

ORDINANCE No. 2013-01

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT PLEASANT,
ADAMS COUNTY, PENNSYLVANIA, REGULATING DRIVEWAY
CONSTRUCTION, REQUIRING A PERMIT AND FEE, PROVIDING
FOR CORRECTION OF IMPROPER WORK AND PRESCRIBING
PENALTIES FOR VIOLATIONS**

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF MOUNT PLEASANT TOWNSHIP, Adams County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

Section 1. Title and Applicability

- A. This Ordinance shall be known as “THE MOUNT PLEASANT TOWNSHIP DRIVEWAY ORDINANCE”.
- B. This Ordinance shall apply to all new driveways constructed after the effective date of this Ordinance. The Provisions of this Ordinance shall also apply to existing driveways that are improved after the effective date of this Ordinance. Driveway improvements subject to this Ordinance include paving, repaving, widening for the purpose of adding additional lanes, and constructing, changing or modifying a driveway entrance. Normal repairs and maintenance shall not be subject to this Ordinance.
- C. New driveways accessing State roads are subject to the provisions of this Ordinance for those portions of the driveway outside of the State right-of-way.

Section 2. Permit Requirements

- A. No person, firm, corporation or other entity shall perform or allow any construction, excavation or other work in connection with any driveway or perform any work within the Township affecting storm water flow or discharge within the right-of-way of any road until a permit has been issued by the Township for such work.
- B. A permit application shall be submitted to the Township by the owner or authorized representative of the owner prior to the issuance of a driveway permit. The application shall be on a form provided by the Township, and shall be accompanied by the fee established by the Township from time to time.
- C. The Township shall review the application and either issue a permit or provide written comments as to why the permit cannot be issued as applied for.
- D. Should the Township not act on an application submitted hereunder within fifteen days after receipt of the application, the application shall be deemed approved.

Section 3. Inspections

- A. The Township shall inspect each driveway being constructed pursuant to a permit to determine whether it is being or has been constructed in accordance with the permit. The permittee shall contact the Township to request an inspection at least three days prior to completion of the work.
- B. Upon satisfactory completion of the work, the Township shall sign the permit indicating approval of the driveway as constructed or reconstructed.

Section 4. Driveway Standards

- A. All driveways and related improvements shall be located and constructed in such a manner as to not impair drainage or normal maintenance within road rights-of-way, alter the stability of a roadway, subgrade, or roadway embankment, change the drainage of adjacent areas, or interfere with the traveling public.
- B. Repairs to a driveway, a driveway entrance, drain, culvert or swale shall be performed in such a manner that the repairs shall not change the original design or existing conditions unless a new design and specifications are submitted for approval.
- C. Pipes under driveways shall be sized based on the 10 year storm event runoff, but shall not be less than 15" in diameter in any case.
- D. Driveway entrances shall be located so as to provide safe access to the intersecting road. To accomplish this, Pennsylvania Code, Title 67, Transportation, Department of Transportation, Chapter 441, Access to and Occupancy of Highways by Driveways and Local Roads, shall be used as a guide and the requirements therein shall be followed as closely as reasonably possible, subject to the review of the Township.
- E. Driveway Grades shall be in accordance to Detail No. 02500-4 in section 02500 of the Mount Pleasant Township Construction and Materials Specifications.
- F. Not more than one driveway entrance shall be permitted for a residential driveway.
- G. Not more than two driveway entrances shall be permitted for a non-residential driveway. Driveway entrances and exits shall be clearly delineated by physical means. Such physical means shall not be located within the Township right-of-way. Line painting may also be required.
- H. Driveway entrance radius shall be in accordance to Detail No. 02500-4 in section 02500 of the Mount Pleasant Township Construction and Materials Specifications.

- I. Driveways shall intersect roads as nearly as possible to ninety degrees, but not less than sixty degrees nor greater than one hundred twenty degrees.
- J. On those portions of the driveway with slopes greater than eight percent that are within one hundred feet of the intersecting roadway, the driveway surface shall be paved with a Bituminous Surface Treatment (i.e. oil and chip) at a minimum. Alternate proposals for driveway construction may be permitted on a case-by-case basis by the Township provided the intent of this Ordinance is maintained.
- K. Every new driveway shall provide for a safe turn around area outside of the road right-of-way.
- L. A plan or description of proposed methods for controlling stormwater runoff and erosion and sedimentation control shall be submitted with each application for a permit. A driveway shall not be used as a means of conveying stormwater runoff away from the physical improvements on the property. Stormwater runoff shall be directed to stable, pervious areas whenever possible.
- M. No driveway shall be located closer than five (5) feet to a property line.
- N. In the preparation of land development and subdivision plans, evidence shall be submitted to show that the requirements set forth herein can be met for each proposed building lot. A note shall be placed on the plan, before it is recorded, stating that each individual lot owner will be responsible for obtaining a driveway permit as required by this Ordinance. The note shall make specific reference to the number and name of this Ordinance.

Section 5. Correction of Improper Work

In case any person shall construct a driveway and shall not conform to the requirements of this Ordinance, the Township may order such person to remove the improper work and replace same in compliance with this Ordinance. Notice to remove and replace improper work shall be given by certified mail, and shall state that compliance shall be made within thirty days from receipt of the notice.

Section 6. Penalties for Violations

Any person found to be in violation of this Ordinance shall be guilty of a summary offense and, upon conviction, shall be sentenced to pay a fine of not more than Three Hundred Dollars for the first day of each offense. Each day that a violation continues shall constitute a separate offense. The second and subsequent days of each offense shall be punishable by a fine of not more than One Hundred Dollars.

Section 7. Repealer

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

Section 8. Severability

If any sentence, clause, section, or part of this Ordinance is found to be invalid, such finding shall not affect or impair any of the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had all unconstitutional, illegal or invalid sentences, clauses, sections or parts hereof not been included herein.

Section 9. Effective Date

This Ordinance shall take effect five days after enactment as provided by law.

ENACTED AND ORDAINED THIS 25th day of July, 2013.

BOARD OF SUPERVISORS OF MOUNT
PLEASANT TOWNSHIP, ADAMS COUNTY,
PENNSYLVANIA

BY: Larry E. Gebhart
Larry Gebhart, Chairman

BY: Richard Riser, Jr.
Richard Riser, Jr., Vice Chairman

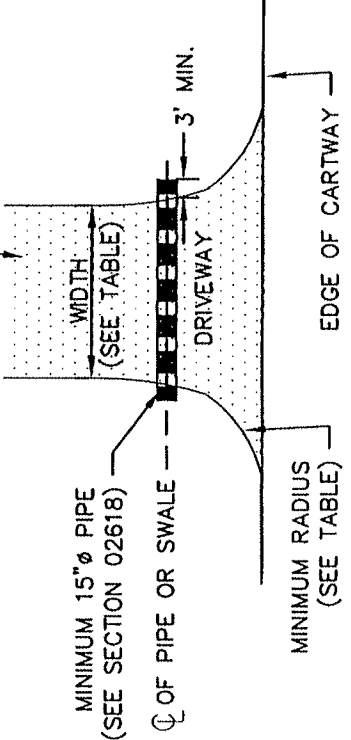
BY: Charles Wilson
Charles Wilson, Supervisor

Attest:

Diane Groft
Diane Groft, Secretary

	Single Unit Trucks and Passenger Cars		Buses and Combination Trucks	
	Roadway Speed		Roadway Speed	
	< 45 mph	≥ 45 mph	< 45 mph	≥ 45 mph
	min. max.	min. max.	min. max.	min. max.
Width	10' 20'	10' 20'	15' 20'	12' 20'
Radius	5' 15'	10' 25'	35' 50'	40' 55'

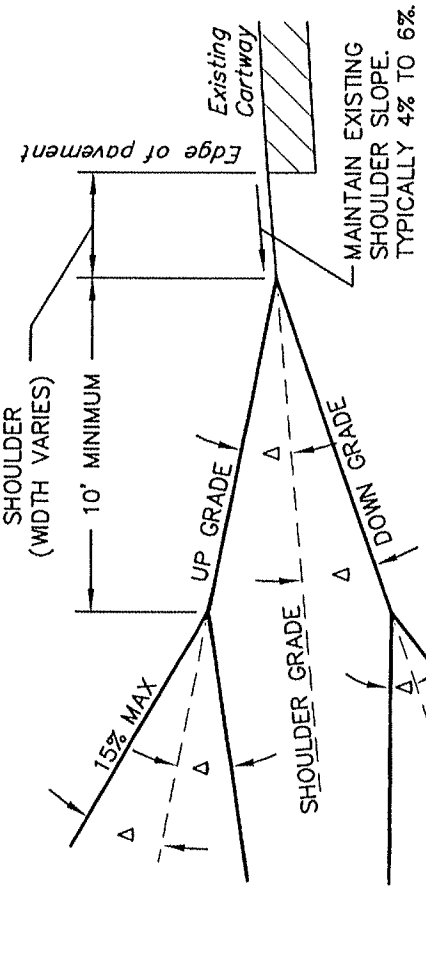
RIGID PAVEMENTS SUCH AS PORTLAND CEMENT ARE NOT PERMITTED WITHIN FOUR FEET OF THE EDGE OF THE CARTWAY.



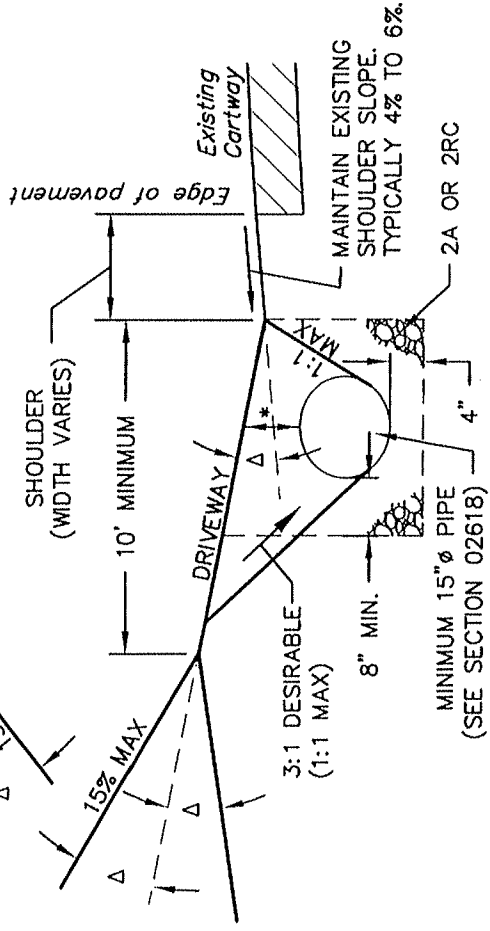
DRIVEWAY PLAN

NOTES:

- 1) THIS DETAIL IS FOR USE ON MINIMUM USE DRIVEWAYS WHICH HAVE < 25 VEHICLES PER DAY. FOR DRIVEWAY PROPOSING >25 VEHICLES PER DAY, A DESIGN MUST BE PREPARED IN ACCORDANCE WITH PA CODE TITLE 67 CHAPTER 441 AND APPROVED BY THE TOWNSHIP.
- 2) EMBANKMENT SLOPES ON CUTS OR FILLS SHALL NOT EXCEED 3:1.
- 3) DRIVEWAYS OVER 8% MUST BE PAVED WITH A BITUMINOUS SURFACE WITHIN 100 FEET OF INTERSECTING ROADWAY.



WITHOUT CULVERT



WITH CULVERT

- Δ THE CHANGE IN GRADE SHALL NOT EXCEED 8%
- * 1' MIN. COVER FOR PLASTIC PIPE OTHERWISE RCP OR CMP MUST BE USED

PROFILE

MOUNT PLEASANT TOWNSHIP CONSTRUCTION & MATERIAL SPECIFICATIONS



38 N. DUKE STREET YORK, PA • PHONE (717) 846-4805 • FAX (717) 846-5811
 50 WEST MIDDLE ST. GETTYSBURG, PA • PHONE (717) 337-3021 • FAX (717) 337-0782
 315 W. JAMES ST., SUITE 102 LANCASTER, PA • PHONE (717) 481-2991 • FAX (717) 481-6690
 WWW.CSDAVIDSON.COM

DRAWN BY	CJM
CHECKED BY	CML
SCALE	N.T.S.
DATE	7/25/2013
DWG. NO.	MP 02500-4
FILE NO.	3128-9-07.00

MINIMUM USE DRIVEWAY DETAIL
 (< 25 VEHICLES PER DAY)

MOUNT PLEASANT TOWNSHIP

ADAMS COUNTY, PENNSYLVANIA