

DRIVEWAYS
ORDINANCE NUMBER: 07-2011

AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE TOWNSHIP OF MIFFLIN, DAUPHIN COUNTY,
PENNSYLVANIA, ESTABLISHING STANDARDS AND
REQUIRING PERMITS FOR THE CONNECTION OF
DRIVEWAYS TO THE ROADWAYS OF THE
TOWNSHIP AND PROVIDING FOR PENALTIES FOR
FAILURE TO COMPLY.

WHEREAS, the Second Class Township Code (53 P.S. § 67322) authorizes the Board of Supervisors for the Township of Mifflin set standards and require permits for the connection of driveways to the Township's roadways and permits the Township to assess penalties for failure to comply with the rules promulgated thereunder.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors, Township of Mifflin, Dauphin County, Pennsylvania, as follows:

Section 101 - Findings

The Board of Supervisors for the Township of Mifflin has determined that unrestricted driveway connections to the Township's roadways pose a serious safety concern for Township residents and all those who use the Township's roadways. It is the Board of Supervisors' desire to enact this ordinance to regulate and control the connection of driveways to the Township's roadways to ensure that such connections are done in the safest manner possible.

Section 201 - Applicability

In accordance with the provisions of the Second Class Township Code (53 P.S. § 67322), as amended, no driveway connections shall be laid upon, or in, any portion of a Township road or right of way except under the conditions, restrictions and regulations specified in this ordinance or permits granted by the Township for that purpose.

Section 202 - Application

At least 30 days before construction of a proposed driveway or other obstruction within or upon the Township road or right-of-way, an application for a permit should be submitted in duplicate to the Township Board of Supervisors on a form provided by the Township. Where appropriate, the Township may require additional data not present on the form.

Section 301 - Submission of Plan

A scale drawing of the proposed driveway connection shall be submitted at the time of the application. In lieu of such a drawing, the Township Board of Supervisors may permit a sketch or diagram in a form approved by the Township. In all cases; however, the Township reserves the right to require a more detailed plan or drawing before approving any permit application.

Section 401 - Fee

Each application shall be accompanied by an application fee and inspection fee in an amount determined by the Commonwealth of Pennsylvania, Department of Transportation.

Section 501 - Standards

All driveway connections to roadways within the Township shall conform to the following standards, which may be amended from time to time:

- a. There shall be no more two driveways per 100 feet of road/lot frontage.
- b. When two driveway connections serve one single-family dwelling, no portion of the driveway shall be closer than 12 feet from the other driveway.
- c. No portion of any driveway shall be closer than 3 feet to a side property line and no driveway flare shall extend beyond the boundaries of the property line.
- d. Each driveway shall be at least 10 and no more than 35 feet in width, measured at right angles from the center of the driveway except for permissible increase for driveway flare.

- e. The radius of both curbs or flares must be at least five feet for cars and shall be adjusted accordingly for driveways primarily used by trucks or farming vehicles so as to create a clear line of sight for a safe distance as determined by the Board of Supervisors.
- f. No driveway shall cross a street right-of-way within 40 feet of the street right-of-way for an intersecting street.
- g. No driveway shall cross the street right-of-way line within 10 feet of any fire hydrant, utility pole, drainage basin or other obstruction located within the right-of-way.
- h. No driveway shall be constructed in such a manner to permit drainage or runoff from leading onto, or causing damage to, any property not owned by the permit applicant.
- I. All owners of driveways shall be required to keep the Township road on which their driveway is connected free from all debris, stones, dirt or other material caused by runoff, ingress or egress from the applicant's driveway.
- j. All driveways shall be designed and constructed in such a manner to give a clear and unobstructed view of the roadway for a safe distance in both directions, taking into account the design, condition, speed limit and other relevant factors of the roadway. No driveway shall exceed a slope of 10° within 12 feet of the street line.

Section 601- Permit

Upon review of the plan or sketch required by this ordinance and verification of compliance with the conditions stated herein, a permit shall be issued. Unless a dangerous condition necessitates emergency repairs, no work shall begin until such permit is issued. If emergency repairs are required, a permit application shall be tendered within three days from the start of repairs.

Section 701- Notice of Completion

Upon completion of the work authorized by this permit, the applicant shall, within five days, give written notice of completion to the Township.

Section 801 - Inspection

Upon completion of the work, the Township shall inspect the work and, if required, enforce compliance with the conditions, restrictions and regulations provided herein and by the applicant's permit requirements. If any defect or settlement occurs to the work within two years from the date of completion, the applicant, upon written notice from the Township, shall have 60 days to make the required repairs. If repairs are not made within 60 days the Township may have the work performed; the cost of such work, together with an additional 20% shall be charged to the owner. This amount shall immediately constitute a lien on the affected property and may be entered as such in the courthouse records.

Section 901 - Penalties

Any person who shall violate any portion of this ordinance, shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600.00 plus costs and reasonable attorney's fees. In default of payment thereof, any person violating any provision of this ordinance shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this ordinance occurs shall constitute a separate offense.

Section 1001 - Repealer

Any ordinance or resolution of the Township of Mifflin Board of Supervisors enacted prior to the date of this ordinance that is inconsistent with any provision of this ordinance is hereby repealed as of the effective date of this ordinance.

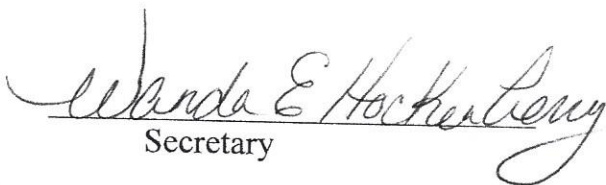
Section 1101 - Effective Date

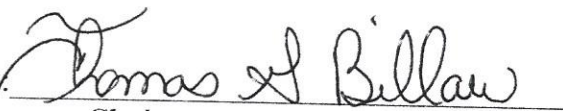
This ordinance shall become effective 45 days from the adoption thereof.

ENACTED and ORDAINED this 12 day of July, 2011. This Ordinance to be effective 45 days from the date stated above.

Attest:

Township of Mifflin
Board of Supervisors


Secretary

By: 
Chairman

I, Wanda Hockenberry, Secretary of the Board of Supervisors of the Township of Mifflin, Dauphin County, Pennsylvania do hereby certify that this copy of this Ordinance is a true and correct copy of the original which was adopted by the Mifflin Township Board of Supervisors at a regularly scheduled, duly advertised meeting that was held on July 12, 2011, at 6:30 p.m.

Wanda E Hockenberry

Wanda Hockenberry, Secretary