

SMITH TOWNSHIP

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ROAD ENCROACHMENT/ROAD OPENINGS

Chapter 21, Part 3, Ordinance 2009-4, 7/13/2009 amended by Resolution 2015-3R, 1/5/15

Permit Fee - \$300.00

Permit No. _____

Route No. _____

Route Name: _____

Application is hereby made by _____

Address _____ City _____ State _____ Zip _____

For permission to _____

In accordance with accompanying sketch, and under subject to all conditions, restrictions and regulations prescribed by Smith Township, Washington County, with same force and effect as written or printed herein, and under and subject to such special conditions, restrictions and regulations as may be imposed by Township Ordinance Enforcement Officer and/or such individual as designated from time to time by Board of Supervisors.

Date: _____ Applicant: _____

For Office Use

Data Application to this Application

The road surface is _____ improved _____ Unimproved

Improved width of road _____ feet

Distance from centerline of road ditch _____ feet

Pipe necessary for sufficient drainage

Type _____

Size _____ diameter

Length _____ feet

Inspected By _____ Date _____

Township Official

APPROVED DISAPPROVED REASON _____

If approved this permit is issued. Date _____

By _____

Township Official

Part 3, Driveway/Encroachment Permits

§301. Compliance with Regulations.

No driveway or entranceway shall be laid upon or connected to any Township road or portion thereof 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. 2009-4, 7/13/2009)

§302. Application for Permit.

The application for a permit shall be on a form prescribed by the Township and submitted to the Township in triplicate.

(Ord. 2009-4, 7/13/2009)

§303. Fee; Sketch; Drain Pipes.

The application shall be accompanied by a fee as set by resolution of the Board of Supervisors as well as a fee as therein may be necessitated for the cost of making any inspection by an engineer or otherwise. In addition, the applicant shall submit three 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. Drain pipes shall be installed as required by the Township and must be at least 12 inches in diameter, unless otherwise specifically approved by the Township.

(Ord. 2009-4, 7/13/2009)

§304. Issuance of Permit.

A permit shall be issued to the applicant after all of the aforementioned requirements have been filed.

(Ord. 2009-4, 7/13/2009)

§305. Notice of Completion.

Upon completion of the work, the applicant shall give written notice thereof to the Township within 10 days of completion.

(Ord. 2009-4, 7/13/2009)

§306. Inspections.

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.

(Ord. 2009-4, 7/13/2009)

§307. Action upon Failure to Comply.

Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect within 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 20% of such cost, which may be filed as a lien against the subject property.

(Ord. 2009-4, 7/13/2009)

§308. Definitions.

Whenever used herein, the following terms shall have the meanings indicated:

TOWNSHIP ROAD – includes any and all Township roads, streets, alleys, rights-of-way and the like.

(Ord. 2009-4, 7/13/2009)

§309. Responsibility for Compliance.

It shall be the responsibility of the titled owner of the subject premises to comply with the provisions of this Part 3.

(Ord. 2009-4, 7/13/2009)

§310. Maintenance.

The titled owner of the subject premises shall be required to maintain the driveway and/or entranceway on a continuing basis.

(Ord. 2009-4, 7/13/2009)

§311. Violations and Penalties.

Any person, firm, corporation or utility which shall violate any of the provisions of this Part 3 shall be subject, upon conviction before a District Justice or Magistrate, to pay a fine or penalty of not less than \$500, costs of prosecution, any and all attorney's fees incurred by the Township through its Solicitor pertaining to the said prosecution, and in default of the payment of such fine and costs, to imprisonment for not more than 30 days.

(Ord. 2009-4, 7/13/2009)

§312. Enforcement.

The Township employee, official and/or officer who shall enforce and administer this Part 3 shall be the Township Ordinance Enforcement Officer and/or such other individual as designated by resolution from time to time by the Board of Supervisors.

(Ord. 2009-4, 7/13/2009)