

AN ORDINANCE REGULATING THE CONSTRUCTION OF DRIVEWAYS IN LOWER CHANCEFORD TOWNSHIP, YORK COUNTY, PENNSYLVANIA, AUTHORIZING THE ISSUANCE OF PERMITS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lower Chanceford Township, York County, Pennsylvania as follows:

SECTION I. This ordinance shall be known as the "Lower Chanceford Township Driveway Ordinance".

SECTION II. It shall be unlawful for any person, firm, association or corporation to construct or open any driveway upon any property owned by or rented by such person, firm, association or corporation without having first obtained a permit therefor from the Township Roadmaster or Foreman.

SECTION III. For purposes of this ordinance, "driveway" shall be construed to mean any road, alley, lane or other entrance suitable for use by automobiles for ingress or egress onto a road maintained by the Township. Roads or other entrances suitable only for use by tractors and other farm machinery and not suitable for use by passenger automobiles shall not be considered "driveways" within the provisions of this ordinance.

SECTION IV. All applications for a "permit" under this ordinance shall be made to the Lower Chanceford Township Roadmaster or Foreman on forms to be supplied by the Township Roadmaster or Foreman and shall be accompanied by a fee in the amount of twenty-five dollars (\$25.00).

SECTION V. The Township Roadmaster or Foreman shall investigate the application and if in his opinion a drainage pipe or other appliance is required in order to provide proper drainage, the applicant shall pay to the Township Roadmaster or Foreman, as agent for the Township, the amount which the Township was required to pay in order to purchase the pipe or appliance required. The required pipe or appliance shall then be installed by the Township. If the Township Roadmaster or Foreman finds that further grading is required in order for proper drainage to be provided, the applicant shall cause such grading to be done. If the Township Roadmaster or Foreman finds that in order to protect the public road from earth and/or debris, etc. washing from the driveway onto the public road, he may require that some or all of the driveway be paved. If the Township Roadmaster or Foreman finds that even with the installation of pipe or other appliance and even with regrading, proper drainage cannot be achieved or if the applicant fails to pay the cost of the pipe or other appliance required or fails to

complete the required grading, the permit shall be refused. Following the payment to the Township Roadmaster or Foreman of the cost of any required pipe or other appliance and the completion of all required regrading, if any, the Township Roadmaster or Foreman shall issue the permit to the applicant.

SECTION VI. The driveway must be completed within ninety (90) days next following the issuance of the permit in accordance with the following specifications and be approved by the Township Roadmaster or Foreman. The driveway shall not be considered completed until the Township Roadmaster or Foreman has approved it as being completed in writing.

1. The twenty-five (25) feet most proximate to the improved portion of the Township road must be improved with six (6) inches of ASHTO #1 stone (2 to 3 inch stone) over geotextile cloth. Upon completion of the project two (2) inches of PA NUMBER 2A stone (crusher run) shall be placed on top of the existing base.
2. The driveway must be located in safe relationship to sight distance and barriers to vision. The driveway may not exceed a slope of five percent (5%) within twenty-five (25) feet of the street or Township road right-of-way line where a drive enters a bank through a cut. Unless a retaining wall is utilized, the shoulders of the cut may not exceed fifty percent (50%) slope within twenty-five (25) feet of the point at which the driveway intersects the street or Township road right-of-way line. The height of the bank must not exceed three (3) feet within ten (10) feet of the street or Township road right-of-way line.
3. Provisions must be made to prevent water running from the driveway to the Township street or road and damaging such street or road.
4. If the Township Roadmaster or Foreman finds that in order to protect the Township street or road from earth and/or debris, etc. washing from the driveway onto the Township street or road, he may require that some or all of the driveway be paved.

SECTION VII. Any person, firm, association or corporation violating any of the provisions of this ordinance shall, upon conviction thereof before a District Justice, be subject to a penalty in the amount of Six Hundred Dollars (\$600.00) for each and every offense. Each and every day that a road, alley, lane or other entrance suitable for use by automobile or truck remains constructed without a permit having been issued shall be considered

a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

SECTION VIII. This ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Chanceford Township, York County, Pennsylvania on the 6th day of July, 2004.

ATTEST:

LOWER CHANCEFORD TOWNSHIP
BOARD OF SUPERVISORS

Susan M. Wiley
Secretary

By: J. Donnell Taylor
Chairman