

AN ORDINANCE REQUIRING DRIVEWAY PERMITS

BE IT ENACTED AND ORDAINED by the Supervisors of Cooper Township, Montour County, Pennsylvania, as follows:

PERMIT REQUIRED.

A. Before any private driveway may be constructed, the applicant shall furnish a sketch plan of the proposed driveway to the Township Secretary. The sketch plan shall adequately describe the design of the driveway, including:

- (1) Location and width.
- (2) Other existing features pertinent to the driveway such as physical features and slope.
- (3) Provisions for drainage.
- (4) Surfacing materials to be utilized for the construction of the driveway.
- (5) Existing rights-of-way adjoining the driveway.

B. When the Township Secretary receives the sketch plan for the driveway, he or she will forward a copy of the driveway request to the Supervisors or the Township Engineer for the Supervisor's review and approval.

ADDITIONAL REQUIREMENTS.

Issuance of a permit under these regulations does not relieve the permittee from any additional responsibility to secure other federal, state or local approvals or permits as may be required by law.

PERMIT FEES.

A. Permit issuance fees. Permit fees shall be used to defray costs incurred by the township in reviewing and processing the application and plan, including preliminary review of the site location identified in the application, and issuing and processing the permit. The permit

fee for driveways is set at Twenty-five (\$25.00) Dollars. This fee may be modified from time to time by resolution of Township Supervisors.

B. Work completion notification. When all permitted work has been completed, the applicant shall notify the township for final inspection. The final inspection of the driveway shall be performed by the Township Supervisors and/or Engineer.

GENERAL DRIVEWAY REQUIREMENTS.

A. Slope, rise, grade and drainage. The least possible slope shall be used for any driveway.

B. General location restrictions. Access driveways shall be permitted at locations in which:

(1) Sight distance is adequate to safely allow each permitted movement to be made into or out of the access driveway;

(2) The free movement of normal highway traffic is not impaired; and

(3) The driveway will not create a hazard.

C. Sight distance. All driveways shall be situated in such a fashion so that safe driveway access onto the township right-of-way can be provided. In a situation where significant safety hazards exist, such as excessive slope or areas of extremely limited sight distance, a driveway permit may be denied, based on the Township Supervisors' and/or Engineer's review and recommendation.

ISSUANCE OF PERMIT.

If the Supervisors and/or Township Engineer approves the driveway application, then the Township Secretary shall issue a permit for the construction of the driveway.

RECTIFICATION OF IMPROPER WORK.

In case any person shall construct a driveway or a curb cut that does not conform to the requirements of this Article, or if any person constructs a driveway without obtaining a permit to do so, the Township may order such person, firm or corporation to remove the improper work and replace the same in compliance with this Article. Notice to remove and replace improper or unpermitted 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 notice to comply therewith. Upon compliance, the Township may do or cause the requested repairs to be done and may levy the cost of its work on such owner as a property lien to be collected in any manner provided by law.

VIOLATIONS AND PENALTIES.

Any person, firm or corporation who shall violate any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine of not more than Six Hundred (\$600.00) Dollars, and in the event of default in payment thereof, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Article continues shall constitute a separate offense.

RESOLUTION

WHEREAS, on April 8, 1999, the Cooper Township Supervisors enacted an ordinance entitled An Ordinance Requiring Driveway Permits setting forth requirements and fees for the issuance of a driveway permit; and

WHEREAS, said Ordinance provides for a fee in the amount of \$25.00 for the issuance of a driveway permit and further provides that the fee may be modified from time to time by resolution of the Township Supervisors; and

WHEREAS, the Township Supervisors desire to increase the fee from \$25.00 to \$125.00 to cover the additional costs of review and processing the driveway permit applications.

NOW THEREFORE, BE IT RESOLVED that the Supervisors of Cooper Township hereby change the permit issuance fee for each driveway permit issued in Cooper Township from \$25.00 to \$125.00. The fee increase shall be effective on the date that this resolution is adopted, January 8, 2009.

RESOLVED this 8th day of January, 2009.