

Part 1

Driveway Construction Permit

AN AMENDMENT TO THE WEST NOTTINGHAM TOWNSHIP STREETS AND SIDEWALKS ORDINANCE (Chapter 21, Part 1) 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:

§101. Title and Applicability.

1. This Part shall be know as the “West Nottingham Township Driveway Construction Permit Ordinance.”
2. This Part shall apply to all new driveways and all existing driveways used for any purpose that are improved after the effective date of this part. Driveway improvements subject to this Part include but are not limited to, paving, repaving, widening for the purpose of 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. Any work under this permit will required the issuance of a Driveway Construction Permit prior to use.
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. An approved Driveway Construction Permit is required prior to any excavation, construction or other work in connection with any driveway or cartway within the right-of-way of a Township road.
2. The owner 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 property lines, rights-of-way, roads, driveways, drains, culverts and swales within fifty (50) feet of the proposed driveway excavation or work.
 - C. Plan 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 Roadmaster or Township Engineer for review if deemed necessary to determine if adequate sight distance is provided. The Roadmaster 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 Roadmaster shall conduct a pre- and post- construction inspection for any residential, commercial/industrial Driveway Construction Permit with the owner or the owner’s authorized agent. The Roadmaster, as applicable, may call upon the Township Engineer to conduct a pre- and post-construction inspection if he so chooses.
- 2. Upon final inspection and satisfactory completion of work, and where duly authorized by the Township Engineer, the Township Roadmaster shall sign the permit indicating approval of the driveway as constructed or reconstructed. Construction cannot start until the Permit is issued.
- 3. Requests for inspections to the Township Roadmaster or Township Engineer shall be made at least forty-eight (48) hours, excluding weekends, prior to the date of the requested inspection.

(Ord. 8-1999, 7/20/1999, §1)

§104. Driveway Standards

- 1. Residential driveway standards:
 - A. 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.

B. 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.

C. 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 a least four (4) feet from the edge of the cartway (see detail on Exhibit #2, Spec for Driveway Construction).

D. Pipes are permitted only if, at the discretion of the Roadmaster or Township Engineer, a swale is not adequate. Pipes under driveways shall be of corrugated metal (CMP) and shall be sized based on the ten (10) year storm event runoff, but in any case shall not be less than fifteen (15) inches in diameter. Minimum cover for CMP shall equal twelve inches (12") of cover. Polyethylene pipe (PEP) may be used, but it shall need a minimum of twenty-four inches (24") of coverage.

E. 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 an Occupancy of Highways by Driveways and Local Roads," (as amended) 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 Roadmaster or Engineer.

F. Driveway grades shall not exceed eight (8) percent. Steeper grades may be permitted upon review by the Township Roadmaster or Township Engineer, but in no case shall the grade within the road right-of-way, or within ten (10) feet of the edge of the existing cartway, whichever is greater, exceed eight (8) percent. Special consideration shall be given to avoid excessive cuts and/or fills to achieve this standard. The Township Roadmaster and Township Engineer will determine what is acceptable.

G. Not more than one driveway entrance shall be permitted to a residential driveway.

H. 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.

I. 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.

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

K. 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.

L. 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.

M. 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 the Part.

(Ord. 8-1999, 7/20/1999, §1)

2. Mobile Home Park, Commercial and Industrial (Heavy Use) Driveway Standards:

A. 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.

B. 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.

C. 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 a least four (4) feet from the edge of the cartway (see detail on Exhibit #2, Spec for Driveway Construction).

D. Pipes are permitted only if, at the discretion of the Roadmaster or Township Engineer, a swale is not adequate. Pipes under driveways shall be of corrugated metal (CMP) and shall be sized based on the ten (10) year storm even runoff, but in any case shall not be less than fifteen (15) inches in diameter. Minimum cover for CMP shall equal twelve inches (12") of cover. Polyethylene pipe (PEP) may be used, but it shall need a minimum of twenty-four inches (24") of coverage.

E. 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 an Occupancy of Highways by Driveways and Local Roads," (as amended) 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 Roadmaster or Engineer.

F. Driveway grades shall not exceed eight (8) percent. Steeper grades may be permitted upon review by the Township Roadmaster or Township Engineer, but in no case shall the grade within the road right-of-way, or within ten (10) feet of the edge of the existing cartway, whichever is greater, exceed eight (8) percent. Special consideration shall be given to avoid excessive cuts and/or fills to achieve this standard. The Township Roadmaster and Township Engineer will determine what is acceptable.

G. Not more than two (2) driveways shall be permitted for Mobile Home Park, Commercial and Industrial Use.

H. Driveway entrances and exits for commercial or industrial (heavy use) 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.

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

J. 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.

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

L. 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.

M. 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.

N. 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.

§105. Paving.

1. All driveways, except for agricultural field accesses, shall be paved a minimum of forty-five (45) feet back from the centerline of the road, or from the edge of the cartway back twenty-five (25) feet, whichever is greater. For driveways that exceed eight percent (8%) in grade, the entire driveway shall be paved. This is to stabilize the swale or gutter configuration and to prevent water from running onto the roadway.

2. All residential and commercial / industrial driveways required to be paved shall be paved in accordance with Exhibit #2 "Specification for Driveway Construction".

§106. Restrictions.

The right-of-way area shall have the following noted restrictions, however additional restrictions may be placed upon the permit prior to approval.

1. No evergreens, trees, or ornamental shrubs or grasses over eighteen (18) inches of any species shall be planted within the right-of-way. For roads with a thirty-three (33) foot right-of-way, this shall mean an area sixteen and one-half (16 ½) feet from the centerline of the roadway. For roads with a fifty (50) foot right-of-way, this shall mean an area twenty-five (25) feet from the centerline of the roadway.
2. In order to preserve sight distances and to remove any vehicle obstruction within the road right-of-way, the Township shall have the authority to prune, cut back or remove any planted items within the right-of-way, or require the owner of the property to perform such maintenance of removal. Failure to comply with such a request shall be consideration for a Notice of Violation of the Township Ordinance.

§107. Right-of-Way Maintenance by the Township.

The Township shall retain the full use of the road right-of-way as part of the Township road maintenance. The Township shall not be held responsible for any damage to an owner’s plantings and other vegetation that may occur as a result of such maintenance.

§108. 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) calendar days from receipt of said notice.

§109. 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)

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

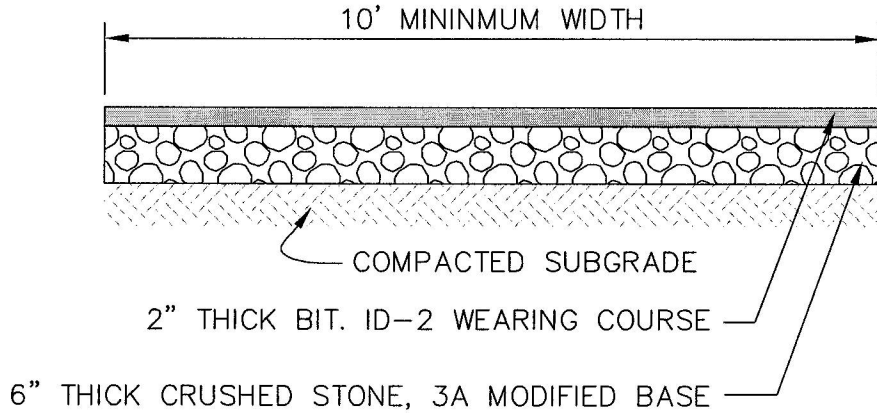
By: _____
Kenneth B. King, Vice Chair, Board of Supervisors

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

Attest:

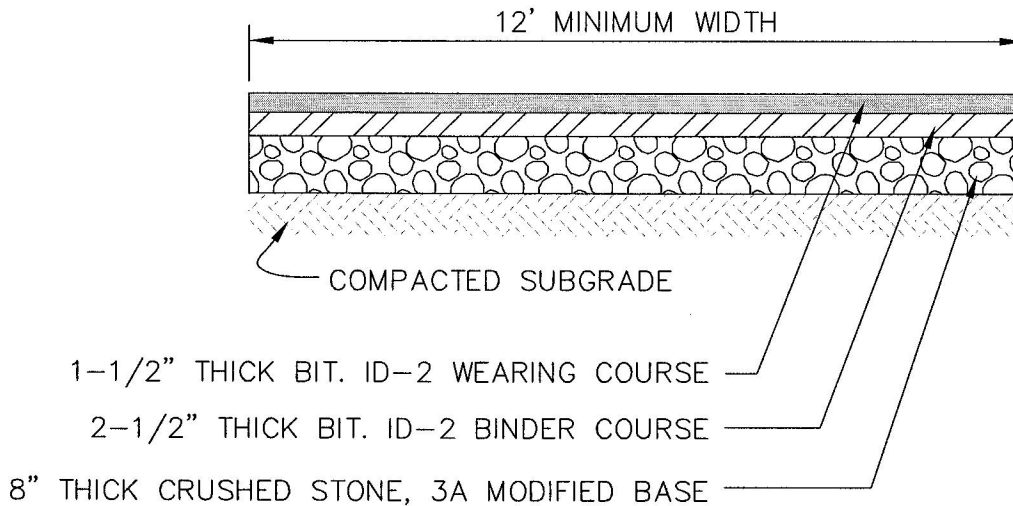
Secretary

WEST NOTTINGHAM TOWNSHIP SPECIFICATIONS FOR DRIVEWAY CONSTRUCTION EXHIBIT #2



RESIDENTIAL DRIVEWAY

NOT TO SCALE



COMMERCIAL/INDUSTRIAL DRIVEWAY

NOT TO SCALE

NOTES

1. ALL DRIVEWAYS, RESIDENTIAL OR COMMERCIAL/INDUSTRIAL, SHOULD BE GRADED TO PROVIDE POSITIVE DRAINAGE.
2. ALL DRIVEWAYS SHALL BE GRADED TO CONFORM TO THE DRAINAGE SWALE ADJACENT TO THE ROAD CARTWAY BEING ACCESSED. SEE CHAPTER 22, SECTION 616.2.F FOR ROADSIDE SWALE DESIGN.