-off, lessen drainage to the road to which the driveway is to be connected, or lessen hazardous driving conditions on the road to which the driveway is to be connected, the Township Engineer and/or Roadmaster shall, by written communication to the owner, notify him of the changes to be made. Only after such plan is in an acceptable form, shall the Board approve or cause the same to be approved and the permit issued.

Section 6:

The application shall be accompanied by such fee or fees as the Board shall prescribe from time to time which until further action by the Board shall be in the sum of ~~Thirty (\$30.00)~~ Dollars.

Forty (\$40.00)

Section 7:

The minimum requirements for any driveway drainage systems to be constructed incident to the connection of driveways to Township roads are as follows:

- (A) The drainage pipe installed shall be at least eighteen (18) inches in diameter unless waived by the Roadmaster due to physical circumstances.
- (B) The property owner shall be responsible for maintaining the berm grade in a manner consistent with the adjoining berm.
- (C) The drainage system shall meet all requirements as prescribed by the Township Roadmaster.
- (D) In addition to the foregoing, at all times any driveway drainage system constructed in the Township relative to a connection of drainage to a Township road shall meet the minimum state specifications.

Section 8:

The Board and/or the Township Roadmaster must be notified when any driveway construction is commenced and suitable arrangements

shall be made by the owner for periodic inspections by the Roadmaster during the course of construction. In addition, the written approval of the Roadmaster shall be required in respect to proposed alterations to existing driveways.

Section 9:

All construction in any way incidental to the installation of the driveway shall be performed in strict conformance with the approved plans.

Section 10:

Each driveway, whether serving the same premises or not, shall require an individual permit.

Section 11:

Should the drainage from any driveway, or otherwise, constructed under the provisions of this Ordinance, or otherwise, cause an accumulation of run-off debris on a Township road or any other public road in the Township, the owner shall be given a written notice to remove the same within twenty-four (24) hours of such notice. Thereafter, should the Township be required to remove such debris, the owner or owners of such driveway shall be responsible to the Township for the cost of such removal as well as an appropriate fine as hereafter prescribed for the violation of this Section.

Section 12:

All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflicting provisions.

Section 13:

Any person, partnership, corporation or other association violating any of the provisions of this Ordinance shall, upon conviction before a District Justice, be sentenced to pay a fine of not less than Twenty-five (\$25.00) Dollars or more than Three Hundred (\$300.00) Dollars, plus costs, and in default of the payment of such fine and costs, shall suffer imprisonment for a period of not in excess of thirty (30) days.

Section 14:

Fines and costs imposed under the provisions of this Ordinance shall be enforceable and recoverable in the manner at the time provided by applicable law.

Section 15:

If any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not effect nor impair any remaining provision, section, sentence or

other part of this Ordinance it being the express intent that such remaining provisions shall remain in full force and effect.

ORDAINED AND ENACTED this 10th day of January, 1996.

ATTEST:

TOWNSHIP OF SHAMOKIN
BOARD OF SUPERVISORS

Secretary

BY: _____
Chairman

(SEAL)

