

CHAPTER 21

STREETS AND SIDEWALKS

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Part 1

Highway Occupancy Permits

§101. Permit Required. In accordance with the provisions of §1156 of Article XI of the Second Class Township Code, as amended, no railroad or street railway crossings, nor any gas pipe, water pipe, electric conduits, or other piping, be laid upon or in, nor shall any telephone, telegraph, or electric light or power poles, or any coal tipples or any other obstructions be erected upon or in, any portion of a Township road except under such conditions, restrictions and regulations relating to the installation and maintenance thereof, as may be prescribed in permits granted by the Township for such purpose. (Ord. 5/6/1974, 5/6/1974, §1)

§102. Application for Permit. The application for a permit shall be on a form prescribed by the Township and submitted to the Township in triplicate. The application shall be accompanied by a fee in accordance with the Schedule of Fees set forth by the Department of Transportation, for Highway Occupancy Permits and Restoration Charges. In addition, the applicant shall submit three (3) copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street. (Ord. 5/6/1974, 5/6/1974, §2)

§103. Issuance of Permit. A permit shall be issued to the applicant after all the aforementioned requirements have been filed. (Ord. 5/6/1974, 5/6/1974, §3)

§104. Written Notice. Upon completion of the work, the applicant shall give written notice thereof to the Township (Ord. 5/6/1974, 5/6/1974, §4)

§105. Inspection. Upon completion of the work authorized by the permit, the Township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect, within sixty (60) days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the cost thereof, together with an additional twenty (20%) percent of such cost. (Ord. 5/6/1974, 5/6/1974, §5)

§106. Violations. Any person, firm, corporation or utility who shall violate any of the provisions of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred (\$600.00) dollars and costs, and in default of payment thereof shall be subject to imprisonment for a term not to exceed thirty (30) days. (Ord. 5/6/1974, 5/6/1974, §6; as amended by Ord. 1991-1, 1/7/1991)

Part 2

Driveways

§201. Construction Permit Required. On or after the passage of this Part, it shall not be lawful for any person to construct or reconstruct any driveway or alter the grade, line or width of any shoulder within the right-of-way of Township roads until a permit to perform such construction or reconstruction has been issued by Walker Township. (Ord. 2000-3, 10/2/2000, §1)

§202. Short Title; Purpose.

1. Short Title. This Part shall be known as the "Walker Township Driveway Ordinance."

2. Purpose. The purpose of this Part is to provide for the construction of access driveways and abutting graded areas in such a manner as to facilitate the safe and unobstructed movement of vehicular traffic.

(Ord. 2000-3, 10/2/2000, §2)

§203. Interpretation. The provisions of this Part shall be held to be minimum requirements to meet the above-stated purposes. Where the provisions of this Part impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Part shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Part, the provisions of such statute, ordinance or regulation shall prevail. (Ord. 2000-3, 10/2/2000, §3)

§204. Terminology. An "access driveway" is any means for passage of vehicles between property abutting on a Township highway and the highway. It shall be deemed to include that part of the driveway that lies within the established right-of-way limits of the Township highway. It will also include such drainage structures as may be necessary for the proper construction and maintenance thereof. (Ord. 2000-3, 10/2/2000, §4)

§205. Filing of Plans; Issuance of Permit; Fee.

1. Plans and Specifications. All construction, grading or planting within the right-of-way of Township roads shall be executed in accordance with plans and specifications showing all proposed work in a manner satisfactory to the Township. Such plans may be part of or included in plans prepared for building, zoning, subdivision or sewage applications.

2. Permits. A permit will be issued in writing when a plan is deemed satisfactory to the Township. Under no circumstances whatever shall a verbal approval or permission given by anyone be considered a justification for any deviation from the approved plans or for the violation of any of the rules

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and regulations governing construction within the right-of-way of Township highways.

3. Fees. The applicant requesting a permit to construct shall pay to the Township at the time of application the fees set forth in the then current fee schedule which shall have been adopted by resolution by the Board of Supervisors.

(Ord. 2000-3, 10/2/2000, §5)

§206. Supervision of Work.

1. Supervision. It shall be the duty of the Township Roadmaster or his representatives to inspect all work within the right-of-way of the Township highway for conformity with the ordinances of the Township.

2. Notice. Notice must be given to the Township when the work is sufficiently advanced for inspection, when it shall be the duty of the proper officer to inspect the same within two (2) working days after receipt of said notification.

(Ord. 2000-3, 10/2/2000, §6)

§207. Violations and Penalties. Any person violating any of the provisions of this Part shall be liable, upon conviction thereof, to a penalty not exceeding one thousand dollars (\$1,000.00) and costs of prosecution for each and every offense or, upon default in payment of the fine and costs, to imprisonment in the Juniata County Prison for not more than thirty (30) days, and whenever such person shall have been notified by the Township Zoning Officer or by service of a summons in a prosecution or other written notice, that he is committing such violation of this Part, each day that he shall continue such violation after such notification shall constitute a separate offense, punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines and penalties are now by law collected. (Ord. 2000-3, 10/2/2000, §7)

§208. Definitions.

1. Any word, term or phrase used in this Part, but not specifically defined herein, shall be defined as set forth in the Walker Township Subdivision and Land Development Ordinance [Chapter 22], as last amended.

2. The following words and phrases, when used in these regulations, shall, for the purpose of these regulations, have the following meanings, respectively, except in those instances where the context clearly indicates a different meaning:

CORNER CLEARANCE - the distance at an intersection of two (2) highways, between the near edge of the access driveway approach and the point of intersection of the pavement edges or the curblines extended.

INTERMEDIATE ISLAND - that section of the roadway right-of-way between the pavement edge or curb and the property line, which occurs between driveways.

PAVEMENT EDGE - the edge of the main traveled portion of any street or highway, exclusive of shoulder or berm.

PERMANENT TYPE CONSTRUCTION - plain or reinforced concrete, bituminous concrete or macadam of required thickness.

PROPERTY LINE CLEARANCE - the distance measured along the pavement edge or curb between the property frontage boundary line and the edge of the driveway.

RADIUS CURB - that section of curb forming an arc beginning at end of driveway and continuing to throat of driveway.

RURAL AREA - an area where roadways have been built to typical rural highway standards without sidewalks and curbs.

SHOULDER LINE - the intersection of the shoulder slope with the side slope or ditch slope.

SIDEWALKS - a permanent hard paved walkway, continuous for a reasonable distance and an integral part of the highway development, solely for use of pedestrians.

STABILIZED MATERIAL - any aggregate such as gravel, stone, slag or mixtures of such aggregates with soil, placed in such a manner as to provide a smooth, stable, all-weather surface, not subject to undue raveling.

VEHICLE - any device in, upon or by which any person or property is or may be transported or drawn upon a public highway.

VILLAGE AREA - an area where the roadways have been built to typical village street standards, including sidewalks and curbs.

(Ord. 2000-3, 10/2/2000, §8)

§209. Location, Design and Construction.

1. All driveways shall be located, designed or constructed in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the highway.

2. Access driveways shall be located in such manner so that they will not cause interference with the traveling public, a hazard to the free movement of normal highway traffic, nor areas of undue traffic congestion on the highway. In accordance with this principle, driveways should be located where the highway alignment and profile are favorable, i.e., where there are no sharp curves or steep grades and where sight distance in conjunction with the driveway access would be adequate for safe traffic operation.

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3. Access driveways should not be located at interchanges, ramp areas or locations that would interfere with the placement and proper functioning of highway signs, signals, detectors, lighting or other devices that affect traffic control. The location of a driveway near a signalized intersection that has an actuated traffic signal may include a requirement that the permittee provide, without expense to the township, additional detectors for the control of traffic movement from his establishment or for the relocation of existing detectors.

4. Where highway curbs exist, driveway approaches shall be installed one and one-half (1 1/2) inches above the adjacent highway or gutter grade to maintain the proper drainage.

5. Maintenance of Grade Line.

A. Where highway curbs do not exist, driveways shall be constructed in such a manner as not to interfere with the drainage grade line of shoulders. If, in the opinion of the Roadmaster, a pipe is required to maintain the grade line, the permittee shall install such pipe, at his expense, parallel to the pavement edge and at a minimum distance of ten (10) feet therefrom and on the grade line as directed by the Roadmaster (unless advised to the contrary by the Township Engineer).

B. Where a pipe is placed in the shoulder line, the driveway may slope away from the roadway at a lesser gradient than the normal shoulder slope but not less than one quarter (1/4) inch per foot from the paving edge to the pipe.

C. The minimum pipe length shall be equal to the width of the driveway plus eight (8) feet.

(Ord. 2000-3, 10/2/2000, §9)

§210. Number and Arrangement of Access Driveways. The permissible number, arrangement and width of driveways shall be governed in part by the highway frontage of abutting private property. The number of driveways permitted shall be the minimum number required to serve adequately the needs of the abutting property. Frontages of fifty (50) feet or less shall be limited to one (1) driveway. Normally not more than two (2) driveways need to be provided to any single property tract or business establishment. Exception may be made where the frontage exceeds three hundred (300) feet in length or where the frontage is along a divided highway. In such instances, requests for additional driveways shall require prior approval from the Township. (Ord. 2000-3, 10/2/2000, §10)

§211. Approaches to Driveways.

1. The location and angle of an access driveway approach in relation to the highway intersection shall be such that a vehicle entering the driveway may do so in an orderly and safe manner and with a minimum of

interference with through highway traffic and a vehicle leaving the driveway may enter safely into the lane of traffic moving in the desired direction.

2. Where the access driveway approach and highway pavement meet, flaring of the approach may be necessary to allow safe, easy turning of the vehicle when entering or departing from the driveway.

3. No part of any access driveway shall be constructed outside of the applicant's frontage.

4. Each roadside business establishment shall provide sufficient parking or storage space off the right-of-way to prevent the storage of vehicles on the driveway or the backing up of traffic on the traveled roadway.

5. No part of the highway right-of-way shall be used for servicing of vehicles, displays or conducting a private business. The area between the edge of the pavement and the right-of-way line shall be kept clear of all buildings, sales exhibits, business signs, parking areas, service equipment, etc., excluding mailboxes.

6. Improvements on private property adjacent to the right-of-way shall be so located that parking, stopping and maneuvering of vehicles on the right-of-way will not be necessary in order for vehicles or patrons to be served properly.

(Ord. 2000-3, 10/2/2000, §11)

§212. Standards and Specifications.

1. Angle of Access Driveway Approach.

A. Control Dimensions.

(1) Single driveway: as near ninety (90) degrees as site conditions permit.

(2) Two (2) driveways.

(a) Two-way operation: as near ninety (90) degrees as site conditions permit.

(b) One-way operation: seventy-five (75) degrees minimum.

B. Single access driveway approaches shall be positioned at right angles ninety (90) degrees to the highway or as near thereto as site conditions permit. When two (2) access driveways are constructed on the same property frontage and used for one-way operations. each of these driveways may be placed at less than a right angle. but not less than seventy-five (75) degrees to the highway.

2. Corner Clearance.

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A. Control Dimensions.

(1) Rural: thirty (30) feet minimum.

(2) Village: twenty (20) feet minimum.

B. Corner clearance shall be a minimum of one hundred (100) feet for all nonresidential uses and forty (40) feet for residential uses.

3. Intermediate Island Between Multiple Driveways.

A. Control dimensions: Two hundred (200) feet minimum.

B. An intermediate island shall separate all multiple driveways opening upon the same highway. The island area shall extend from the shoulder line, ditch line or curb line to the right-of-way line.

C. The intermediate island area shall be clearly defined.

4. Radius Curbs.

A. Control dimensions. The maximum and minimum lengths for radius curbs shall be as follows:

(1) Residential: five (5) feet minimum; twenty (20) feet maximum.

(2) Non-residential: twenty-five (25) feet minimum; fifty (50) feet maximum.

5. Width of Access Driveway Approaches.

A. The width of driveways shall be as specified by the Township.

B. The width of access driveways shall not exceed the above dimensions when measured at right angles to the center line of driveway. Where a commercial access driveway approach and the highway pavement meet, flaring of the driveway shall be required to allow safe and easy turning of the vehicle either into or out of a commercial development.

6. Curbs.

1. If required, all curbs must be of a permanent type.

2. In areas where not curbs exist, a vertical face curb may be required.

3. Where the property abutting the highway right-of-way will be used for a parking area, the Township may require curbs to be placed. These curbs will be required to confine the traffic movement to the access driveway and to prohibit encroachment upon sidewalks or shoulder areas.

7. Sight Distance.

A. Access driveways shall be located at a point of optimum sight distance along the highway within the property frontage limits. The profile of the driveway and the grading of the right-of-way area shall provide a maximum sight distance so that the operator of a vehicle departing from such a driveway will have optimum visibility in either direction along the highway.

B. Where adequate sight distances cannot be attained, the location of the driveway will be at the discretion of the Township.

8. Slope of Access Driveway.

A. All driveways shall be constructed in such a manner as not to impair drainage within the highway right-of-way, alter the stability of the roadway subgrade or materially change the drainage of adjacent areas. Where open shoulders or berms exist, the grade of a paved access driveway(s) shall slope away from the highway pavement at the same rate as the existing shoulder (unless advised to the contrary by the Township Engineer) for the width of the shoulder. The gradient of a driveway beyond this point (within the highway right-of-way) shall not be less than one-quarter (1/4) inch per foot.

B. Driveway ramps may extend from the face of the curb up to the outer edge of the sidewalk area in those cases where a planted area occurs between multiple driveways. The rate of slope for such driveway ramps preferably should not exceed one (1) inch per foot. Where conditions are such that one (1) inch per foot of slope is not obtainable, the sidewalk area of the driveway may be lowered sufficiently to obtain the allowable ramp slope and the sidewalk may be warped up to meet the normal sidewalk grade, at a rate of slope not to exceed three-eighths (3/8) inch per foot.

C. Where a drainage ditch or swale exists, adequate pipe shall be installed under the driveway (by the permittee) as required by the Township. Minimum diameter of such drainage pipe shall be fifteen (15) inches (or eleven (11) inch by eighteen (18) inch arch) unless otherwise specified by the Township.

9. Access Driveway Pavement. Access driveways shall be appropriately surfaced between the traveled road and the business or service area with a stabilized material when specified by the Township.

10. Deceleration and Acceleration Lanes.

A. The shoulder of berm area leading to the entrance driveway of a business establishment or other roadside developments may be paved for a suitable distance to permit vehicles to decelerate or accelerate in safety when entering or leaving the property. Such paving shall be limited to the area in front of the abutting property and shall be done by the property owner, at his expense, as required by the Township.

B. Special attention will be given to permit requests for the construction of access driveways to large business establishments, shopping centers, outdoor theaters, etc., particularly when the volume

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of traffic generated may necessitate acceleration and deceleration lanes, standby lanes, "jughandles", channelization, etc. In all such cases, the permittee will be advised that costs incident to the construction of such additional roadway improvements shall be at no expense to the Township. Such work shall be constructed under the supervision and inspection of the Township.

(Ord. 2000-3, 10/2/2000, §12)

§213. Maintenance. All driveways, adjacent areas and areas between such driveways, including channelization, paving, drainage, etc., installed by the permittee shall be maintained by the property owner in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the highway or the safe and convenient passage of traffic upon the highway. The term "adjacent area" shall apply only to that area within the permittee's property line extended. (Ord. 2000-3, 10/2/2000, §13)