

ORDINANCE NO. 1-2001

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL,
HUNTINGDON COUNTY, PENNSYLVANIA: REQUIRING ALL PERSONS
CONNECTING DRIVEWAYS TO TOWNSHIP ROADS
TO OBTAIN PERMITS THEREFOR; REQUIRING THE SUBMISSION
OF PLANS AND FEES FOR THE OBTAINING OF PERMITS;
REQUIRING DRIVEWAYS TO COMPLY WITH PENNDOT DESIGN
REQUIREMENTS AND OTHER REQUIREMENTS
OF THE ORDINANCE; AND PROVIDING PENALTIES FOR
THE VIOLATION OF THIS ORDINANCE

WHEREAS, the Township of Hopewell has suffered damage to roadways maintained by the Township as a result of improper connection of driveways to Township roadways;

WHEREAS, improper construction has resulted in dangerous driveway locations and hazardous driving conditions;

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

WHEREAS, the Township of Hopewell is authorized to require permits for driveway connections, to regulate driveway connections, to inspect driveway connections, to collect fees, and to enforce compliance with the regulations relating to driveway connections (53 P.S. §67322);

NOW, THEREFORE, it is hereby ENACTED and ORDAINED by the Board of Supervisors of the Township of Hopewell as follows:

SECTION 1: TITLE

This Ordinance shall be known as the "Hopewell Township Driveway Connection Ordinance."

SECTION 2: DEFINITIONS

For purposes of this Ordinance, the following definitions shall apply:

- A. BOARD: Board of Supervisors of Hopewell Township, Huntingdon County, Pennsylvania.
- B. CONTRACTOR: The person, firm, corporation or other business entity which intends to construct or install a driveway, including all agents, officers, or employees of that person, firm, corporation or business entity.
- C. DRIVEWAY: Any area of land designated or to be used as a means of ingress or egress for vehicles traveling from a Township roadway to any parcel of land or from any parcel of land to a Township roadway. Driveway shall also include such

drainage structures and erosion control materials as may be necessary for the proper function thereof.

D. OFFICE: The Hopewell Township office located at R.D. 1, Box 95, James Creek, PA 16657.

E. OWNER: The owner of the land upon which a driveway is located, constructed or installed or is proposed to be located, constructed or installed.

F. PENNDOT: Pennsylvania Department of Transportation.

G. PERMIT: The permit issued by the Board relating to the design and construction of driveways and driveway connections.

H. ROADWAY: Any road, street, highway, alley or public thoroughfare including the entire width between right-of-way lines whether or not actually maintained by Hopewell Township, and any road, street, highway, alley or public thoroughfare, including the entire width between right-of-way lines shown on a subdivision or land development plan intended to be dedicated to Hopewell Township in the future.

I. TOWNSHIP: Hopewell Township, Huntingdon County, Pennsylvania.

SECTION 3: GENERAL REQUIREMENTS

A. No owner or contractor shall hereinafter construct, install or allow any work to be performed toward the installation of any driveway within or abutting any Township roadway without the owner first obtaining a permit from the Township. A permit shall be obtained by having the owner submit an application to the Township Office to the Township's authorized agent for receiving such applications.

B. Each application shall be submitted to the Township Office in duplicate on a form furnished by the Township Office. The application shall be accompanied by two fees: one fee for processing the application and another fee for making an inspection of the work to be performed. The fees shall be in accordance with the prevailing "Schedule of Fees for Highway Occupancy Permits". A copy of the fee schedule is available at the Township Office.

SECTION 4: PLAN REQUIREMENTS

A. Any owner submitting an application shall additionally submit with the application two (2) sets of plans showing the design of the driveway and designating the width, radii, percent grade, sizes and materials to be used, and drainage facilities involved in the construction as applicable. The plans shall be prepared and sealed by a registered professional engineer if so directed by the Township.

B. The plans shall take into account and reflect the following:

1. Unless otherwise approved in writing by the Township, all driveway drainage pipes shall have a minimum diameter of 15 inches and be constructed in accordance with the following:

2. Concrete driveways shall be permitted within the Township road right-of-way only where curbing exists along the street edge.
3. When construction access is required, a "rock construction entrance" shall be provided in accordance with Exhibit "A". This entrance shall be located at the approved driveway location. Permanent drainage (i.e. cross culvert) and erosion control measures shall be installed as part of the "rock construction entrance".
4. Horizontal alignment geometrics for minimum use driveways shall be in accordance with the "minimum use driveway" detail attached as Exhibit "B".
5. Driveway vertical alignment geometrics shall be in accordance with the "drive entrance standards" detail attached as Exhibit "C".
6. Access driveways shall be located at a point within the property frontage limits which provides at least the minimum sight distances listed in the appropriate following table:

Table 1 - Safe Sight Distance for passenger cars and single unit trucks exiting from driveways onto two-lane roads.

Posted Speed (mph)	Safe Sight Distance - Left ¹ (feet)	Safe Sight Distance - Right ¹ (feet)
25	250	195
35	440	350
45	635	570
55	845	875

¹Measured from vehicle ten feet back of the pavement edge.

Table 2 - Safe Sight Distance for buses and combination trucks exiting from driveways onto two-lane roads.

Posted Speed (mph)	Safe Sight Distance - Left ¹ (feet)	Safe Sight Distance - Right ¹ (feet)
25	400	300
35	675	625
45	1,225	1,225
55	2,050	2,050

¹Measured from vehicle ten feet back of the pavement edge.

SECTION 5: **APPROVAL OF APPLICATION AND GRANTING
OF PERMIT**

A. The application and plans shall be reviewed by the Board or its agents, in order to determine if the proposed construction will:

1. Eliminate the hazardous effects of storm water runoff; and
2. Protect the Township roadway from damage by the construction;
and
3. Comply in general with this Ordinance and Township design requirements promulgated by PennDOT publication number 70, chapters 441 and 459 of Title 67 and the design criteria of the other publications incorporated therein by reference which are in effect as of the date the application is filed. Requested deviations from this Ordinance or PennDOT requirements in design criteria must be approved in writing by the Township or its authorized agents.

B. If the plans meet the criteria set forth in this Ordinance, the agents reviewing the application and plans shall so advise the Board whereupon the Board, or its agents, shall issue the permit to the owner applying for the permit within thirty days after the review is complete and after the results have been reported to the Board.

C. If the application and plans are found to be deficient, or if in the opinion of the Board or reviewing agent, the plan should be modified or amended to meet the criteria set forth in this Ordinance, the reviewing agent or the Board shall notify the owner seeking the permit in writing of the changes to be made, whereupon the owner shall make such changes and return the revised plan to the Township Office. When the plan is acceptable to the reviewing agent and the Board, the Board shall issue a permit to the owner applying for the permit as set forth in subsection B above.

D. When the Township grants the permit, the Board or its agents shall inspect the work authorized by the permit upon the completion thereof. All construction or work done in relation to any driveway shall conform to the plans approved by the Board, PennDOT specifications and other requirements of this Ordinance. The Township shall notify the owner of any defects in the work or construction in writing. Any construction or work that does not comply with the approved plans, PennDOT specifications and other requirements of this Ordinance shall constitute a violation of this Ordinance and may be ordered by the Township and its authorized agents to be corrected, and the Township may enforce compliance as set forth below.

SECTION 6: **SUBSEQUENT INSPECTIONS**

The Board of Supervisors or its agents may, in their discretion and in addition to any inspections listed above, reinspect the work authorized under the permit not more than two years after the completion of the work, and if any settlement of the roadway or driveway surface or other defect appears in the work contrary to the conditions, restrictions and regulations of the Township as provided in this Ordinance, the Township may notify the owner, in writing, of the defect and may order that the defect be corrected and may enforce compliance as set forth below.

SECTION 7: EMERGENCY CONSTRUCTION

Nothing in this Ordinance shall be construed to require a permit in advance for emergency construction necessary for the safety of the public. Any emergency construction, however, shall be made in compliance with the specifications set forth in this Ordinance, and an application for a permit and the fees shall be submitted within five (5) days after completion of the work, after which time the remaining provisions of this Ordinance shall apply.

SECTION 8: PERMIT REQUIRED FOR EACH DRIVEWAY

Each driveway, whether or not serving the same parcel of land, shall require an individual permit.

SECTION 9: ENFORCEMENT

- A. If the owner fails to rectify a defect which presents an immediate or eminent safety or health problem within 48 hours or any other defect within 60 days after written notice from the Board or its agents to do so, the Board or its agents may do the work and impose upon the owner the cost thereof, together with an additional twenty percent (20%) of the cost, which may be recovered by an action in assumpsit in the Court of Common Pleas of the County wherein the Township is located.
- B. In addition to the remedies above, any owner who violates any provision of this Ordinance shall be fined \$600.00 per violation. The violator shall pay the fine voluntarily to the Township Office. In the event the fine is not paid by violator, the Township may initiate a civil enforcement proceeding against the violator. The enforcement procedure shall be initiated by complaint before a district justice as provided by the applicable Pennsylvania Rules of Civil Procedure. In the event the violator is found to be liable, the violator shall be liable for the penalty imposed, including additional daily penalties for continuing violations, plus court costs and reasonable attorneys fees incurred by the Township in pursuit of the enforcement proceedings.
- C. Each day's violation of this Ordinance shall be considered a separate offense under this Ordinance.
- D. The Township may also enforce this Ordinance through an action in equity brought in the Court of Common Pleas of the County where the Township is situated.
- E. All fines and penalties collected for the violation of this Ordinance shall be paid to the Township treasurer.

SECTION 10: CONSTRUCTION OF ORDINANCE

All terms in the singular shall also include the plural and all terms in the masculine gender shall also include the feminine gender unless the context clearly indicates otherwise or would lead to an absurd interpretation.

SECTION 11: REPEAL

All ordinances and resolutions or parts of ordinances and resolutions, insofar as they are inconsistent herewith are hereby repealed.

SECTION 12: 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 effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared that it is the intent of the Board that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not have been included herein.

SECTION 13: EFFECTIVE DATE

The effective date of this Ordinance shall be five days after its adoption.

ENACTED AND ORDAINED as an Ordinance of the Township of Hopewell this
_____ day of _____, 2000.

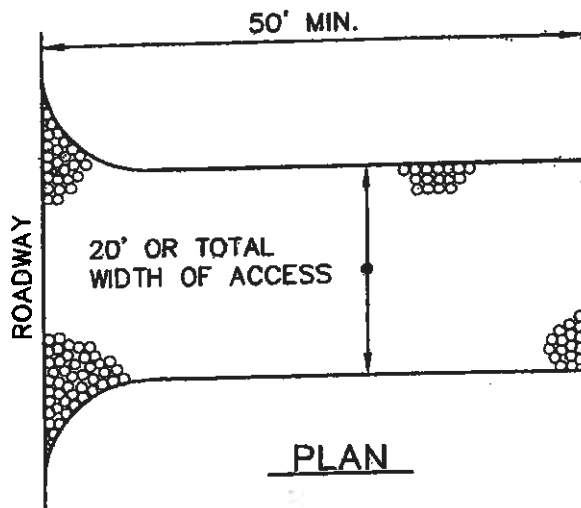
ATTESTED:

Reba Fouse, Secretary

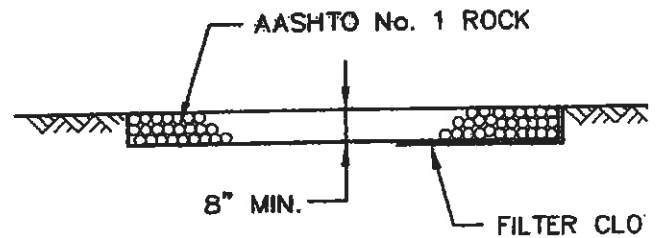
Gerald Treece, Chairman

Matthew Baker

Fred Thompson



PLAN



SECTION

1. ROCK WILL BE AASHTO No. 1 AS SPECIFIED IN SECTION 703.2 OF THE PENN DOT PUBLICATION 408.
2. CONSTRUCTION: CONSTRUCTION WILL BE TO THE DIMENSIONS SHOWN ON THE DETAIL.
3. THE STRUCTURE'S THICKNESS WILL BE CONSTANTLY MAINTAINED TO THE SPECIFIED DIMENSION BY ADDING ROCK. A STOCKPILE OF ROCK MATERIAL WILL BE MAINTAINED ON THE SITE FOR THIS PURPOSE. AT THE END OF EACH CONSTRUCTION DAY, ALL SEDIMENT DEPOSITED ON PUBLIC ROADWAYS, WILL BE REMOVED AND RETURNED TO THE CONSTRUCTION SITE. WASHING OF THE ROADWAY WITH WATER IS NOT PERMITTED.
4. FILTER CLOTH WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
5. ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICABLE, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
6. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ON TO PUBLIC ROADWAYS. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC ROADWAYS MUST BE REMOVED IMMEDIATELY.
7. WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC ROADWAYS. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
8. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

HOPEWELL TOWNSHIP DRIVEWAY CONNECTION ORDINANCE – EXHIBIT

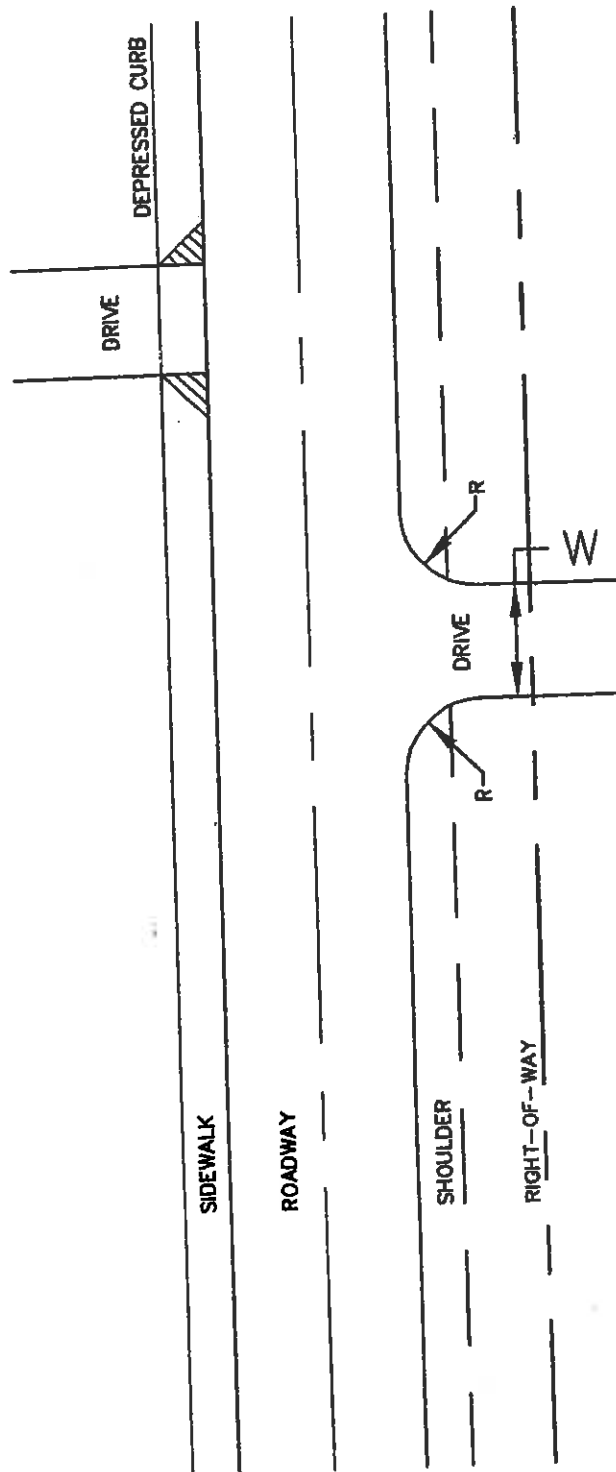
STABILIZED CONSTRUCTION ENTRANCE

DATE	REVISION
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SCALE



CET Engineering Services

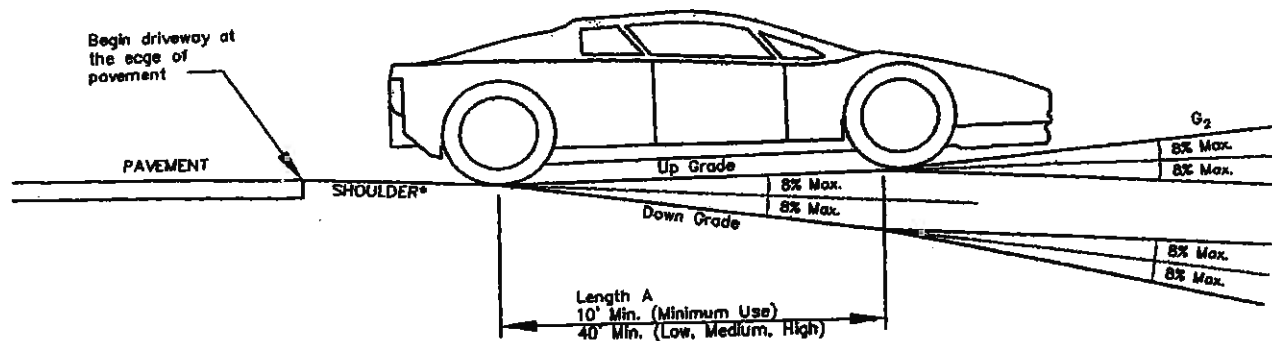


SINGLE UNIT TRUCKS & PASSENGER CARS		BUSES AND COMBINATION TRUCKS	
ROADWAY SPEED		ROADWAY SPEED	
<45MPH		<45MPH	
MIN.	MAX.	MIN.	MAX.
10'	20'	12'	15'
5'	15'	35'	50'
	10'	25'	40'
			55'
W			
R			

HOPEWELL TOWNSHIP DRIVEWAY CONNECTION ORDINANCE – EXHIB

MINIMUM USE DRIVEWAY

DATE	REVISION
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- * The shoulder slope usually varies from 1/2" per ft. (4%) to 3/4" per ft. However, the shoulder slope should be maintained when constructing the driveway.

For grade changes greater than those shown above, vertical curves at least 10 feet long shall be constructed and length "A" shall be adjusted.

Grades (G₂) shall be limited to 15% for minimum use driveways and from five percent to eight percent for low, medium or high volume driveways within the right-of-way.

Maximum Grade Change (D)

	<u>Desirable</u>	<u>Maximum</u>
High Volume Driveway	0%	±3%
Medium Volume Driveway	±3%	±6%
Low Volume Driveway	±5%	Controlled by Vehicle Clearance

HOPEWELL TOWNSHIP DRIVEWAY CONNECTION ORDINANCE — EXHIBIT

DRIVE ENTRANCE STANDARDS

CET Engineering Services

DATE	REVISION
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SCALE	

Permit No. _____

Hopewell Township, Huntingdon County
PO Box 6
James Creek, PA 16657
814-330-0049
hthcpa@gmail.com

Permit Valid Until _____

**DRIVEWAY CONNECTION PERMIT
APPLICATION**

Address of Proposed
Driveway _____

Property Owner _____ Phone Number _____

Property Owner's Address
(If different from Driveway) _____

Contractor _____ Phone Number _____

Contractor's Address _____

I hereby acknowledge that I am aware of the Rules and Regulations of the Hopewell Township Supervisors described in Ordinance No. 1-2001 certify that the work to be performed under this permit shall conform thereto. I further acknowledge that I am the owner of the above property.

Signature _____ Date _____

Received by: _____ (for completion by Hopewell Township)

Approved by: _____ (for completion by Hopewell Township)

Driveway Permit Application must be submitted in duplicate and include the following items:

1. Two (2) sets of plans showing design of driveway, designating width, radii, grades, sizes and materials to be used, and drainage facilities
2. Processing Fee and Inspection Fee*.

*Fees shall be in accordance with Schedule of Fees for Highway Occupancy Permits. A copy of the Schedule of Fees is available from the Township.

Notes: