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**PART 1**  
**STREET EXCAVATION**

**§ 21-101. Permit Required. [Ord. of 6/5/1974, § 1]**

In accordance with the provisions of Section 1156 of Article XI of the Second Class Township Code, as amended, no railroad or street railway shall hereafter be constructed upon any Township road, nor shall any railroad or street railway crossings, nor any gas pipe, water pipe, electric conduits, or other piping, be laid upon or in, nor shall any telephone, telegraph, or electric light or power poles, or any coal tipples or any other obstructions be erected upon or in, any portion of a Township road except under such conditions, restrictions and regulations relating to the installation and maintenance thereof, as may be prescribed in permits granted by the Township for such purpose.

**§ 21-102. Application. [Ord. of 6/5/1974, § 2]**

The application for a permit shall be on a form prescribed by the Township and submitted to the Township in triplicate. The application shall be accompanied by a fee in accordance with the Schedule of Fees set forth by the Department of Transportation, for Highway Occupancy Permits and Restoration Charges. In addition, the applicant shall submit three copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street.

**§ 21-103. Issuance. [Ord. of 6/5/1974, § 3]**

A permit shall be issued to the applicant after all the aforementioned requirements have been filed.

**§ 21-104. Notice Upon Completion. [Ord. of 6/5/1974, § 4]**

Upon completion of the work, the applicant shall give written notice thereof to the Township.

**§ 21-105. Inspection; Township May Do Work. [Ord. of 6/5/1974, § 5]**

Upon completion of the work authorized by the permit, the Township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect, within 60 days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the cost thereof, together with an additional 20% of such cost.

**§ 21-106. Penalties. [Ord. of 6/5/1974, § 6; as amended by Ord. 60, 8/12/1985; and by Ord. 155, 1/5/1998]**

Please see Chapter 1, Part 5, "Ordinance Enforcement Procedure."

## PART 2

## DRIVEWAYS; DRAINAGE ONTO ROADS

## § 21-201. Purpose. [Ord. 60, 8/12/1985]

The purpose of this Part is to protect the health and safety of the residents of the Township by eliminating hazards of water and ice from public roadways.

## § 21-202. Definitions. [Ord. 60, 8/12/1985]

As used in this Part, the following terms shall have the meanings indicated:

**ARTIFICIAL DRAINAGE FACILITIES** — Those facilities which are used to collect, re-route, drain or otherwise divert water from its natural course and includes, but is not limited to, rain spouts, cellar drains, spillway for ponds or dams, overflows from storage ponds or containers and facilities carrying sewage.

**DRIVEWAY** — Any vehicular entrance or exit to private property from a public road, whether it is designed as such or not, whether it is surfaced or not and shall also include parking areas along the public roadway.

## § 21-203. Standards. [Ord. 60, 8/12/1985]

1. Driveways shall be graded and constructed in such a way that surface water or any other drainage will not be permitted to enter onto the public roadway from the driveway.
2. When driveways are required to cross over culverts or other drainage facilities relating to the road construction or otherwise, the driveway shall not block, impede or disrupt the flow of the channel, nor shall it permit the impoundment of the drainage or any discharge onto the public road.
3. Where it is necessary to install a conduit under the driveway to keep the drainage channel open, such conduit shall be of sufficient diameter to carry off the normal flow of the culvert, plus that which occurs during an average rainfall. The conduit shall also be of sufficient strength to bear the weight of the heaviest vehicle normally using the driveway, and shall have a minimum length of 20 feet.

## § 21-204. Construction. [Ord. 60, 8/12/1985]

The culvert or driveway shall be constructed only after securing the approval of the Supervisors as to size and material. Whenever any person shall construct, repair or maintain or re-construct a driveway, they shall comply with the standards set forth in this Part.

**§ 21-205. Prohibitions. [Ord. 60, 8/12/1985]**

1. No person shall design, construct or maintain any driveway or artificial drainage facility which shall permit water or other liquid to be deposited upon a roadway.
2. No person shall maintain a driveway which fails to comply with the construction standards of this Part.
3. No person shall permit the driveway or artificial drainage facility to fall into such a state of disrepair that it shall violate the provisions of this Part.
4. No person shall permit mud, stones, dirt or other debris to be carried from the driveway onto the road. In areas of new construction or reconstruction, mud, stones, dirt or other debris carried onto the road by delivery or construction equipment shall be removed at least once each day at the end of operation, and more often, if necessary.
5. No person shall begin construction or repair on any driveway without first obtaining a permit as provided for in the following section.

**§ 21-206. Permits. [Ord. 60, 8/12/1985; as amended by Ord. 275, 1/5/2009, § 2]**

1. Upon proper application, any person desiring to construct or repair a driveway which shall extend to a Township road shall first receive a permit from the Township.
2. Before the construction of any new residential or commercial establishment in the Township which shall be joined to a public road by a driveway, the parties constructing the residential or other facilities shall first apply for a permit to the designated Township official for a permit for the construction of the said driveway. Upon receiving the permit, the driveways shall be constructed in accordance with the provisions of the permit and the provisions of this Part, prior to any construction on the residential or other facilities at that location.

**§ 21-207. Fees. [Ord. 60, 8/12/1985]**

A fee to be set from time to time by resolution shall be charged upon the issuance of any permit for the construction of any driveway, said fee to be retained for the general use of the Township.

**§ 21-208. Enforcement; Penalties. [Ord. 60, 8/12/1985; as amended by Ord. 155, 1/5/1998]**

1. When a violation of this Part is noted by the Supervisors, the property owner shall be notified in writing that the violation exists and that it must be corrected within 30 days.

2. If after notice and the requisite time period, no action is taken by the property owner, the Township Supervisors may enter upon the property where the violation exists and repair, maintain or reconstruct the drainage facilities or driveway in accordance with this Part and may thereafter institute summary proceedings against the violator.
3. Please see Chapter 1, Part 5, "Ordinance Enforcement Procedure."

**PART 3**  
**DRIVEWAY AND STREET ACCESS**

**§ 21-301. Purpose. [Ord. 363, 10/6/2014]**

The purpose of this Part is to regulate the location, construction, maintenance and drainage of driveways and other property within the rights-of-way of or connecting to streets, for the purpose of security, safety, and reasonable access, preservation of existing street operating capacity and condition, preservation of surrounding land uses, provision of adequate drainage and economy of maintenance.

**§ 21-302. Definitions. [Ord. 363, 10/6/2014]**

For the purposes of this Part, these terms shall be defined as follows:

**AVERAGE DAILY TRAFFIC** — the total volume of vehicle trips expected on a street or accessway during a specified period of time in whole days - - more than one day and less than one year - - divided by the number of whole days in that time period. One vehicle entering and exiting a property constitutes two trips.

**CURBLINE** — a line formed by the face of the existing curb or, in its absence, the outer edge of the shoulder, along which curbing is or may be located.

**DRAINAGE FACILITY** — a roadway or street hydraulic structure that performs the function of conveying, diverting, or removing surface water from the street right-of way.

**DRIVEWAY** — every entrance or exit used by vehicular traffic to or from properties abutting or connecting to a street. The term includes proposed public and private streets, lanes, alleys, courts, and ways, including acceleration and deceleration lanes and such drainage structures as may be necessary for the proper construction and maintenance thereof.

**EGRESS** — the exit of vehicular traffic from abutting properties to a highway.

**ENGINEER** — the Engineer of the Township of Jefferson, or his or her designee.

**FORM 408** — the latest revision of highway construction specifications issued by PennDOT.

**IMPROVED AREA** — the area within the street right-of-way which has been constructed for roadway purposes, including roadbed, pavement, shoulders, slope, sidewalks, drainage facilities and any other appurtenances.

**INGRESS** — entrance of vehicular traffic to abutting properties from a highway.

**PAVEMENT EDGE** — the edge of the main traveled portion of any street, exclusive of shoulder.

**PENNDOT** — the Pennsylvania Department of Transportation.

**PERMIT** — a street access permit issued by the Township of Jefferson pursuant to this Part. Access to state roads requires a permit from the Pennsylvania Department of Transportation (PennDOT).

**PLANS** — drawings which show the location, character, and dimensions of the proposed occupancy and related highway features, including layouts, profiles, cross sections, drainage and other details.

**ROADWAY** — that portion of a street improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder.

**SHOULDER** — the portion of the street, contiguous to the traffic lanes, for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses and pavements.

**SHOULDER LINE** — the intersection of the shoulder slope with the side slope or ditch slope.

**SIGHT DISTANCE** — the distance required by a driver traveling at a given speed to stop the vehicle after an object on the roadway becomes visible to the driver as defined by PennDOT regulations.

**STREET** — the area, including the entire width between right-of-way lines, over which the Township of Jefferson, County of Butler, Commonwealth of Pennsylvania, or other political subdivision, has assumed or has been given jurisdiction for vehicular travel purposes.

**STREET, ARTERIAL** — a street owned, operated and maintained by the Commonwealth of Pennsylvania or the County of Butler.

**STREET, LOCAL** — a street other than an arterial street.

**TOWNSHIP** — the Township of Jefferson, Butler County, Pennsylvania.

**TRAFFIC CONTROL DEVICE** — any sign, signal, marking, or device placed or erected for the purpose of regulating, warning, or guiding vehicular traffic or pedestrians, or both.

**VEHICLE** — every device in or by which any person or property is or may be transported or drawn upon a street.

**§ 21-303. Street Access Permits Required; Application Review. [Ord. 363, 10/6/2014]**

1. No driveway, street or drainage facility or structure shall be constructed or altered within a street or connect to the street, and no property located within 300 feet of a street having ingress or egress, directly or indirectly, via the street shall change its use in a manner which increases its average daily traffic to the street without first obtaining a permit from the Township.
2. The applicant shall submit a permit application, in writing, to the Township Secretary in the form prescribed by this Part. The permit application shall be signed by property owner and accompanied by proof of ownership.
3. The application shall include four sets of plans detailing location and pertinent dimensions of proposed installation and existing street features and drainage control plans if applicable. The permit fee, in an amount to be set by resolution of Township Board of Supervisors, shall be submitted with the application.
4. The Township Board of Supervisors, along with the Township Engineer, where necessary, shall review all applications and plans for permits required by this section. Within 90 days of submission, the Township Board of Supervisors shall approve, approve with modification or deny an application for a permit.
5. All necessary traffic signals installed after October 2009 shall be equipped with an emergency traffic preemption system to Township specifications provided by the Township Engineer.

**§ 21-304. Contents of Application Plan. [Ord. 363, 10/6/2014]**

The applicant is responsible for submission of four sets of plans which contain the following:

- A. The land use proposed for the property.
- B. A traffic control plan, if it is necessary to close a lane to vehicular traffic in order to perform the permitted work, for proposed public and private streets, lanes, alleys, courts, and ways [but excluding proposed driveways for a single residential lot with a single (single-family dwelling or duplex) unit].
- C. A drainage control plan if, as a result of action of the applicant, there will be an increase in the flow of water onto the street or into a street drainage facility. The plan must include: source of water, existing and proposed flow, existing and proposed drainage pattern, and hydraulic computations demonstrating adequate capacity in the drainage system to accept the additional flow. The plan also shall comply with the Township's stormwater management provisions.

- D. A driveway access plan for proposed public and private streets, lanes, alleys, courts, and ways [but excluding proposed driveways for a single residential lot for a single (single-family dwelling or duplex) unit], showing:
- (1) Driveway width, radii and other points of curvature, grades or profile view of drive, angle relative to the street and surface material.
  - (2) Dimensions of any traffic islands/dividers to separate traffic flow.
  - (3) Distance from proposed driveway to nearest intersecting street, driveways on adjacent properties (both sides of street); adjacent land uses; any traffic control devices.
  - (4) Sight distance in each direction from the proposed driveway or street.
  - (5) The projected average daily traffic volume for the driveway.
- E. A driveway access plan for a proposed driveway for a single residential lot with a single unit (single-family dwelling or duplex), showing:
- (1) Distance from proposed driveway to nearest intersecting street, driveways on adjacent properties (both sides of the street); adjacent land uses; and traffic control devices.
  - (2) Sight distance in each direction from the proposed driveway or street.
  - (3) Submission of an approved PennDOT occupancy permit for state road access.
  - (4) Follow drainage and stormwater requirements in both Chapter 21 and Chapter 26.
- F. The number of parking spaces which will be served by the proposed public and private streets, lanes, alleys, courts, and ways [but excluding proposed driveways for a single residential lot with a single (single-family dwelling or duplex) unit].
- G. A traffic impact study per the requirements of § 21-306 for proposed public and private streets, lanes, alleys, courts, and ways [but excluding proposed driveways for a single residential lot with a single (single-family dwelling or duplex) unit].

**§ 21-305. Specific Driveway and Road Design Requirements. [Ord. 363, 10/6/2014]**

No driveway will be approved unless all of the following conditions are met:

- A. General. The driveway must have safe sight distance, not impair normal street movement, not result in excessive traffic flow or congestion on streets and not create a safety hazard to the public.

B. Location. The following standards shall apply:

- (1) A driveway shall not be located at highway interchanges or ramp areas so as to interfere with proper functioning. A driveway shall not be located within 300 feet of any interstate highway interchange or ramp access area.
- (2) A driveway for a nonresidential use or a multifamily use in excess of two units (three or more) may only access a public street that has been adopted by the state or municipality. Access onto a private street or driveway is prohibited.
- (3) If the driveway is near a signalized intersection, the permittee shall be required to pay the costs of any modifications to the signals which are necessary to control traffic movements from the driveway.
- (4) If the property is a corner lot, the Township may restrict access to only one street.
- (5) The Township may require a permittee to locate the driveway directly across from a street or driveway in order to avoid any safety hazard.

C. Number. Township Board of Supervisors will approve only one access for a property, subject to review by the Board of Supervisors and Planning Commission.

D. Approach. The location and angle of access of the driveway in relation to street intersections shall be such that a vehicle entering or leaving a driveway can do so in an orderly and safe manner and with minimum interference with street traffic.

E. Design guidelines. The applicable requirements for "minimum" and "low volume" driveways found in PennDOT Regulations, 67 Pa. Code, § 1.8, shall apply unless otherwise specified by the provisions of this Part. These requirements may be modified by the Township to accommodate specific site or street conditions in order to protect the safety and traffic capacity of streets.

F. New or modified streets. New or modified streets and intersections, including, but not limited to, those requiring a traffic study pursuant to § 21-306, shall be designed for adequate traffic capacity defined as follows, unless otherwise approved by the Township Engineer. All reference to levels of service (LOS) shall be as defined in the Highway Capacity Manual, Special Report 209, published by the Pennsylvania Transportation Research Board.

- (1) Traffic capacity LOS shall be based upon a future design year which coincides with completion of the development and PennDOT requirements.

- (2) New unsignalized intersections or driveways which intersect streets shall be designed for LOS C or better for each traffic movement.
- (3) New or modified (additional approach created) signalized intersections shall be designed for LOS D or better for each traffic movement. Existing intersections impacted by development traffic shall maintain a minimum LOS D, or if future base LOS is E or F, then degradation in delays shall be mitigated. A future design year analysis without development shall be completed for comparison purposes.
- (4) Existing intersections impacted by development traffic shall maintain a minimum LOS D for each traffic movement.
- (5) Streets shall be designed for a minimum LOS C for each traffic movement.
- (6) Sight distance at driveways and new intersections shall meet standards specified by PennDOT regulations.

**§ 21-306. Applicant Responsible for Traffic Study. [Ord. 363, 10/6/2014]**

1. In the event the use or uses for the proposed driveway or road connecting with any street will generate average daily traffic volume in excess of 50 peak-hour trips based on the ITE Trip Generation Manual, the Township shall order a traffic study to be prepared by its Engineer, the expense of which is to be borne by the applicant and paid before review of the submitted plans. An application shall not be considered administratively complete until the traffic study is completed. The Township may require a traffic study for developments or changes in uses generating less than 50 additional vehicles during peak hours in cases where known traffic deficiencies exist in the area of proposed development or change in use. The Township may waive the study requirement for an individual development or change in use, where said development or change in use was incorporated as part of a previous traffic impact study.
2. The Township will provide a scope of study specifying the study area, intersections and any special requirements. Prior to initiation of the study, a meeting shall be held to review the scope of work. PennDOT may be invited to the meeting where appropriate. The study shall include the following:
  - A. Description of the proposed project in terms of land use and magnitude.
  - B. An inventory and analysis of existing roadway and traffic conditions in the site environs, including:
    - (1) Roadway network and traffic control.

- (2) Existing traffic volumes in terms of peak hours and average daily traffic, where specifically requested.
  - (3) Planned roadway improvements by others.
  - (4) Intersection levels of service.
  - (5) Roadway levels of service (where requested).
  - (6) Other measures of roadway adequacy; i.e., lane-widths, traffic signal warrants and vehicle delay studies.
- C. Projected site-generated traffic volumes in terms of:
- (1) Peak hours and average daily traffic trips (by phase if required).
  - (2) Approach/departure distribution including method of determination. This must be approved prior to performing future traffic analyses.
  - (3) Site traffic volumes in roadway.
- D. An analysis of future traffic conditions, with and without the proposed development, including:
- (1) Future design year, or years with phasing, combined traffic volumes (site traffic plus future roadway traffic). If the study is required for PennDOT review, the future design year shall be consistent with PennDOT requirements.
  - (2) Intersection levels of service.
  - (3) Roadway levels of service (where appropriate).
  - (4) A pavement analysis of roadways which are projected to experience significant increases in average daily traffic volumes (where appropriate).
  - (5) Other measures of roadway adequacy, i.e., lane-width, traffic signal warrants and vehicle delay studies.
- E. A description of future levels of service and their compliance with standards for traffic capacity of streets, intersections and driveways.
- F. A description and analysis of the proposed access plan and site plan.
- (1) On-site circulation plan showing parking locations and dimension, loading access, circulation roadway and traffic control.

- (2) Driveway access plan showing location of driveways and new intersections including geometric conditions and traffic control.

**§ 21-307. Penalties. [Ord. 363, 10/6/2014]**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$100 nor more than \$1,000 plus costs, including but not limited to reasonable attorney fees incurred by the Township, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.