

ORDINANCE 105

ORDINANCE REGULATING PRIVATE DRIVEWAYS
AND ROADS/ENCROACHMENT

105.1 PURPOSE

In accordance with the provisions of Sections 726 and 1156 of the Second Class Township Code, as amended, no driveways, private roads, lanes, or other means of access to any roads of the Township shall be constructed upon any portion of a Township road except under the conditions, restrictions, and regulations that are prescribed in permits granted by the Township. It is the purpose of this Ordinance to establish the criteria mandated by the Code.

105.2 DEFINITIONS

Definitions of words in this Ordinance are listed alphabetically in the Definitions Dictionary located at the beginning of the combined Ordinances of Delaware Township. These definitions are an integral part of the Ordinances of Delaware Township, which are incomplete without them.

105.3 APPLICATION FOR PERMIT

A. Township roads. Application for a permit shall be in triplicate on a form prescribed by the Board of Supervisors. It must be accompanied by a fee established by the Department of Transportation, and must include a sketch, in triplicate, showing full details of the proposed construction. These must include, but are not limited to, the location, width, drive profile, and size of any anticipated culvert, demonstrating that it has been designed to withstand a twenty-five (25) year storm; pavement width of the Township road; and right of way lines of the Township road.

B. State roads. Applications for a permit to encroach on a State road must be made at the Pike County Maintenance District office of the Pennsylvania Department of Transportation. A copy of the permit from the Department of Transportation must be given to the Township.

105.4 NOTICE OF COMMENCEMENT

The permit holder must notify the Building Inspector in writing when work is to commence.

105.5 INSPECTION

The permit holder shall inform the Township as soon as work is completed. The Township will inspect it and, when necessary, enforce compliance with the conditions, restrictions, and regulations prescribed by the permit. If the permit holder fails to rectify any defect within sixty (60) days after written notice to do so is issued by the Township, the Township may do the work at the expense of the permit holder, including a penalty of twenty percent (20%) of the cost of the work.

105.6 PENALTY

Any person who violates any provision of this Ordinance or who resists or interferes with any officers, agents, or employees of the Township who, in accordance with the provisions of this Ordinance, are in the performance of their duty, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than three hundred dollars (\$300), plus cost of prosecution, or, in default of payment of the fine, shall be imprisoned for not more than five (5) days. Each day's continuance of each violation shall constitute a separate offense. All fines collected for the violation of this Ordinance shall be paid to Delaware Township.

105.7 ENACTMENT

The enactment of this Ordinance shall supercede and act as repealer of Delaware Township Ordinance 24 and any other Ordinance inconsistent herewith.

This Ordinance shall be effective five (5) days from the date of adoption.

Adopted this 6th day of June, 1985.

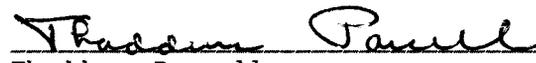
BOARD OF SUPERVISORS OF DELAWARE TOWNSHIP
PIKE COUNTY, PENNSYLVANIA



Jay Asper



Margaret Mary Jonas



Thaddeus Parsell

ATTEST:



Secretary/Treasurer