

GLADE TOWNSHIP ORDINANCE NO. 193

GLADE TOWNSHIP, WARREN COUNTY, PENNSYLVANIA

AN ORDINANCE OF GLADE TOWNSHIP, WARREN COUNTY, PENNSYLVANIA, REGULATING AND ESTABLISHING REQUIREMENTS FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF DRIVEWAYS, APPROACHES, AND ENTRANCES AND EXITS HEREAFTER CONSTRUCTED FROM TOWNSHIP ROADS, THE INSTALLATION, PLACEMENT, MAINTENANCE AND REPLACEMENT OF DRIVEWAY AND OTHER SLUICES UPON TOWNSHIP ROADS; PROVIDING FOR THE APPLICATION FOR AND THE ISSUANCE OF PERMITS; AND PRESCRIBING PENALTIES FOR VIOLATION.

IT IS HEREBY ORDAINED AND ENACTED by the Supervisors of Glade Township,
Warren County, Pennsylvania:

ARTICLE I - GENERAL

Section 1.

After the effective date of this Ordinance, it shall be unlawful for any person, partnership, business or corporation, without first having obtained a permit therefor, to:

A. Construct or install and thereafter to maintain any driveway approach or exit from any Township Road unto any private property.

B. Install, place or maintain any new sluice or water pipe along or adjacent to the Township Road in connection with the construction of a driveway entrance or other exit from a Township Road.

C. To replace any existing sluice or water pipe under any existing driveway from or approach upon any Township Road, or

D. Maintain any sluice or water pipe or other drainage facility in connection with a driveway or approach to a Township Road in such condition and state as will not adequately permit and allow the flow of existing drainage water flow and anticipated and experienced storm

water flow through the said sluice, pipe or drain or in such other manner or condition as contributes to the damage and deterioration of any Township Road.

ARTICLE II - REQUIREMENTS.

Section 1.

All sluices and drainage pipes shall (a) be 15 inches in diameter unless the Supervisors shall, after reviewing the situation and conditions, conclude and require or permit a pipe of greater or lesser diameter, (b) shall be made of suitable long lasting material meeting the requirements therefor as now and from time to time established by the Supervisors, and (c) shall be installed in a place, manner and elevation as shall be directed by the Supervisors with the intention that the same shall carry the existing and anticipated and regular storm water flows. The installation shall be made in accord with such other requirements as may reasonably be imposed by the Supervisors or by the Township Engineer.

Section 2.

If the Supervisors shall, after inspection, find that any existing sluice or drainage pipe is presently installed or maintained in such a manner as to be insufficient to accommodate the experienced and anticipated regular and storm water flows or in such other manner that it fails to comply with this Ordinance the Supervisors may direct and the owner of the property shall provide and install a sluice pipe or drainage pipe meeting the requirements of this Ordinance; provided, however, that the Township may, at its option, elect to install any pipe which is within the right-of-way of a Township Road. The same shall be installed in accord with the directions reasonably given by the Supervisors or their Engineer.

Section 3.

The Supervisors may establish and impose reasonable conditions upon the installation, construction, and maintenance of all driveways from, approaches to and exits from Township Roads. These shall include, together with any others the Supervisors may impose, adequate provision for a sufficient view in both directions upon the highway, a proper grade or entrance upon the highway adequate to permit safe access and turns to and from the highway, and construction in such manner as not to permit gravel, mud or debris to wash from the driveway or approach and be deposited upon the Township Roads and so as not to interfere with, hamper or obstruct plowing or maintenance of Township Roads.

ARTICLE III - ADMINISTRATION.

Section 1.

The Supervisors shall, upon application made to them, approve and issue or deny all permits required under this Ordinance.

Section 2.

All persons subject to this Ordinance shall submit an application to the Secretary of the Township for the necessary permit which application shall contain such information as shall reasonably be requested and required by the Supervisors, including at least the following:

1. Name and address of the applicant.
2. Name and address of the owner of the land to which the driveway or access provides a means of approach.
3. Name and address of the contractor responsible for the work if other than the applicant or owner.
4. Site location.
5. If an application is for a new driveway or access, a sketch or other map showing the relevant features of the proposed work, and

6. Such other information as the Supervisors may reasonably require.

Section 3.

Applications for a permit shall be accompanied by a fee of \$5.00 payable to the Township. The Township may, by Resolution, increase the fee in the future.

Section 4.

The Supervisors shall, within thirty (30) days after receipt of the application by the Township Secretary, consider the same and if no additional information is required, approve or reject the application, and in case of approval, issue a permit therefor.

ARTICLE IV - CORRECTION OF EXISTING CONDITIONS.

Section 1.

In the event any person, firm or business, corporation or other entity, fail to replace any existing sluice or drainage pipe after the Supervisors shall have given written directions therefor, the Supervisors may, if such failure continues for more than twenty (20) days after the delivery of such notice, remove any existing sluice or drainage pipe and replace it with a drainage pipe installed by Township personnel or may have it removed and replaced and installed by such independent contractor as the Township may engage.

Section 2.

In such event, all of the costs of the Township as incurred in the work shall be recoverable against the record owners of the property and may, if not paid within thirty (30) days after the presentation of a bill or statement therefor, be entered as and collected as a municipal lien upon the property.

ARTICLE V - VALIDITY.

Section 1.

Should any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be in violation of the laws or constitution of the Commonwealth of Pennsylvania such declaration shall not affect the validity of this Ordinance as a whole or any of the remaining parts thereof and the parts or sections remaining, which remain in effect as though the part or section declared unconstitutional had never been a part thereof.

ARTICLE VI - PENALTIES AND ENFORCEMENT.

Any person, firm, business, corporation, partnership or other entity who or which shall violate any provisions of this Ordinance or fail to comply herewith or with any of the requirements hereof or shall in any other way violate this Ordinance or any of the requirements hereof shall be subject to a civil fine not exceeding \$600. Each day a violation shall be permitted to exist shall constitute a separate violation of this Ordinance. The owner or owners of any premises or part thereof, where anything in violation of this Ordinance shall exist, be done or continue and any contractor, agent or person or corporation employed in connection therewith shall be deemed to have violated and shall be fined as hereinabove provided. All requirements of this Ordinance may, concurrently with and in addition to proceedings for civil fines, be enforced by the Township Supervisors by action for injunction brought in any court having jurisdiction. Any person, firm, business, corporation, partnership or other entity who violates this Ordinance shall, in addition, to the civil fines provided for herein, be obligated to pay all Court costs and reasonable attorney's fees incurred by the Township.

This Ordinance shall become effective five (5) days after it is adopted.

IN WITNESS WHEREOF, the Supervisors of Glade Township have caused this Ordinance to be adopted this 19 day of November, 1996.

David R. Sedon

Supervisor

Supervisor

Robert C. Krupp

Supervisor

ATTEST:

Marcia Trachier

Secretary

LEGAL NOTICE

NOTICE is hereby given that the following Ordinance will be considered for adoption at a duly convened meeting to be held at the Glade Township Building at 19 Cobham Park Road, Warren, Pennsylvania, on November 19, 1996, at 7 p.m., prevailing time, by the Board of Supervisors, Glade Township Warren County, Pennsylvania. The title of the Ordinance and a brief summary thereof is as follows:

GLADE TOWNSHIP ORDINANCE NO. 193. AN ORDINANCE OF GLADE TOWNSHIP, WARREN COUNTY, PENNSYLVANIA, REGULATING AND ESTABLISHING REQUIREMENTS FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF DRIVEWAYS, APPROACHES AND ENTRANCES OF EXITS HEREAFTER CONSTRUCTED FROM TOWNSHIP ROADS, THE INSTALLATION, PLACEMENT AND MAINTENANCE AND REPLACEMENT OF DRIVEWAY AND OTHER SLUICES UPON TOWNSHIP ROADS; PROVIDING, FOR THE APPLICATION FOR AND THE ISSUANCE OF PERMITS; AND PRESCRIBING FOR VIOLATION.

This Ordinance sets forth the requirements and regulations governing the construction, installation and maintenance of driveway approaches and exits from Township roadways as well as the installation and/or maintenance of sluice or water pipes adjacent to Township roads. The Ordinance also establishes the permit application procedure for work to be performed which is regulated under the Ordinance as well as permit fees, terms for issuance of permits and penalties for non-compliance with the Ordinance. Copies of the foregoing proposed Ordinance may be examined at the office of the Township during normal business hours.

Marcia Trachier, Township Secretary
November 12, 1996-1t

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