

## ORDINANCE No. 40B-1993

# CENTRE TOWNSHIP DRIVEWAY STANDARDS ORDINANCE

ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY PENNSYLVANIA, REGULATING THE CONSTRUCTION OF DRIVEWAYS IN THE TOWNSHIP, PROVIDING FOR AN APPLICATION PROCESS, PROVIDING FOR AN OFFICIAL NAME FOR THE ORDINANCE BEING THE CENTRE TOWNSHIP DRIVEWAY STANDARDS ORDINANCE, WHICH ORDINANCE WILL REGULATE NEW AND EXISTING DRIVEWAYS, PROVIDING FOR THE PAYMENT OF FEES FOR THE APPLICATION PROCESS AND INSPECTION, PROVIDING FOR OBTAINING OF A PERMIT UPON APPLICATION ON A FORM PROVIDED BY THE TOWNSHIP, PROVIDING FOR REVIEW AND ACCEPTANCE OR REJECTION OF COMPLETED APPLICATION, PROVIDING FOR WORK TO BE COMPLETED WITHIN ONE YEAR OF PERMIT DATE, PROVIDING FOR INSPECTIONS BY THE ORDINANCE ENFORCEMENT OFFICER, PROVIDING CONSTRUCTION STANDARDS AND MAINTENANCE REQUIREMENTS INCLUDING MATERIALS, GRADES, SUBGRADES, DRAINAGE, SIGHT DISTANCE, WIDTH OF ENTRANCES, LENGTH OF DRIVEWAYS, SLOPE, CUTS AND FILLS, GRADE WITHIN 100 FEET OF ROADWAY, WIDTH OF DRIVEWAY, STORM WATER CONTROL PROCEDURES, RECTIFICATION OF IMPROPER WORK, REVOCATION OF CONTRACTORS LICENSE UNDER CERTAIN CIRCUMSTANCES, PENALTIES FOR VIOLATION, REPEAL OF INCONSISTENT ORDINANCES INCLUDING PRIOR DRIVEWAY ORDINANCE AND ANY REVISION THERE TO, SEVERABILITY AND EFFECTIVE DATE.

The Supervisors of Centre Township ordain as follows:

### 100. Applicability

101. The terms of this ordinance to be known as "THE CENTRE TOWNSHIP DRIVEWAY STANDARDS ORDINANCE" shall apply to all new private driveways constructed after the effective date of this Ordinance. The terms of this Ordinance shall also apply to existing driveways that are improved after the effective date of this Ordinance. Driveway improvements subject to this Ordinance shall include but not be limited to: paving, repaving, widening changing or modifying a driveway entrance.
102. Driveway improvements shall not include normal maintenance such as resealing of the macadam, minor hole patchwork and up to one (1) inch of finish coat applied onto an already macadamed driveway.
103. New driveways accessing State roads are subject to the provisions of this Ordinance for those portions of the driveway outside of the road right-of-way. The driveway entrance within the road right-of-way is subject to Pennsylvania Department of Transportation requirements.

### 200. Administration and Fees.

201. The Centre Township Board of Supervisors shall appoint the person/persons responsible for the administration and or enforcement of this ordinance by resolution.
202. A schedule of fees shall be adopted by resolution by the Centre Township Board of Supervisors for the administration of this ordinance.

### 300. Permit Requirements.

301. No person(s), firm, corporation or other entity shall perform any construction, excavation or other work in connection with any driveway, nor perform any work within the Township affecting storm water flow or discharge within the right-of-way of any street until the Township shall have issued a permit for such work.

302. A permit application shall be submitted to the Township, by the owner or authorized representative of the owner prior to commencing work on any driveway. The application shall be on forms provided by the Township. The application shall be accompanied by a fee as established by resolution of the Centre Township Board of Supervisors.
303. The Township shall review the application and either issue the permit or provide written comments as to why the permit is denied within a period of seven (7) working days.
304. Should the Township not act on the application as indicated above, within thirty (30) days after receipt of a completed application and proper fee, the application for permit shall be deemed to be approved as submitted.
305. Permits obtained for driveways shall be valid for a period of one (1) year. Work not completed within this time shall constitute a violation and said permit shall be revoked. Permits may be renewed for one (1) additional year for a fee set by the Township by resolution.

400. Inspections.

401. The Township shall inspect the driveway as necessary and confirm that the driveway has been constructed in accordance with the information supplied on the application.
402. After work has been completed pursuant to Township standards, as determined by the Township, the Township shall sign the permit at the appropriate place to signify approval of the driveway as constructed.
403. Inspections will be as follows (minimum):
  - 403.1. New Constructions
    - a) Rough cut - conducted after excavation of the driveway and driveway areas
    - b) Final, post paving
  - 403.2. Resurfacing (paving of an existing stoned driveway)
    - a) Final, post paving

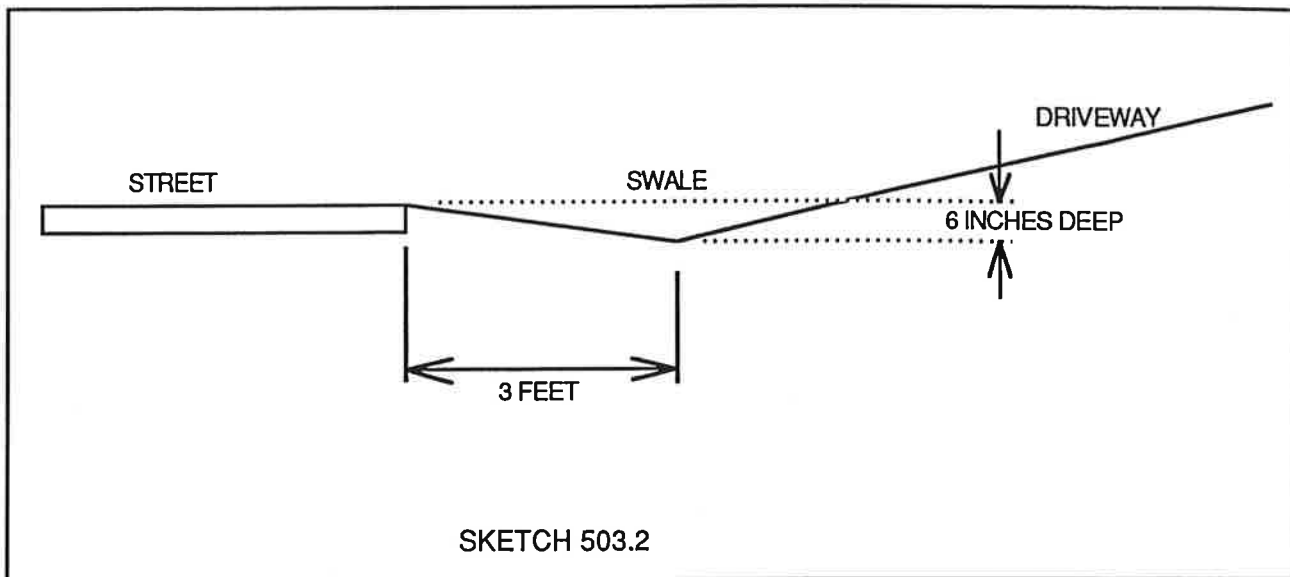
500. Construction Standards and Maintenance Requirements (All work for which a permit is required under the provisions of this Ordinance shall be performed in accordance with the Design Standards set forth herein.)

501. All driveways and related improvements shall be constructed and located in such a manner as to not impair drainage or maintenance within street rights-of-way, alter the stability of a roadway or sub-grade, materially change the drainage of adjacent areas, interfere with the traveling public, present a hazard to the movement of normal street traffic, or create undue traffic congestion.
502. Repairs to a driveway, a driveway entrance, drain or culvert for which a permit has been issued shall be performed in such a manner that the repairs shall not change the original design and specifications for the existing driveway, driveway entrance, drain or culvert, unless new design and specifications are submitted and approved by the Township which shall improve drainage and/or safety situations.

503. Driveways shall not impede the natural flow of drainage in the road gutter.

503.1. Underdrains shall be sized based on the ten (10) year post developed flow to the area, but shall not be less than 15" in diameter. Maintenance of driveway underdrains shall be the responsibility of the individual property owner.

503.2. Driveways not utilizing an underdrain shall conform to Sketch 503.2.



504. Driveway grades shall not exceed four percent (4%) within the road right-of-way, or within fifteen (15) feet of the edge of the existing cartway, whichever is greater, and shall not exceed fifteen percent (15%) on the remainder of the driveway. Special consideration should be given to avoid excessive cuts or fills to achieve this standard.

505. Driveway entrances shall be so located so as to provide safe access to the intersecting road. Site Distances shall be as follows:

Posted Speed	Safe Sight - Left	Safe Sight - Right
25 M.P.H. or less	250'	195'
30 M.P.H.	345'	275'
35 M.P.H.	440'	350'
45 M.P.H.	635'	570'
55 M.P.H.	845'	875'

506. Driveways shall intersect streets as nearly as possible at right angles, between sixty (60) degrees and one-hundred twenty (120) degrees.

507. Turning radii on driveways shall be a minimum of sixty-five (65) feet.

508. The maximum length of a driveway shall be four hundred (400) feet from where the driveway meets the proposed residence to the intersection of the driveway and a public or private road unless the following conditions are met:

A. The driveway width shall be a minimum of twenty-four (24) feet.

B. A cul-de-sac one hundred (100) feet in diameter shall be provided at the end of the driveway within fifty (50) feet of the dwelling or primary structure.

- 509. Edges of driveways shall not be located closer than ten (10) feet from a property line. Common driveways shall not be allowed.
- 510. The driveway shall be designed such that the driveway and associated materials shall not wash out onto public roads, and such that storm water runoff does not create a hazard to the public roads. The driveways shall in no instance be utilized as a drainageway for any impervious surfaces on the lot. Roof drains, turn around and parking areas, etc. shall be directed onto pervious areas of the lot, and not onto the driveway.
- 511. Driveway entrances shall be rounded at a minimum radius of five (5) feet and a maximum radius of fifteen (15) feet.
- 512. Side slopes on cuts or fills shall not exceed 3:1 (three horizontal to one vertical).
- 513. On the portion of the driveway that is within one hundred (100') feet of the intersecting road, and all portions of the driveway exceeding eight percent (8%) grade, the driveway shall be constructed as follows (In appropriate cases, as determined by the Department, the Department may allow a substitution of material or method):
  - 513.1. Compact and prepare suitable sub-grade
  - 513.2. Place four (4) inches (minimum) compacted depth of PADOT Modified 2A Aggregate.
  - 513.3. Apply a bituminous surface treatment as follows:
    - (a) Two (2) inches minimum depth BCBC
    - (b) One (1) inch minimum depth ID2
    - (c) Other materials may be substituted upon the discretion of the Department
  - 513.4. Other materials such as oil and chip surfacing and/or asphalt blocks may be acceptable per the discretion of the township.
- 514. Driveways shall have a minimum width of twelve (12') feet.
- 515. Methods of controlling storm water runoff and erosion sedimentation, both during and after construction, must be submitted as part of the application.
- 516. In the design of driveways, consideration should be made toward the access of emergency and service type vehicles (i.e. oil & propane tank trucks).
- 517. In the preparation of subdivision/land development plans, evidence shall be submitted, which shall include a plan & profile view of a proposed driveway for each lot, to confirm that the requirements set forth herein can be met for each building lot proposed. A note shall be placed on the plan to be recorded that the individual lot owner will be responsible for obtaining a driveway permit as required by this Ordinance. The note shall make specific reference to the Ordinance number and name.

600. Rectification of Improper Work.

- 601. In case any person shall construct a driveway and shall not conform to the requirements of this Ordinance, the Township may order such person, firm or corporation to remove the improper work and replace the same in compliance with this Ordinance. Notice to remove and replace improper work shall be given by registered or certified mail, and shall state that the person, firm or corporation shall have ten (10) working days from receipt of this notice to comply therewith. Upon non-compliance,

the Township may do or cause the requested repairs to be done and may levy the cost of this work on such owner as a property lien to be collected in any manner provided by law.

602. In any case where documented, repeated non-conformance situations are created by any firm or corporation, the township may revoke said firm or corporation's contractors license shall be revoked as per the provisions in the Centre Township Contractor's License Ordinance.

700. Penalties.

701. In addition to the right to correct non conforming installations, any person, firm or corporation who shall fail to obtain a permit before constructing a private driveway or who obtains a permit and does not install the driveway pursuant to the design standards shall, upon consideration thereof, be sentenced to pay a fine not more than six hundred dollars (\$600.00). Each day that a violation of this Ordinance continues shall constitute a separate offense.

800. Repealer.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

900. Severability.

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had all unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

1000. Effective Date.

This Ordinance shall be effective on the earliest date allowed by law.

ENACTED AND ORDAINED AN ORDINANCE OF THE TOWNSHIP OF CENTRE ON THIS THE TWENTY-EIGHTH DAY OF DECEMBER, 1993.

BOARD OF SUPERVISORS:

Albert W. Binkley Chairman      Frank A. Spatz Supervisor

Attest: Bonnie C. Seifert  
Secretary

Nancy C. Kachel  
Supervisor