

CHAPTER 21  
STREETS AND SIDEWALKS

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Part 1

Driveway Construction Permit

§101. Title and Applicability.

1. This Part shall be known as the "West Nottingham Township Driveway Construction Permit Ordinance."

2. This Part shall apply to all new driveways and all existing driveways that are improved after the effective date of this Part. Driveway improvements subject to this part include paving, repaving, widening for the purpose of adding additional lanes and constructing, changing or modifying a driveway entrance. Repair and maintenance work is excluded from this Part, except in the case where the original design or existing configurations will be changed.

3. Driveways accessing State roads are subject to the provisions of this Part for those portions of the driveway outside of the State right-of-way.

(Ord. 8-1999, 7/20/1999, §1)

§102. Permit Requirements.

1. A driveway construction permit is required prior to any construction, excavation or other work in connection with any driveway accessing any Township road.

2. The owner shall submit a permit application to the Township Codes Enforcement Officer or authorized representative of the owner prior to the start of any work covered under this Part. The application shall be on a form provided by the Township and shall include:

A. Completed application form.

B. Plan to scale showing existing driveways, drains, culverts and swales within fifty (50) feet of the proposed driveway.

C. Sections, profiles, details and/or specifications as appropriate to fully describe the proposed work.

D. Application fee as established by resolution by the Township.

3. The Township Codes Enforcement Officer shall review the application and either issue a permit or provide written comments as to why the permit cannot be issued. The Codes Enforcement Officer may refer the application to the road master or Township Engineer for review if deemed necessary to determine if adequate sight distance is provided. The road master or Township Engineer may conduct a field inspection to determine adequacy of proposed driveway location.

(Ord. 8-1999, 7/20/1999, §1)

§103. Inspections.

1. The Township road master shall conduct a preconstruction inspection and postconstruction (final) inspection with the owner or the owner's authorized agent. Requests for inspections to the Township road master shall be made at least forty-eight (48) hours, excluding weekends, prior to the date of the requested inspection.

2. Upon satisfactory completion of work, the Township road master shall sign the permit indicating approval of the driveway as constructed or reconstructed.

(Ord. 8-1999, 7/20/1999, §1)

§104. Driveway Standards.

1. All driveways and related improvements shall be located and constructed in such a manner as to not impair drainage or normal maintenance within a road right-of-way, alter the stability of a roadway, subgrade or roadway embankment, change the drainage of adjacent areas or interfere with the traveling public.

2. Repairs to a driveway, a driveway entrance, drain, culvert or swale shall be performed in such a manner that the repairs shall not change the original design or existing conditions unless a new design and specifications are submitted for approval.

3. Driveways shall be graded to conform to the drainage swale adjacent to the cartway being accessed. At a minimum, the depth of the swale must be six (6) inches at a distance of at least four (4) feet from the edge of the cartway (see detail on application form).

4. Pipes are permitted only if at the discretion of the road master or Township Engineer a swale is not adequate. Pipes under driveways shall be sized based on the ten (10) year storm event runoff, but shall not be less than fifteen (15) inches in diameter in any case.

5. Driveway entrances shall be located so as to provide safe access to the intersecting road. To accomplish this, Pennsylvania Code, Title 67, "Transportation," Department of Transportation, Chapter 441, "Access to and Occupancy of Highways by Driveways and Local Roads," shall be used as a guide and the requirement therein shall be followed as closely as reasonably possible, subject to the review of the Township road master or Engineer.

6. Driveway grades shall not exceed eight (8) percent within the road right-of-way or within ten (10) feet of the edge of the existing cartway, whichever is greater, and shall not exceed fourteen (14) percent on the remainder of the driveway. Special consideration shall be given to avoid excessive cuts and/or fills to achieve this standard. Slopes on cuts or fills shall not exceed 3:1 (three horizontal to one vertical).

7. Not more than one driveway entrance shall be permitted for a residential driveway.

8. Not more than two driveway entrances shall be permitted for a nonresidential driveway. Driveway entrances and exits shall be clearly delineated by physical means such as painted markings, curbing and/or guide rails. Such physical means, other than painted markings, shall not be located within the Township road right-of-way.

9. For residential driveways, entrances shall be rounded at a minimum radius of five (5) feet and a maximum radius of twenty (20) feet and shall have a minimum width of ten (10) feet and a maximum width of fifteen (15) feet.

10. For nonresidential driveways, entrances shall be rounded at a minimum radius of twenty (20) feet and a maximum radius of fifty (50) feet and shall have a minimum width of twenty (20) feet and a maximum width of thirty (30) feet.

11. Driveways shall intersect roads as nearly as possible to ninety (90) degrees, but not less than sixty (60) degrees not greater than one hundred twenty (120) degrees.

12. Driveways shall be constructed as follows:

A. Prepare and compact subgrade.

B. Place a minimum of six (6) inches (compacted depth) of modified 3A aggregate.

On those portions of the driveway with slopes greater than eight (8) percent that are within one hundred (100) feet of the intersecting roadway, the driveway surface shall be paved with a bituminous surface treatment (i.e., oil and chip) at a minimum. Alternate proposals for driveway construction may be permitted on a case-by-case basis by the Township road master or Engineer provided the intent of this Part is maintained.

13. Every new driveway shall provide for a safe turnaround area outside of the road right-of-way.

14. A plan or description of proposed methods for controlling stormwater runoff and erosion and sedimentation control shall be submitted with each application for a permit. A driveway shall not be used as means of conveying stormwater runoff away from the physical improvements on the property. Stormwater runoff shall be directed to stable, pervious areas whenever possible.

15. No driveway shall be located closer than ten (10) feet to a property line except where designed as a joint driveway with the adjacent property. If so designed, the edge of the driveway may be located at the property line.

16. In the preparation of land development and subdivision plans, evidence shall be submitted to show that the requirements set forth herein can be met for each proposed building lot. A note shall be placed on the plan, before it is recorded stating that each individual lot owner will be responsible for obtaining a driveway permit as required by this Part. The note shall make specific reference to the number and name of this Part.

(Ord. 8-1999, 7/20/1999, §1)

§105. Correction of Improper Work. In case any person shall construct a driveway and 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 the notice.

(Ord. 8-1999, 7/20/1999, §1)

§106. Penalties for Violation. 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, §1)

Part 2

Highway Occupancy Permit

§201. Title and Applicability.

1. This Part shall be known as the "West Nottingham Township Highway Occupancy Permit Ordinance."

2. This Part shall apply to all excavation activities, excluding driveways that are permitted separately, proposed within Township street rights-of-way.

(Ord. 8-1999, 7/20/1999, §2)

§202. Permit Requirements.

1. A highway occupancy 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 Codes 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 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 Codes Enforcement Officer shall review the application and either issue a permit or provide written comments as to why the permit cannot be issued. The Codes Enforcement Officer may refer the application to the road master or Township Engineer for review if deemed necessary to determine if adequate sight distance is provided.

(Ord. 8-1999, 7/20/1999, §2)

§203. Inspections.

1. The Township road master shall conduct a post-excavation (final) inspection with the applicant or the applicant's agent to determine the adequacy of the street right-of-way restoration. Requests for inspections to

the Township road master shall be made at least forty-eight (48) hours, excluding weekends, prior to the date of the requested inspection.

2. Upon satisfactory restoration of the disturbed area, the Township road master shall sign the permit indicating approval of the restoration of the excavation.

(Ord. 8-1999, 7/20/1999, §2)

§204. Correction of Improper Work. In case any person shall perform excavation activities within a Township street right-of-way and shall not conform to the requirements of this part, the Township may order each person to restore the work area and replace same in compliance with this Part. Notice to restore 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 the notice. (Ord. 8-1999, 7/20/1999, §2)

§205. Penalties for Violation. 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)