



Roaring Brook Township
DRIVEWAY PERMIT
Application

Date application submitted _____

Property Owner _____

Property Owner's Phone Number: _____

Mailing Address _____ Physical Property Address _____

Contractor's Name _____ Contractor's Phone No _____

Date work is scheduled to begin: _____

Drainage provisions to be installed: (Note: A minimum 18" double wall pipe is the recommended standard And once installed it will be the property owner's responsibility for Maintenance)

Width of driveway: _____ Length of Driveway: _____

Sight Distance: (Please estimate in feet the distance when facing forward and looking LEFT _____

And, looking RIGHT _____

- On the back of this page please draw a diagram of the driveway on your property.
- I have read the attached copy of the Roaring Brook Township Driveway Ordinance No 1—2008

Applicant signature _____

Amount Paid: \$ _____
Cash _____

Official Township Use Only
Date Issued: ____/____/____ Township Official _____

Permit No: _____

Roaring Brook Township
430 Blue Shutters Road, Roaring Brook Twp., 18444
(Phone) 570-842-6080 (Fax) 570-842-7680
(Email) roaringbrooktwp@comcast.net
(Web) www.roaringbrooktownship.org

ROARING BROOK TOWNSHIP

LACKAWANNA COUNTY

COMMONWEALTH OF PENNSYLVANIA

DRIVEWAY AND DRAINAGE FACILITY ORDINANCE

No. 1 of 2008

AN ORDINANCE REPEALING ROARING BROOK TOWNSHIP DRIVEWAY ORDINANCE NO. 1-2003 AND ESTABLISHING RULES AND REGULATIONS FOR THE DESIGN CONSTRUCTION AND MAINTENANCE OF DRIVEWAYS, DRAINAGE FACILITIES AND OTHER CONSTRUCTION ON ROARING BROOK TOWNSHIP ROADWAYS.

BE IT ORDAINED AND ENACTED by Roaring Brook Township, Lackawanna County, Pennsylvania as follows:

Section 1. CONSTRUCTION ON AND ACCESS TO ROARING BROOK TOWNSHIP ROADWAYS

a. *Definitions:*

- i. Driveway – Every entrance or exit used by vehicular traffic to and from properties abutting a roadway.
- ii. Roadway – Every public road or street including existing or proposed streets, lanes, alleys, courts and ways in the Township. The roadway includes all property within the Township right of way.
- iii. Draining Facility - Any drain pipe, culvert, swale, ditch, or other construction designed to deter, channel or regulate the flow of water.

b. *Purpose and Application.*

- i. General Rule. It is in the public interest to regulate the location, design, construction, maintenance of drainage facilities and

driveways and other structures within the Township roadways for the purpose of security, economy of maintenance, preservation of proper drainage and safe and reasonable access.

- ii. Other Requirements. Issuance of a permit under these regulations does not relive the permittee from any additional responsibility to secure other federal, state, or local approvals or permits as may be required by law.

- iii. Permit application procedure

- (1) No driveway, drainage facility or other structure shall be constructed, reconstructed, resurfaced or altered within a Township roadway without first obtaining a permit from the Township. A permit shall not be required for routine maintenance (seal coats).
- (2) Where to submit application. Permit applications shall be submitted to the Township Secretary and must be approved by the Township Roadmaster or Engineer.
- (3) When to submit applications. Permit applications should be submitted prior to the clearing of land and construction of any building which the proposed driveway will serve. This will insure that the driveway can be constructed in accordance with this section. In the case of existing driveways, permit applications must be submitted at least thirty (30) days prior to construction, modification, alteration or pavement of driveway.
- (4) Application procedures and required information for permit applications.
 - (a) Applications shall be signed and submitted by applicant.
 - (b) Applications shall be accompanied by a check or money order payable to Roaring Brook Township.
 - (c) Applications should be submitted to the Township at least thirty (30) days prior to the anticipated start of work.
 - (d) Applicants shall call the Township the day work begins.

- (5) The Township reserves the right to reject any application that does not comply with the provisions of this Ordinance.

iv. Permit fees:

- (1) Permit issuance fees. Issuance fees are used to defray costs incurred by the Township in reviewing and processing the application and permit.
 - (a) Issuance fee shall be as set forth in the Roaring Brook Township fee Schedule.

v. Issuance of Permits.

- (1) General Rule – Upon application duly made in accordance with this Ordinance, a permit will be issued subject to this Ordinance and conditions contained on the permit. The permit shall be the applicants authority to proceed with the work and will also serve as receipt for the fees accompanying the application.
- (2) Permit issued only to property owner. Permits will be issued only to the owners of the property. Permits will not be issued to contractors of the owner or to any person other than the owner of the property.
- (3) Waiver of design requirements. If any design requirement set forth in this Ordinance cannot be met, the Supervisors may, in their absolute discretion, waive said Ordinance requirement. All waivers so approved shall not in any way be detrimental to access, road maintenance or drainage within the Township roadways.
- (4) Permits are valid for one (1) year. If construction is not begun after one (1) year after permit is obtained, permit will expire and a new permit must be obtained. If construction is not completed within one (1) year after the construction is begun, permit will expire and a new permit must be obtained.

vi. General Conditions. The following conditions shall apply to permits issued under these regulations:

- (1) Scope of permit. The permit shall be binding upon the permittee, its agents, contractors, successors and assigns.
- (2) The permittee shall be responsible for insuring compliance with all terms and conditions of the permit by its employee, agents, and contractors.
- (3) Responsibility for compliance with the terms of the permit cannot be assigned or transferred by the permittee without first obtaining approval from the Township.
- (4) The permittee shall be principally liable to the Township for any failure to comply with the permit and this Ordinance. The principal liability of the permittee to the Township shall not preclude the permittee or the Township from bringing any action against the permittee's contractor, subcontractor, engineer, architect or any other person.
- (5) The Township in granting a permit, waives none of its powers or rights to require the future change in operation, removal, relocation or proper maintenance of any access within Township roadway right of way.

Section 2. PERMITTEE RESPONSIBILITIES.

- (1) If the permittee, after making an opening in the surface to place or repair a drainage facility or for any other purpose, fails to restore any portion of the roadway to conform with Township specifications upon notice from the Township to do so, the Township may perform the work and the permittee shall reimburse the Township for the costs within thirty (30) days after receipt of the Township's invoice.
- (2) Traffic control, according to PennDOT Publication 203 (Work Zone Traffic Control) must be used whenever work is being done within a roadway.

- (3) The owner of the property must call Pa 1 Call (811) before beginning any work in the roadway.

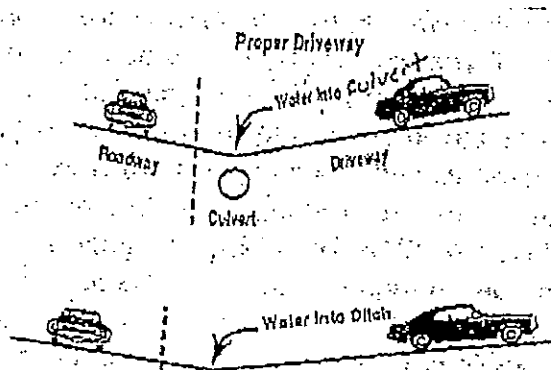
Section 3. **RESTORATION OF SLOPES.** All disturbed slopes or earthen areas shall be restored to their original condition or in a manner approved by the Township.

Section 4. **ALTERING DRAINAGE PROHIBITED.** Unless specifically authorized by the permit, the permittee shall not:

- a. Alter the existing drainage pattern or the existing flow of drainage water.
- b. A grading/drainage permit must be obtained from the Township before any drainage structures are altered.

Section 5. **DESIGN REQUIREMENTS.**

- a. Driveway design and construction shall comply with the following figures:



- b. Drainpipes (if approved by Township) shall be constructed of a minimum eighteen inch (18") smooth wall HDPE pipe. This pipe shall be installed and maintained by property owner.
- c. Driveway aprons shall be rounded at roadway and be paved from road edge to right of way.
- d. Minimum ten foot (10') driveway setback from property line.
- e. Driveways shall have a swale installed to allow for drainage.

- f. Driveway surface shall be lower than road surface so as to prevent damage to driveway from snow removal or other road maintenance activities.
- g. Driveway shall have minimum six inch (6") modified, three inch (3") binder, one inch (1") top coat in shoulder area of road.
- h. Driveways shall provide for all season fire truck and emergency vehicle access. All driveways will be inspected by the Township Voluntary Fire Department Chief or his designee, to assure compliance with this provision.
- i. Driveways shall have a maximum slope of sixteen percent (16%) with a leveling area for 40' at four percent (4%) slope.
- j. Driveways shall slope away from the roadway a negative two percent (2%).
- k. Driveways shall enter the roadway at right angles.
- l. The only surface material permitted in the Township roadway is blacktop.

Section 6. ACCESS TO AND OCCUPANCY OF STATE HIGHWAYS BY DRIVEWAYS.

- a. Prior to providing access to and occupancy of State Highways a permit must be obtained in accordance with State Highway Laws.
- b. No Township Building Permit may be issued without first securing and providing evidence of an approved permit from the Pennsylvania Department of Transportation.

Section 7. ENFORCEMENT AND PENALTIES. Anyone who constructs, reconstructs, alters or resurfaces a driveway, drainage facility or other structure within any Township roadway without first obtaining the permit required by this Ordinance or anyone who constructs, reconstructs, alters or resurfaces a driveway, drainage facility or other structure not in accordance with the provisions of this Ordinance shall, in addition to other sanctions and remedies provided for in this Ordinance and otherwise, be subject to a fine of \$100 for each offense and a separate offense shall be deemed committed on each day which a violation occurs or continues. In addition to said penalties, the

Township shall have the right to enforce all provisions of this Ordinance through the issuance of a stop work order or through a suit for an injunction in the Court of Common Pleas of Lackawanna County.

Section 8. **REPEALER.** Roaring Brook Township Driveway Ordinance No. 1-2003 and all other Township Ordinances inconsistent herewith are hereby repealed.

Section 9. **EFFECTIVE DATE.** This Ordinance shall be effective five (5) days after adoption by the Supervisors of Roaring Brook Township.

Section 10. **ENACTMENT.**

ENACTED AND ORDAINED INTO LAW BY the Supervisors of Roaring Brook

Township at their regularly scheduled meeting on the 7th day of

February, 2008.

ROARING BROOK TOWNSHIP SUPERVISORS

By: Anthony Jordan
Anthony Jordan, Chairman

By: Robert Farischon
Robert Farischon

By: Eric Schield
Eric Schield

ATTEST:

Joseph A. O'Brien (Corp)
(Seal)
Joseph A. O'Brien,
Solicitor of Roaring Brook Twp.