

CHAPTER 21

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PART 1

EXCAVATION OF STREETS

§21-101. Permit Required.

In accordance with the provisions of §2322 of the Second Class Township Code, as amended, 53 P.S. §67322, no railroad or street railway shall hereafter be constructed upon any Township road, nor shall any railroad or street railway crossing, nor any gas 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. 6, 1/6/1975, §1; as amended by Ord. 47, 7/9/2001)

§21-102. Applications.

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 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. 6, 1/6/1975, §2)

§21-103. Permit.

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

(Ord. 6, 1/6/1975, §3)

§21-104. Notice.

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

(Ord. 6, 1/6/1975, §4)

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§21-105. 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 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 costs.

(Ord. 6, 1/6/1975, §5)

§21-106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 6, 1/6/1975, §6; as amended by Ord. 47, 7/9/2001)

PART 2
DRIVEWAYS

§21-201. Short Title.

This Part shall be known and hereafter referred to as the “Towanda Township Driveway Ordinance.”

(Ord. 12/5/1983, §1)

§21-202. Definitions.

For the purpose of this Part, the following terms shall have the meanings ascribed thereto, as follows:

BOARD — the Board of Supervisors of Towanda Township, Bradford County, Pennsylvania.

CONTRACTOR — the party, person, firm, partnership and/or corporation who or which installs a driveway including, all agents, officers or employees of said party, person, firm, partnership and/or corporation.

DRIVEWAY — any area of land designated or to be used as a means of ingress and/or egress for either vehicles and/or pedestrian traffic from a public road to a piece, parcel or tract of land.

OWNER — the owner of the land upon which the driveway located.

PERMIT — a permit issued by the Board to signify approval of the driveway connection.

PERSON — any individual, partnership, company, association, society, corporation or other group or entity.

PUBLIC ROAD — any road, street, alley or public thoroughfare whether actually maintained by Towanda Township as part of its road system, or whether shown on a subdivision or land development plan and intended to be offered or dedicated to Towanda Township in the future as part of its road system.

(Ord. 12/5/1983, §2)

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§21-203. Permit.

No person, owner and/or contractor shall hereafter install, initiate any work, or allow the installation or initiation of any work toward the installation of a driveway without first obtaining a permit therefore from the Board.

(Ord. 12/5/1983, §3)

§21-204. Application.

1. Any person, owner and/or contractor shall, prior to obtaining a driveway permit, file an application on an application form supplied by the Board, reflecting and showing the location of the driveway relative to the premises and designating the course, grade, structure, materials and drainage facilities, if any, involved in the construction of the driveway. The application shall be reviewed by the Engineer or Road Master of the Township. The Engineer or Road Master shall determine if the proposed method of constructing or making said connection, as reflected on the application, is such that it will: [Ord. 47]
 - A. Minimize the adverse effect of stormwater runoff resulting from said connection.
 - B. Not cause damage to the road to which the driveway is to be connected.
 - C. Not create or increase hazardous driving conditions for those persons using the road to which the driveway is to be connected.
2. If found satisfactory by the Engineer or Road Master, he shall so advise the Board and the Board will issue or cause to be issued the permit. If the plan is found deficient or if, in the opinion of the Township Engineer or Road Master, the plan could be improved so as to: [Ord. 47]
 - A. Minimize the adverse effect of stormwater runoff;
 - B. Lessen drainage to the road to which the driveway is to be connected;
 - C. Lessen hazardous driving conditions on the road to which the driveway is to be connected;

the Engineer or Road Master shall by written communication to the owner, notify him of the changes to be made. The applicant shall immediately make such changes and return the revised plan to the Township. When such plan is in acceptable form, the Board shall approve or cause the same to be approved and the permit issued. [Ord. 47]

(Ord. 12/5/1983, §4; as amended by Ord. 47, 7/9/2001)

§21-205. Fees.

The application shall be accompanied by such fee or fees as the Board shall establish from time to time by resolution, not exceeding the approximate reasonable cost of processing and reviewing the application and making any necessary inspections.

(Ord. 12/5/1983, §5; as amended by Ord. 47, 7/9/2001)

§21-206. Construction.

All construction in any way incidental to the installation of the driveway shall be performed in strict conformance with the plan approved by the Township Road Master.

(Ord. 12/5/1983, §6; as amended by Ord. 47, 7/9/2001)

§21-207. Individual Permit.

Each driveway, whether serving the same premises or not, shall require an individual permit.

(Ord. 12/5/1983, §7)

§21-208. 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 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.

(Ord. 12/5/1983, §10)

§21-209. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

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(Ord. 12/5/1983, §11; as amended by Ord. 47, 7/9/2001)

PART 3

STREET NAMING, SIGNS AND NUMBERING

§21-301. Purpose.

The purpose of this Part is to better enhance the County of Bradford E911/Emergency Communications System and to provide for a uniform county-wide addressing system with respect to the naming of streets and roadways; fabrication, erection and maintenance of street name signs; address posting requirements; enforcement procedures; and assigning street or house numbers to all residences and principle buildings and businesses to assist fire, rescue, ambulance companies, law enforcement agencies, United States Postal Service and the public in the timely and efficient provision of services to residents and businesses of Bradford County.

(Ord. 53, 4/8/2002, §1)

§21-302. Implementation and Administration.

The implementation of the uniform standards for naming streets and addressing system is in conjunction with the County of Bradford and the Bradford County 911 Emergency Communications System. This Part is established in conjunction with the County of Bradford in implementing and developing a master street address guide and coordinating, designating and naming of addresses pursuant to the street naming and address policy. Enforcement of this Part shall remain the responsibility of the Towanda Township Board of Supervisors; however, the County of Bradford shall coordinate and assist Towanda Township in enforcement.

(Ord. 53, 4/8/2002, §2)

§21-303. Guidelines and Standards.

The Township of Towanda shall establish street names as chosen by the Township or land developer or land owner, and street or house numbers in accordance with the guidelines as set forth and described in the Bradford County Street Naming and Addressing Policy, a copy of which is attached to this Part and marked as Exhibit "A."¹ Establishment of any street names and addresses will be coordinated with the County of Bradford pursuant to the street naming and addressing policy. A designation of street names and addresses by the Township of Towanda shall require the approval of the County of Bradford so as to coordinate such designations and to comply with the County of Bradford street naming and addressing policy.

¹ Editor's Note: The Bradford County Street Naming and Addressing Policy is on file at the Township office.

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(Ord. 53, 4/8/2002, §3)

§21-304. Enforcement.

1. Whenever the Township of Towanda has reason to believe that there has been a violation of any provision of this Part, Towanda Township or the designee of the Township shall give notice to the person or party failing to comply and order said person or party to take corrective action or measures within 30 days from the date of notification.
2. If such person or party fails to comply with a duly issued order, Towanda Township or the designee of the Township shall initiate necessary action to terminate the violation to criminal and/or civil measures.
3. Any violation of any provision of this Part pursuant to any criminal section shall constitute a summary offense, punishable by a fine of not more than \$300 per offense. Subsequent to the 30 day period following the notification of violation, each day a violation shall continue shall constitute a separate violation. Should, pursuant to the Section, enforcement be by the civil measures, any civil sanctions to be imposed shall be at a rate similar to the criminal in the amount of a maximum \$300 per offense with each day of violation constituting a separate violation.
4. The Township of Towanda shall have the authority and option, per agreement with Bradford County, should both parties choose to do so, to designate Bradford County as the Township's designee for purposes of enforcement.

(Ord. 53, 4/8/2002, §4)