

ORDINANCE NO. 48

REVISION TO ORDINANCE NO 10

AN ORDINANCE PROVIDING FOR THE INSTALLATION OF DRAINAGE FACILITIES IN THE CONSTRUCTION OF PRIVATE ROAD OR ROADS INTENDED FOR PUBLIC USE ADJOINING TOWNSHIP ROADS, PROVIDING FOR THE MANNER OF CONSTRUCTION, INSPECTION OF THE CONSTRUCTION, MAINTENANCE OF THE FACILITIES, AND FURTHER PROVIDING A PENALTY FOR THE VIOLATION OF THE TERMS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED by the Supervisors of Jackson Township, Monroe County, Pennsylvania, and it is hereby enacted and ordained under the authority of the same as follows:

SECTION 1: From and after the adoption of this Ordinance, no private road, driveway or alley or road intended for public use joining any Township road shall be constructed without first providing for the installation of drainage facilities at the intersection of such roads, driveways or alleys with the Township road in accordance with the specifications adopted by the Supervisors.

SECTION 2: Before construction of such roads, driveways, or alleys, the person for whose benefit said roads, driveways or alleys are being constructed shall file with the Supervisors of Jackson Township an application in form prescribed by said Supervisors setting forth the name of the applicant, place of construction, and the type of construction, together with a sketch showing the location and size of the proposed driveway, and the type of proposed drainage. Such application shall be accompanied by payment in the amount as set forth in Section 3.

SECTION 3: Driveway Permits. The fee for such driveway permits shall be payable at time of the application for the permit fees, and are as follows:

- (a) Minimum Use - Residential driveway permit fee - Twenty-Five (\$25.00) Dollars.
- (b) Medium Volume - Commercial use driveway permit fee - Fifty (\$50.00) Dollars.
- (c) High Volume - Commercial use driveway permit fee - One Hundred (\$100.00) Dollars.

SECTION 4: Completion Time - Driveway. The driveway permit shall require the completion of said driveway within six (6) months from date of issuance of the original permit; provided, however, at any time prior to the expiration of the original permit the applicant, on application, may obtain only one (1) additional renewal permit by paying one-half (1/2) of the total costs of the original permit fee which shall entitle the applicant to an additional six (6) months to complete the project. The original, and renewal permit application must include a copy of the site plans, drawn to scale.

SECTION 5: Upon receipt of such application, the Supervisors or their authorized representative shall make an inspection of the place of the proposed construction and ascertain the proper drainage facilities to be provided at such intersection.

SECTION 6: Upon receipt by the Supervisors of the report of the inspecting officer of the Township, the Supervisors shall issue a permit to the applicant approving such construction and directing the type of drainage facilities which must be provided.

SECTION 7: Any driveway constructed pursuant to permit issued under Section 4 hereof shall be not less than twelve (12) feet wide at its intersection with the edge of the Township road.

SECTION 8: The type of drainage facilities to be provided shall be determined in the sole discretion of the Supervisors. The requirement for such drain shall be an eighteen (18) inch drain if, in the opinion of the Supervisors or authorized representatives, it is necessary.

SECTION 9: The installation of the type of drainage facilities approved in each particular case shall be in accordance with the requirements adopted by the Supervisors.

SECTION 10: Upon completion of the installation of the drainage facility, the Township Supervisors shall make an inspection of the installation to determine that the same has been completed in accordance with the requirements of the Township.

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SECTION 11: It shall be the obligation of the person for whose benefit said roads, driveway or alley were constructed, or his successors and assigns, to maintain and keep open such drainage facility.

SECTION 12: No road hereafter presented to the Supervisors for acceptance as part of the Township Road System shall be accepted by the Supervisors unless each intersecting private or public road, driveway, or alley shall be equipped with drainage facilities meeting the specifications of the Supervisors as prescribed in this Ordinance.

SECTION 13: It shall be unlawful for any person to enlarge, alter or reconstruct or pave any existing private road, driveway, alley, or road intended for public use at its intersection with any Township road without first complying with the terms of this Ordinance.

SECTION 14: Whenever, in the opinion of the Supervisors, an existing drainage facility under any private road, driveway or alley creates a drainage problem along the adjoining Township road, the Supervisors shall notify the property owner of such condition, which condition shall be remedied by the property owner by the installation of proper drainage facilities within the terms of this Ordinance within sixty (60) days of receipt of such notice.

SECTION 15: Any person who shall violate any terms of this Ordinance or who shall fail to maintain and keep open such drainage facility or who shall stop, fill up, or injure any such drainage or shall divert or change the course thereof without the authority of the Supervisors, shall upon conviction thereof in a summary proceeding, pay a fine of not more than Three Hundred (\$300.00) Dollars for each such offense, together with the cost of restoring such drainage facilities, and in default of the payment of such fine and costs, and shall be sentenced to imprisonment of not more than thirty (30) days. All fines and costs so recovered shall be paid to

the District Justice.

Enacted into an Ordinance this 14th day of

April, 1988.

JACKSON TOWNSHIP SUPERVISORS

Edward Possinger
Edward Possinger

Jack Rader
Jack Rader

Robert Moore
Robert Moore

ATTEST:

Norma H. Jones
Secretary