

ORDINANCE NO. 270

AN ORDINANCE OF THE BOROUGH OF PATTERSON HEIGHTS REGULATING CURB CUTS AND DRIVEWAY CONSTRUCTION; REQUIRING A PERMIT FEE; PROVIDING FOR RECTIFICATION OF IMPROPER WORK; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Borough of Patterson Heights hereby ordains:

Section 1. Width of Driveways. All private driveways hereafter constructed shall be of a width not less than ten feet and the curb shall be curved to the street edge of the footwalk on a radius of one and one-half (1 ½) feet.

Section 2. Permit Required. Before any private driveway may be constructed, and before any curb cut may be made, a permit shall be obtained from the Borough of Patterson Heights. All driveways shall be laid and curb cuts made according to specifications furnished by the Borough of Patterson Heights at the time the permit is granted.

Section 3. Fee. The fee for a driveway or curb cut permit shall be fixed pursuant to Resolution of the Borough of Patterson Heights.

Section 4. Sidewalk not to be Disturbed. All paved portions of any sidewalk must not be disturbed, and the height and grade of same must remain the same as before the driveway was constructed. The balance of the pavement shall remain the same height and grade as before the construction of the driveway.

Section 5. General Requirements.

(a) Driveways shall be constructed to satisfactorily control water drainage onto the street and/or the adjoining property owner.

(b) Driveways shall be permitted so long as adequate sight distance permits safe use thereof and undue traffic congestion or interference with normal street traffic would not be created;

Section 6. Rectification of Improper Work. In case any person shall construct a driveway or a curb cut and shall not conform to the requirements of this ordinance, the Borough of Patterson Heights may order such person, firm or corporation to remove the improper work and replace the same in compliance with this ordinance. Notice to remove improper work shall be given by registered or certified mail, and shall state that the person, firm or corporation shall have thirty (30)

days from receipt of the notice to comply therewith. Upon noncompliance, the Borough of Patterson Heights may do or cause the requested work to be done and may levy the cost of its work on such owner as a property lien and collected in any manner provided by law.

Section 7. Penalties. Any person, firm or corporation who shall fail to obtain a permit before constructing a private driveway or making a curb cut shall, upon conviction therefore be sentenced to pay a fine not more than six hundred dollars (\$600.00), and in default of payment, to imprisonment for a term not to exceed thirty (30) days. Each day a violation of this ordinance continues shall constitute a separate offense.


Section 8. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 9. Severability. If any sentence, clause, section, or part of this ordinance 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 Borough of Patterson Heights that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

Section 10. Effective Date. This ordinance shall become effective on 8/2/99.

ENACTED AND ORDAINED this 2nd day of Aug., 1999.

ATTEST:


Secretary

BOROUGH OF PATTERSON HEIGHTS

By 
President of Borough Council

APPROVED this 2nd day of Aug., 1999.


Mayor