

Part 2

Highway Construction Permit

AN AMENDMENT TO THE WEST NOTTINGHAM TOWNSHIP STREETS AND SIDEWALKS ORDINANCE (Chapter 21, Part 2) AS CODIFIED IN 1991, MODIFYING THE FOLLOWING SECTIONS OF THE ORDINANCE:

Be it ordained by and on behalf of the Board of Supervisors of West Nottingham Township that the West Nottingham Township Streets and Sidewalks Ordinance (Chapter 21), codified in 1991, shall be and hereby is amended as follows:

§201. Title and Applicability.

1. This Part shall be known as the West Nottingham Township Highway Construction Permit.
2. Excluding driveways, which are permitted separately, this Part shall apply to all work and excavation activities proposed within Township street rights-of-way, including but not limited to: installation of underground lines for cable services, or other utilities; relocation of utility poles and/or lines; regrading or ditch work done by non-municipal personnel or their designated agents/agencies, e.g. homeowners or businesses. (Ord. 8-1999, 7/20/1999, §2)

§202. Permit Requirements.

1. A Highway Construction Permit is required prior to any work in connection with excavation or disturbance within any Township street rights-of-way.
2. The applicant shall submit a permit application to the Township Code Enforcement Officer prior to the start of any work covered under this permit. The application shall be on a form provided by the Township and shall include:
 - A. Completed application form.
 - B. Plan to scale showing property lines, rights-of-way, roads, existing driveways, drains, culverts and swales within fifty (50) feet of the proposed excavation activity.
 - C. Sections, profiles, details and/or specifications as appropriate to fully describe the proposed work.

D. Description of the restoration of the street right-of-way to its original condition.

E. Application fee as established by Resolution by the Township.

3. The Township Code Enforcement Officer shall review the application and either issue a permit or provide written comments as to why the permit cannot be issued. The Code Enforcement Officer may refer the application to the Township Roadmaster or Township Engineer for review if deemed necessary to determine if adequate sight distance has been provided.

(Ord. 8-1999, 7/20/1999, §1)

§203. Inspections

1. The Township Roadmaster shall conduct a pre and post-construction inspection with the applicant or the applicant's agent to determine the adequacy of the street/road right-of-way restoration. The Roadmaster, as applicable, may call upon the Township Engineer to conduct a pre and post-construction inspection if he so chooses. Requests for inspections to the Township Roadmaster, or Township Engineer as applicable, shall be made at least forty-eight (48) hours, excluding weekends/holidays, prior to the date of the requested inspection. Inspections are made at the convenience and schedule of the Roadmaster, or as applicable, the Township Engineer. (Ord. 8-1999, 7/20/1999, §2)

§204. Correction of Improper Work

1. In case any person shall perform any work within a Township street/road right-of-way, and it shall not conform to the requirements of this Part, the Township may order each person to remove the improper work and replace same in compliance with this Part. Notice to remove and replace improper work shall be given by Certified Mail and shall state that compliance shall be made within thirty (30) days from receipt of said notice. (Ord. 8-1999, 7/20/1999, §2)

§205. Penalties for Violation

1. Any person found to be in violation of this Part shall be guilty of a summary offense and upon conviction shall be sentenced to pay a fine of not more than three hundred dollars (\$300.00) for the first day of each offense. Each day that a violation continues shall constitute a separate offense. Second and subsequent offenses shall be punishable by a fine of not more than one hundred dollars (\$100.00) per day. (Ord. 8-1999, 7/20/1999, §2)

These amendments to Chapter 21, Streets and Sidewalks shall become effective five (5) days after the enactment date listed below.

Enacted and ordained this _____ day of _____, 2005 by and on behalf of the Board of Supervisors of West Nottingham Township.

West Nottingham Township

By: _____
Margaret Y. Duncan, Chair, Board of Supervisors

By: _____
Kenneth B. King, Vice Chair, Board of Supervisors

By: _____
Donald V. Davies, Member, Board of Supervisors

Attest:

Secretary