

PENN TOWNSHIP DRIVEWAY/ ACCESS DRIVE ORDINANCE

ORDINANCE NO. 2011-003

AN ORDINANCE OF THE TOWNSHIP OF PENN, CUMBERLAND COUNTY,
PENNSYLVANIA TO REGULATE THE LOCATION AND CONSTRUCTION OF ANY
PRIVATE ACCESS ROAD (PRIVATE DRIVEWAY) THAT WILL INTERSECT WITH ANY
PUBLIC ROAD IN PENN TOWNSHIP.

Section 1. Intent: The intent of this Ordinance is to:

Provide safe vehicle access to the public roadways (ingress/egress)

Prevent water drainage and siltation from private driveways and access drives onto public roadways

Section 2. Definitions

Access Drive: An improved cart way designed and constructed to provide for vehicular movement between a public road and a tract of land containing any use other than a single-family dwelling unit or farm.

Driveway: The vehicular method of entrance or egress to a single-family dwelling unit.

Public Right-of-Way: Land reserved for use as a road, utilities, or other public use.

Township Road: Any road, street, alley, or way accepted by the Township

Section 3. General Provisions: No person shall construct, improve, modify or alter in any way, a driveway or access drive which enters a Township road or public right-of-way without first obtaining a Driveway or Access Drive Permit pursuant to this ordinance and any other rules and regulations, resolutions and requirements of the Board of Supervisors, and further must comply with all requirements of the Penn Township Zoning Ordinance Penn Township Subdivision and Land Development Ordinance.

A. General Rule – Driveways and access drives shall be located, designed, constructed and maintained in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the Township road or public right-of-way.

B. General Location Restrictions: Driveways and access drives shall be permitted in locations in which:

1. Sight distance shall be in accordance with the minimum clear sight triangle requirements listed in Article V, Section 502, I-7 of the Penn Township Subdivision and Land Development Ordinance.
2. The free movement of normal highway traffic is not impaired.
3. The driveway or access drive will not create a hazard.
4. The driveway or access road will not create an area of undue traffic congestion on the Township road or public right-of-way.

C. Specific Location Restrictions: Specific locations restrictions shall include the following:

1. Driveways and access drives shall 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.
2. The location of an access drive near a signalized intersection may include a requirement that the permittee provide new relocated detectors, signal heads, controller and the like, for the control of traffic movements from the access drive.
3. Access to a property that abuts two or more intersecting Township roads or public right-of-ways may be restricted to only that roadway which can more safely accommodate its traffic.
4. Penn Township may require the permittee to locate an access drive directly across from a highway, local road, or access driveway on the opposite side of the roadway if it is judged that the offset driveways will not permit left turns to be made safely.

D. Number of driveways or access drives:

1. Only one (1) driveway per lot, per street frontage, is permitted. The Board of Supervisors may grant permission by conditional use for additional driveways where required to meet exceptional circumstances and where frontage of unusual length exists.

2. The number and location of access drives which may be granted will be based on usage. Single entrance/exit access drives shall be connected to an internal collector road, and separated from the Township road or public right-of-way.

E. Approaches to driveways and access drives: Approaches shall conform to the following standards:

1. The location and angle of a driveway or access drive in relation to the Township road or public right-of-way shall be such that a vehicle entering or leaving the Township road or public right-of-way may do so in an orderly and safe manner and with a minimum of interference to highway traffic.

2. Where the driveway or access drive approach and Township road or public right-of-way pavement meet, flaring of the approach may be necessary to allow safe, easy turning of vehicular traffic.

Section 4. Penn Township Driveway or Access Drive Permit and Construction

- A. Procedures** - Application for a Driveway or Access Drive Permit to intersect a Township road should be made by the property owner to the Penn Township secretary at the Municipal Building during normal working hours. The application shall include a rough drawing of the site to include such dimensions as the nearest road and property lines, right-of-ways, utility poles, obstacles and structures that may inhibit sight lines, and payment of the required fee.
- B. When to submit Permit Application:** Permit applications shall be submitted prior to the construction of any building which the proposed driveway or access drive will serve. Permit applications shall be submitted in the name of and executed by the owner of the property.
- C. Review of plan and inspections:** The Penn Township Road master shall review the submitted application for compliance and, upon approval, shall issue the permit. Upon completion of the work authorized by the permit, The Road master shall inspect the driveway or access road for compliance with this ordinance. If any defect is discovered, the applicant must rectify the defect before the issuance of a Township Permit.
- D. Backfilling:** Any person opening or disturbing any Township road or public right-of-way shall backfill or recreate such road or public right-of-way according to the requirements set forth by the Township in its permit or by verbal or written instructions given to the applicant by the Road master, Township Engineer, or directive of the Board of Supervisors.
- E. Paving Construction:** The type and depth of material shall be consistent with that of the adjoining roadway or as determined by the Township Road master before a permit will be issued.
- F. Drainage:** The driveway or access drive shall have provisions for drainage as determined by the Road master, unless a formal storm water management plan has been submitted.
- G. Paving:** All driveways and access drives shall be paved in the right-of-way at least 15 feet.

Section 5. PennDOT Driveway or Access Drive Permit

- A. **General rule:** No driveway, local road or drainage facility or structure shall be constructed or altered within State highway right-of-way and no drainage facility of the Department may be altered or connected onto without first obtaining a permit from the Department.
- B. **Who may execute applications:** Permit applications shall be submitted in the name of and executed by the owner of the property.
- C. **Where to submit application:** Permit applications shall be submitted to either the district or county office having jurisdiction over the county in which the proposed work will be performed.
- D. **When to submit applications:** Permit applications shall 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 chapter.
- E. **Application procedure and required information:** Permit applications:
1. Shall be submitted in person or by mail on a properly completed Department Form M-945A.
 2. Shall be signed by the applicant.
 3. Shall include five sets of plans, of a quality sufficient for microfilming, detailing the location and pertinent dimensions of both the proposed installation and related highway features.
 4. Shall be accompanied by a check or money order, payable to the Department, in the appropriate amount, as set forth in § 441.4 (relating to permit fees).
 5. Shall be submitted to the Department at least 30 days prior to the anticipated start of work.
 6. Shall contain proof of ownership.
- F. **Traffic control plan:** Submission of the traffic control plan shall be as follows:
1. When the applicant anticipates that it will be necessary to close a portion of a lane to vehicular traffic in order to perform the permitted work, the applicant shall submit a traffic control plan with the application.
 2. The district office may require the applicant to submit a traffic control plan if it is anticipated that a potential hazard or interference to vehicular or pedestrian traffic will result from performance of the work.
 3. The traffic control plan shall be either:

4. A detailed drawing, showing all traffic control devices.

5. A reference to a standard drawing found in Publication 43 or Publication 90, provided the referenced standard drawing properly depicts the work area and completely addresses the needed traffic control.

Section 6. Penalty - Any person who violates any provision of this ordinance shall be liable, upon summary conviction before the District Magistrate, to pay a fine not exceeding one thousand (\$1,000.00) dollars for each violation, together with costs of prosecution in each case.

DULY ENACTED and ORDAINED THIS 10th DAY OF March, 2011,

By the Supervisors of Penn Township in public session duly assembled

GARY MARTIN, CHAIRMAN

KENNETH SHEAFFER, VICE CHAIRMAN

AMOS SEIDERS, SUPERVISOR

ATTEST: _____

TINA McCOMMON, SECRETARY