

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HUNTINGDON, WESTMORELAND COUNTY, PENNSYLVANIA, (HEREINAFTER REFERRED TO AS TOWNSHIP), REQUIRING THAT ALL PERSONS CONNECTING DRIVEWAYS TO TOWNSHIP ROADS OBTAIN PERMITS THEREOF; AND, THE SUBMISSION OF PLANS PRIOR TO THE ISSUANCE OF SUCH PERMITS; AND THE NECESSITY OF APPROVAL OF SUCH PLANS; AND THE PAYMENT OF A FEE WITH APPLICATION; AND, PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the Township has suffered damage to roads owned by the Township as a result of improper connection of driveways to Township roads due to faulty drainage, AND,

WHEREAS, improper connections have resulted in hazardous conditions, AND,

WHEREAS, the Township deems it necessary for the proper management, maintenance and control of its public road system to regulate the connection of driveways to Township roads;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township as follows:

SECTION 1. This Ordinance shall be known as the South Huntingdon Township Driveway Ordinance.

SECTION 2. For the purposes of this Ordinance, the following terms shall be defined as follows:

(A) BOARD: The Board of Supervisors of South Huntingdon Township, Westmoreland County, Pennsylvania.

(B) CONTRACTOR: The person, association, partnership or corporation who or which installs a driveway, including all agents, officers or employees of that person, association, partnership or corporation.

(C) DRIVEWAY: Any area of land designated or to be used as a means of ingress or egress for either vehicles or pedestrian traffic from a public road to a parcel of land.

(D) OWNER: The owner of the land upon which the driveway is located, whether that be a person, association, partnership or corporation.

(E) PERMIT: The permit issued by the Board to signify approval of the design of the driveway connection.

(F) PUBLIC ROAD: Any road, street, alley or public thoroughfare, whether actually maintained by South Huntingdon Township on a subdivision or land development plan intended to be dedicated to South Huntingdon Township in the future.

SECTION 3. No owner or contractor shall hereafter initiate, install, or allow to be performed any work toward the installation of a driveway without first obtaining a permit thereof from the Board.

SECTION 4. Any contractor shall, prior to obtaining a driveway permit, file an application with the Board showing the location of the driveway to the premises served and designating the course, grade structure, materials and drainage facilities, if any, involved in the construction of the driveway.

SECTION 5. The application shall be accompanied by such fees as the Board shall prescribe from time to time but shall not exceed the approximate reasonable cost of processing and reviewing the application and inspection of the work.

SECTION 6. The application shall be reviewed by the engineer or designated roadmaster of the Township who shall then determine if the proposed method of construction of the driveway is such that it will:

- (A) Minimize the adverse effects of storm water run-off, and
- (B) Protect the public road from damage by the connection, and
- (C) Not increase hazardous driving conditions for the users of the public road.

If the plans meet the criteria above, the engineer or designated roadmaster shall so advise the Board and issue the permit.

If the plan is found to be deficient, or if, in the opinion of the engineer or designated roadmaster, the plan could be improved to meet the criteria above, the engineer or designated roadmaster shall notify the owner in writing of the changes to be made. Whereupon the applicant shall make such changes and return the revised plans to the Township. When the plan is acceptable to the engineer or designated

roadmaster, the Board shall issue, cause to be issued, the permit.

SECTION 7. The construction of the driveway shall conform to the approved plans.

SECTION 8. Each driveway, whether or not serving the same premises, shall require an individual permit.

SECTION 9. This Ordinance shall repeal any inconsistent ordinance.

SECTION 10. Any owner or contractor who violates any provision of this Ordinance shall, upon conviction by a summary proceeding before any District Magistrate having jurisdiction, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars. All fines collected for the violation of this ordinance shall be paid to the Treasurer of the Township for general use.

SECTION 11. This Ordinance shall become effective five (5) days after adoption.

ORDAINED AND ENACTED THIS 26th day of September, 1991.

TOWNSHIP OF SOUTH HUNTINGDON

BY: Thomas Troup
Chairman

ATTEST: Cindy Thorne
Secretary