

COVINGTON TOWNSHIP DRIVEWAY ORDINANCE

CHAPTER 1. ACCESS TO AND OCCUPANCY OF ROADWAYS BY DRIVEWAYS ON TOWNSHIP RIGHT OF WAY

1.1 Definitions.

DRIVEWAY: Every entrance or exit used by vehicular traffic to or from properties abutting a roadway.

ROADWAY: Every public road or street including existing or proposed streets, lanes, alleys, courts and ways.

HIGH VOLUME DRIVEWAY: A driveway used or expected to be used by more than 1500 vehicles per day.

LOW VOLUME DRIVEWAY: A driveway used or expected to be used by more than 25 but less than 750 vehicles per day.

MEDIUM VOLUME DRIVEWAY: A driveway used or expected to be used by more than 750 but less than 1500 vehicles per day.

MINIMUM USE DRIVEWAY: A residential or other driveway which is used or expected to be used by not more than 25 vehicles per day.

1.2 Purpose and application.

(a) **GENERAL RULE.** It is in the public interest to regulate the location, design, construction, maintenance and drainage of drain, culvert, footwalk, drive or driveway, or other means of ingress or egress, and other property within the Township right of way for the purpose of security, economy of maintenance, preservation of proper drainage and safe and reasonable access.

(b) **OTHER 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.

1.3 Permit application procedure.

(a) No person, firm, or corporation shall grade, construct, install or erect a drain, culvert, footwalk, drive or driveway, or other means of ingress or egress, or affecting discharge or passage of drainage water, onto or along a Township road unless and until the Township has granted a permit for such grading, construction installation or erection. A permit shall not be required for routine maintenance.

(b) Who may execute applications. Permit applications shall be submitted in the name of and executed by the owner of the property. Permits will not be issued to contractors of the property owner nor to any person other than the owner of the property.

(c) Where to submit application. Permit applications shall be submitted to the Township Secretary and approved by the Township Board of Supervisors.

(d) When to submit applications. Permit applications should be submitted prior to the construction of any building which the proposed driveway will serve to assure that the driveway can be constructed in accordance with this ordinance, or in the case of existing driveways, at least 30 days prior to construction, modification, alteration or pavement of driveway.

(e) Application procedure and required information. Permit applications:

1. Shall be submitted in person or by mail in triplicate on a properly completed Township Form.
2. Shall be signed by applicant.
3. Shall include two sets of plans detailing location and pertinent dimensions of the proposed installation. In the case of minimum use driveways, submission of one set of plans is sufficient, unless the Township Board of Supervisors requests more.
4. Shall be accompanied by a check or money order payable to Covington Township.
5. Should be submitted to the Township at least 30 days prior to the anticipated start of work.

1.4 Permit Fees.

Permit Issuance Fees. Issuance fees are used to defray costs incurred by the Township in reviewing and processing the application and permit. In the discretion of the Supervisors, fees may be waived in the case of hardtop surfacing of existing driveways.

All permit applications shall be accompanied by a fee determined by the Schedule of Fees issued by the Township Supervisors.

1.5 Issuance of Permits.

(a) General Rule. Upon application duly made in accordance with this ordinance, a permit will be issued by the Township Board of Supervisors subject to this ordinance and conditions contained on the permit. The permit shall be the applicant's authority to proceed with the work and will also serve as receipt for the fees accompanying the application.

(b) Permit issued only to property owner. Permits will be issued only to the owners of the property. Permits will not be issued to contractors of the property owner nor to any person other than the owner of the property.

(c) Waiver of design requirements. If any design requirement set forth in this ordinance cannot be met, the Township Supervisors may waive the requirements. All waivers so approved shall not in any way be detrimental to access, road maintenance or drainage within the township right-of-way.

1.6 General Conditions.

The following conditions shall apply to permits issued under these regulations:

(a) Scope of permit. The permit shall be binding upon the permittee, its agents, contractors, successors and assigns.

1. The permittee shall be responsible for causing compliance with all terms and conditions of the permit by its employees, agents and contractors.
2. The permit shall be located at the work site and shall be available for inspection by any police officer or representative of the Township. Such officer or representative must be authorized by the township supervisors when making an inspection.
3. The permit shall be maintained by the permittee as a permanent record and remain in effect, subject to the permit conditions and this chapter, as long as the driveway or the facility authorized by the permit exists.
4. Responsibility for compliance with the terms of the permit cannot be assigned or transferred by the permittee without first obtaining approval from the Township.
5. The permittee shall be principally liable to the Township for any failure to comply with the permit and this chapter. The principal liability of the permittee to the Township shall not

preclude the permittee or the Township from bringing any action against the permittee's contractor, subcontractor, engineer, architect or any other person.

6. The Township in granting a permit, waives none of its powers or rights to require the future change in operation, removal, relocation or proper maintenance of any access within Township roadway right of way.

(b) Permittee responsibilities. If the permittee, after making an opening in the surface to place or repair a drainage facility or for any other purpose, fails to restore any portion of the right of way to conform with Township specifications upon notice from the Township to do so, the Township may perform the work and the permittee shall reimburse the Township for the costs within 30 days after receipt of the Township's invoice.

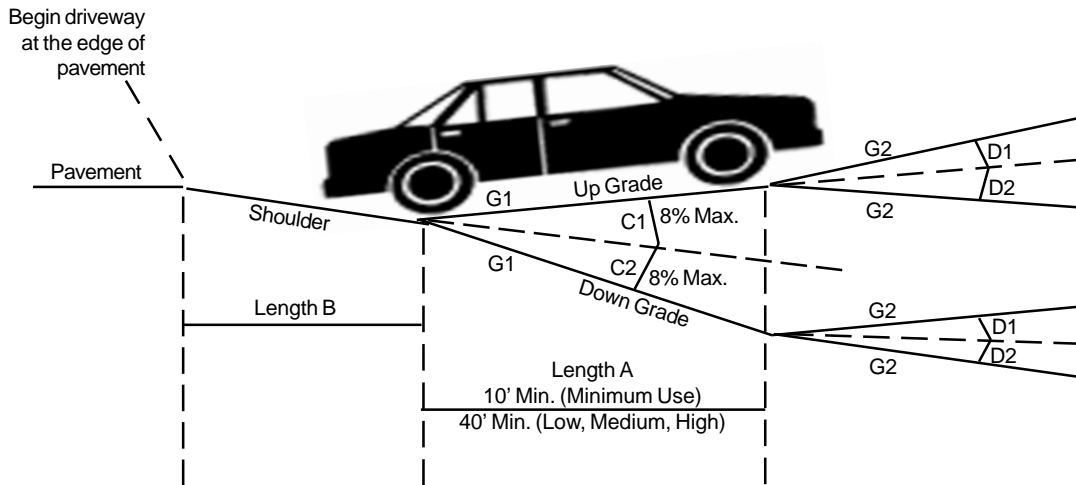
(c) Restoration of slopes. All disturbed slopes or earthen areas shall be restored to their original condition or in a manner approved by the Township.

(d) Altering drainage prohibited. Unless specifically authorized by the permit, the permittee shall not:

1. Alter the existing drainage pattern or the existing flow of drainage water.
2. Direct additional drainage of surface water onto or into the road right of way.

1.7 Design Requirements.

(a) Driveway design and construction shall comply with the following figure:



The shoulder slope usually varies from 1/4"/ft. (4%) to 3/4"/ft. (6%). However, the shoulder slope should be maintained when constructing the driveway.

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

Grades (G) 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.

	<u>Maximum Grade Change {D}</u>	
	<u>Desirable</u>	<u>Maximum</u>
High Volume Driveway	0%	+/- 3%
Medium Volume Driveway	+/- 3%	+/- 6%
Low Volume Driveway	+/- 6%	Controlled by Vehicle Clearance

(b) Wherever the slope of the driveway interferes with the shoulder drainage, a slough of adequate size must be installed so as to sufficiently facilitate the drainage. The size and specification of such slough must be approved by the Board before installation.

CHAPTER 2. ACCESS TO AND OCCUPANCY OF STATE HIGHWAYS BY DRIVEWAYS AND LOCAL ROADS

No Township Building Permit may be issued without first securing and providing evidence of an approved permit from the Township and the Pa. Department of Transportation, where applicable.

CHAPTER 3. PENALTIES UPON VIOLATION

Any owner, person and/or contractor who or which shall violate any of the provisions of this Ordinance shall, upon conviction thereof by summary proceeding before any District Magistrate or District Justice having jurisdiction, be sentenced to pay a fine of not more than Fifty and 00/100 (\$50.00) Dollars. All fines collected for the violation of this Ordinance shall be paid to the Treasurer of the Township for the general use of the Township.

If said owner, person, and/or contractor does not comply with the provisions of this Ordinance within 30 days after the imposition of verdict by a District Magistrate or District Justice, a new and separate offense shall be deemed to have been committed for each day said violation exists, beginning thirty (30) days after said original verdict.

CHAPTER 4. ENACTMENT

ORDAINED AND ENACTED INTO LAW this 3rd of August, 1982.

**Covington Township
Board of Supervisors**

Attest: *Charlotte D Linde*
Secretary

Thomas Hughes
Chairman

Fred Richards II

Wayne Davies

{ signatures are facsimile - not actual signature }

**SCHEDULE OF FEES FOR PERMITS ISSUED PURSUANT TO THE
COVINGTON TOWNSHIP DRIVEWAY ORDINANCE Chapter 1, Section 1.4**

Unit Fee

PERMIT ISSUANCE FEES

This fee is applied to the administrative costs that are incurred in reviewing the application and plan(s) and issuing and processing the permit.

Issuance Fee

A. Utility	\$35.00
B. Driveways	
(i) minimum use (e.g., single family dwellings, apartments with five or fewer units)	\$15.00
(ii) low volume (e.g., office buildings, car washes)	\$30.00
(iii) medium volume (e.g., motels, fast food restaurants, service stations, small shopping plazas)	\$40.00
(iv) high volume (e.g., large shopping centers, multi-building apartment or office complexes)	\$60.00
C. Other (e.g., bank removal, sidewalk and curb)	\$20.00
Supplement Fee (each six-month time extension) (each submitted change)	\$10.00
Emergency Permit Card (each card)	\$5.00
Exemption (see below)	

GENERAL PERMIT INSPECTION FEES

These fees are applied to the costs incurred in the preliminary review of the location covered by the permit, and/or spot inspection of the permitted work, and/or subsequent inspection after the permitted work has been completed to insure compliance with department specifications and permit provisions.

Driveways

A. Each minimum use driveway	\$10.00
B. Each low-volume driveway	\$20.00
C. Each medium-volume driveway	\$35.00
D. Each high-volume driveway	\$50.00

Underground Facilities

(e.g., pipe lines, buried cable-with pedestals, conduit, manholes, headwall, inlet and grate)
This fee is calculated on the TOTAL linear feet of the facility or facilities being permitted within the right-of-way, regardless of whether the surface is opened.

A. Physically connected facility or facilities (first 60 foot or fraction thereof) (each section)	\$20.00
B. Additional physically connected facilities (each 100 foot or fraction thereof)	\$5.00

Surface Openings

(e.g., service connections performed independently of underground facility installation, pipeline repairs)
(each opening)

	\$15.00
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Above-ground Facilities

(e.g., poles, guys and/or anchors if installed independently of poles)

A. Up to 10 physically connected above-ground facilities (each continuous group)	\$20.00
B. Additional above-ground physically connected facilities (each pole with appurtenances)	\$2.00

Crossings

(e.g. "overhead" tipples, conveyors or pedestrian walkways, and "undergrade" subways or mines)

	\$80.00
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Seismograph - Vibrosele Method (e.g., prospecting for oil, gas)

A. First mile	\$50.00
B. Each additional mile or fraction thereof	\$5.00

Other (e.g., bank removal, sidewalk and curb)

	\$20.00
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EXEMPTIONS

Permit Issuance fees and general permit inspection fees are not payable by any of the following:

- A. The Commonwealth.
- B. Political subdivisions of this Commonwealth.
- C. Governmental authorities organized under the laws of this Commonwealth.
- D. The Federal government.
- E. Charitable organizations which are in compliance with Act No. 337, approved August 9, 1963, P.L. 628 as amended. (churches, hospitals, schools, charitable institutions, veterans' organizations, nonprofit organizations)
- F. Utility facility owners for:
 - (i) The installation of street lights at the request of local authorities.
 - (ii) The replacement or renewal of their facilities prior to a township resurfacing project after notice from the township.
 - (iii) The removal of poles and attached appurtenances.
 - (iv) Facilities moved at the request of local authorities.
 - (v) Reconstructing or maintaining their facilities which occupy the right-of-way under private status.

ADDITIONAL INSPECTION FEES

If the township determines that the permitted work is of sufficient magnitude or importance to warrant assignment of one or more employees to inspect the permitted work on a more than spot inspection basis, the permittee shall be charged for all salary, overhead and expenses incurred by each assigned inspector and the township.

COVINGTON TOWNSHIP DRIVEWAY INSTALLATION APPLICATION AND PERMIT

DATE: _____

PART I - APPLICATION

NAME _____

ADDRESS _____

PHONE _____

PART II - IN ACCORDANCE WITH THE COVINGTON TOWNSHIP DRIVEWAY ORDINANCE, 1982-04, I HAVE READ AND UNDERSTAND SAID ORDINANCE.

THE DIMENSIONS AND GRADES IN ACCORDANCE WITH THE FIGURE IN THE
DRIVEWAY ORDINANCE WILL BE INSTALLED AS FOLLOWS:

1. LENGTH B (SHOULDER): _____
2. LENGTH A: _____
3. GRADE 1
(G1): _____
(C1): _____ OR
(C2): _____
4. GRADE 2
(G2): _____
(D1): _____
(D2): _____

APPLICANT SIGNATURE: _____

PART III - PERMIT

THE ABOVE INSTALLATION SPECIFICATIONS COMPLY WITH THE COVINGTON
TOWNSHIP DRIVEWAY ORDINANCE. INSTALLATION IN ACCORDANCE WITH THE
ABOVE SPECIFICATIONS IS HEREBY GRANTED.

SPECIAL CONDITIONS:

COVINGTON TOWNSHIP BOARD OF SUPERVISORS
CHAIRMAN OF BOARD