

\* The shoulder slope usually varies from  $\frac{1}{2}$ "/ft. (4%) to  $\frac{3}{4}$ "/ft. (6%). However, the shoulder slope should be maintained when constructing the driveway.

For grade changes greater than those shown in Figure 1, vertical curves at least 10 feet long shall be constructed and length "A" shall be increased.

Grades ( $G_2$ ) shall be limited to 1% for minimum use driveways and from five percent to eight percent for low, medium or high volume driveways within the right-of-way.

Maximum Grade Change (D)

	<u>Desirable</u>	<u>Maximum</u>
High Volume Driveway	0%	±3%
Medium Volume Driveway	±3%	±5%
Low Volume Driveway	±6%	Controlled by Vehicle Clearance

Figure 1

## ORDINANCE NO. 85 - 2.

AN ORDINANCE OF THE TOWNSHIP OF PENN, SNYDER COUNTY, PENNSYLVANIA, REQUIRING PLANS FOR PROPOSED PUBLIC ROADS, ESTABLISHING PLAN REQUIREMENTS, ESTABLISHING DESIGN STANDARDS FOR ROADS, REQUIRING REVIEW AND APPROVAL OR REFUSAL OF APPROVAL OF PLANS, REQUIRING IMPROVEMENTS BOND REQUIRING FILING AND RECORDING OF APPROVED PLANS, PROVIDING FOR APPEALS, PROHIBITING ROADS NOT OPENED AND CONSTRUCTED UNDER APPROVED PLANS, LIMITING RESPONSIBILITIES OF PENN TOWNSHIP FOR ROADS, PROVIDING PENALTIES, AND REPEALING PENN TOWNSHIP ORDINANCE NO. 80-1.

The Board of Supervisors of Penn Township, Snyder County, Pennsylvania, enacts and ordains, as follows:

**SECTION ONE. Authority for Ordinance.** This Ordinance is adopted in conformance with and pursuant to authority granted by Sections 66140 through 66148 of the Second Class Township Code as set forth in Purdon's Pennsylvania Statutes Annotated and Sections 10503 and 10509 of the Pennsylvania Municipalities Planning Code as set forth in Purdon's Pennsylvania Statutes Annotated, all as amended.

**SECTION TWO. Plans of Roads Required.** No person shall construct, open, or dedicate any roads, or any drainage facilities in connection therewith, for public use or travel in Penn Township, without first submitting plans thereof to the Board of Supervisors for approval. Such plans shall be prepared and submitted in accordance with the provisions of Section Three of this Ordinance.

**SECTION THREE. Plan Requirements.** Every plan submitted under this Ordinance shall conform to the following requirements:

- (a) The plan shall consist of black-on-white or blue-on-white prints on sheets no smaller than 8 1/2" x 11" and no larger than 36" x 42".
- (b) The plan shall be drawn to a scale not more than 100 feet to the inch.
- (c) The plan shall show the profiles, courses, monuments and structures of the road, the design and capacity of any drainage facilities, and the method of drainage of the territory adjacent to the road.
- (d) The plan shall have a title block containing the name of the subdivision or

land development, the name of the record owner of the site for the road and the drainage facilities, the date, the scale, and the name of the person who prepared the plan.

(e) The plan shall contain a north indicator and a map or other data sufficient to locate the road with reference to existing roads in Penn Township.

(f) The boundary lines of the road and land required for drainage facilities shall be labeled with their bearings to the nearest minute and distances to the nearest one-hundredth of a foot and the names of record owners of all lands adjoining the road shall be shown.

(g) The plan shall show the location of all significant natural features and all significant man-made features of the land within 100 feet on either side of the centerline of the road.

(h) Five (5) copies of the plan shall be submitted.

**SECTION FOUR. Road Design Standards.** No plan for a road shall be approved unless the road is designed to be mud-free and permanently passable and meet the following standards: (87-2)

1. Roads adjacent to land with less than two and five tenths (2.5) dwellings per acre:
  - (a) The road shall be designed so as not to exceed a grade of ten percent (10%).
  - (b) The legal right-of-way width for the road shall not be less than 50 feet; the graded, improved and paved cartway width of the road, including shoulders, shall not be less than 28 feet. (06-1)
  - (c) The road shall be constructed according to the criteria specified on the Roadway Construction Specification - Typical Roadway Section, attached as Exhibit A and incorporated here by this reference, and to the Pennsylvania Department of Transportation specifications referred to there. (93-2)
  - (d) Facilities to drain the roadway and land adjacent and contiguous to the roadway shall be designed to accommodate existing stream and drainage courses as well as new drainage courses to be created by road grading and to accommodate all existing flows as well as all flows likely to occur as a result of projected development in the areas adjacent and contiguous to the road.
2. Roads adjacent to land with more than two and five tenths (2.5) dwellings per acre:
  - (a) The road shall be designed so as not to exceed a grade of ten percent (10%).
  - (b) Curbs of # 3,500 concrete shall be installed along both edges of the improved cartway. The curbs shall extend at least 30 inches below and 6 inches above the improved

cartway surface and shall be at least 4 inches wide.

(c) The legal right-of-way width for the road shall not be less than 50 feet; the graded, improved and paved cartway width of the road shall extend from curb to curb and shall not be less than 32 feet; a graded and improved planting area of not less than 3 feet 8 inches in width shall be constructed adjacent to each curb, and concrete sidewalks of not less than 4 feet in width and 4 inches in depth shall be installed along adjacent to each planting area. (06-1)

(d) The road shall be constructed according to the criteria specified on the Roadway Construction Specification - Typical Roadway Section, attached as Exhibit A and incorporated here by this reference, and to the Pennsylvania Department of Transportation specifications referred to there. (93-2)

(e) Facilities to drain the roadway and land adjacent and continuous to the roadway shall be designed to accommodate existing stream and drainage courses as well as new drainage courses to be created by road grading and to accommodate all existing flows as well as all flows likely to occur as a result of projected development in the areas adjacent and contiguous to the road. (87-2)

**SECTION FIVE. Board Review of Plans.** Before acting upon any road plans the Board of Supervisors may, in its discretion, arrange for a public hearing, after giving such notice as it deems desirable in each case. After any such hearing and after review of such plans, the Board of Supervisors may alter such plans and specify any changes or modifications of any kind which it, in its discretion, may deem necessary with respect thereto, and may make its approval of such plans subject to any such alterations, changes or modifications.

**SECTION SIX. Improvements Bond.** After review of any road plans and prior to approval thereof, the Board of Supervisors will determine the probable cost of constructing the road and drainage facilities shown on such plans with any alterations, changes or modifications required by the Board of Supervisors and will notify the person submitting such plans of the amount of such determination of probable costs. Thereupon, if the person submitting such plans desires approval thereof, he shall file a bond in the amount of one hundred ten percent (110%) of such determination, with sureties or other security satisfactory to the Board of Supervisors, conditioned for the construction of the road and drainage facilities in accordance with such plans and any alterations, changes or modifications thereof within such time as may be specified by the Board of Supervisors.

**SECTION SEVEN. Approval, Filing and Recording of Plans.** Within sixty (60) days after receipt of the bond required by Section Six hereof, the Board of Supervisors will either approve or refuse approval of the road plans, with or without alterations, change and modifications, and will either approve

or refuse approval of the bond. Upon approval of the plans, as altered, changed or modified, and the bond, the Board of Supervisors shall sign two (2) copies of the plans, as altered, changed or modified, and shall file one (1) copy thereof with the Township Secretary, who shall make the same available to public inspection, and shall return the other thereof to the person who submitted them, who shall then record such approved plans in the Office of the Recorder of Deeds of Snyder County, Pennsylvania.

**SECTION EIGHT. Appeal from Refusal of Approval.** In every case where the Board of Supervisors refused to approve road plans or the bond, any person aggrieved by such action of the Board of Supervisors may, within thirty (30) days after such action, appeal therefrom to the Court Of Common Pleas of Snyder County, Pennsylvania. If the Court on appeal approves the road plans and bond, then the appellant shall record an approved copy thereof in the Office of the Recorder of Deeds of Snyder County, Pennsylvania.

**SECTION NINE. Certain Roads Prohibited.** No road or drainage facilities in connection therewith, shall be opened, constructed or dedicated for public use or travel, except in strict accordance with plans approved by the Board of Supervisors pursuant to this Ordinance, or approved by the Snyder County Court Of Common Pleas on an appeal from an action by the Board of Supervisors, and until such plans and the approval thereof has been recorded as required by Sections Seven and Eight hereof.

**SECTION TEN. No Responsibility on Township Where Plans Not Approved.** If any road or drainage facilities in connection therewith shall be opened, constructed, or dedicated for public use or travel, except in strict accordance with plans approved and recorded as herein provided, neither the Township nor any public authorities shall place, construct, or operate any sewer, drain, water pipe or other facilities, or do any work of any kind, in or upon such road; neither the Township nor any other public authorities, shall have any responsibility of any kind with respect to such road or drainage facilities, notwithstanding any use of the same by the public; provided, however, that nothing herein contained shall prevent the laying of trunk sewers, drains, water or gas mains, if required by engineering necessity, for the accommodation of other land.

**SECTION ELEVEN. Effect of Approval of Plans.** The approval of any road plans by the Board of Supervisors shall not obligate or require Penn Township to construct, reconstruct, maintain, repair or grade such road, unless and until the Board of Supervisors by resolution has accepted a dedication of such road as a public road and has filed a certified copy of such resolution in the Office of the Prothonotary of Snyder County, Pennsylvania. The Board of Supervisors will not adopt a resolution accepting dedication of a road for which plans have been approved unless and until such road has been constructed in strict accordance with such plans by the person for whom the plans have been approved and a deed of dedication satisfactory to the Township Solicitor has been submitted to the Board of Supervisors.

**SECTION TWELVE. Penalty.** Any person, copartnership or corporation who or which shall construct, open or dedicate any road or any drainage facilities in connection therewith for public use or travel in Penn Township without complying with this Ordinance shall, upon conviction, be guilty of a misdemeanor as provided by Section 66144 of the Second Class Township Code as set forth in Purdon's Pennsylvania Statutes Annotated, as amended, and shall be subject to the penalties therein provided.

**SECTION THIRTEEN. Repeal.** Penn Township Ordinance No. 80-1 is hereby repealed. Any other ordinance or part of any other ordinance inconsistent herewith is hereby repealed insofar as it is inconsistent herewith.

**SECTION FOURTEEN. Severability.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

**SECTION FIFTEEN. Effective Date.** This Ordinance shall become effective five (5) days after its adoption.

ENACTED AND ORDAINED this 6th day of August, 1985.

Attest:

*/s/ June Aurand*  
Secretary

SEAL

PENN TOWNSHIP  
BOARD OF SUPERVISORS

*/s/ Edward Burgess*  
Chairman

*/s/ Charles Ewig, Jr.*  
Supervisor

*/s/ James Wentzel*  
Supervisor

As amended by:

- Ordinance No. 87-2, adopted August 4, 1987
- Ordinance No. 93-2, adopted June 15, 1993
- Ordinance No. 97-3, adopted June 17, 1997
- Ordinance No. 02-1, adopted July 2, 2002
- Ordinance No. 06-1, adopted June 20, 2006

**EXHIBIT A  
PENN TOWNSHIP  
TYPICAL ROADWAY SPECIFICATIONS**

Construction and materials specifications for streets and roads proposed to be dedicated to Penn Township shall meet the criteria set forth herein. All construction shall meet the requirements of PA Department of Transportation Specifications Publication 408, most recent edition.

**ROADWAY: PAVED CARTWAY**

Sect. 400, 409, 420	Wearing Course	Min. 1-1/2" Superpave Asphalt Mixture Design, 9.5 MM Fine-Graded Wearing Course, PG 64-22, 0.0 to 0.3 million ESAL's
Sect. 400, 409, 421	Base Course	Min. 2-1/2" Superpave Asphalt Mixture Design 25.0 MM Binder Course, PG 64-22, 0.0 to 0.3 million ESAL's
Sect. 350, 703	Subbase	Minimum 8" of 2A subbase
Sect. 210	Subgrade	Graded and prepared subgrade
Sect. 203, 204 205	Excavating and borrow excavation	Excavating for roadways, appurtenances and structures
Sect. 206	Embankment	Construction of embankments and backfills
Sect. 601, 602 604, 605 615, 616	Subsurface drainage	Construction of subsurface drainage and pipe culverts

**ROADWAY: TYPICAL SHOULDERS**

Sect. 350, 703	Subbase	minimum 8" of 2A subbase
Sect. 210	Subgrade	Graded and prepared subgrade

**ROADWAY: PAVED SHOULDERS TYPE 1-I**

Sect. 651	Wearcourse	Min. 2" Superpave Asphalt Mixture Design, 9.5 MM Fine-Graded Wearing Course, P 64-22, 0.0 to 0.3 Million ESAL's
Sect. 350, 703	Subbase	Min. 6" of 2A subbase
Sect. 210	Subgrade	Graded and prepared subgrade

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- Notes:
1. 2A subbase material shall be uniform depth as specified.
  2. Unstable cut and fill areas shall be undercut and backfilled with clean granular material to a depth as required to stabilize.
  3. All road cuts for utility lines, drainage tiles, and the like shall be backfilled with 2A Subbase.
  4. Construction methods shall be in accordance with PA Department of Transportation form 408

- Bituminous Wearing Course - Sect. 400-420
- Bituminous Base Course - Sect. 300 & 421
- Earthwork - Sect. 200
- Embankment - Sect. 206
- Excavation and Borrow excavation - Sect. 203, 204, 205
- Shoulders - Sect. 480, 651, 653
- Subbase - Sect. 703
- Subgrade - Sect. 210
- Subsurface Drainage - Sect. 601, 602, 604, 605, 615, 616
- Surface treatment - Sect. 480.3, 651

**Roadway Grades:**

1. Minimum 0.75% grade
2. Maximum 10.0% grade
3. a leveling area of approximately 25 feet not exceeding 4.0% shall be provided at all intersections from the edge of pavement of the intersecting road.
4. All roadway sections exceeding 5.0% grade shall have paved shoulders with bituminous concrete (extruded) rolled edges in all cut areas (or curb if required).



06/06

**New Superpave Designations  
For Material Bids  
Effective January 1, 2006**

<u>Old PENNDOT Conventional Paving Material</u>	<u>New Superpave Designations</u>	<u>Max. Depth</u>
ID-2, Wearing Course	Superpave Asphalt Mixture Design, 9.5 MM Fine-Graded Wearing Course PG 64-22, 0.0 to 0.3 million ESAL's* <b>OR</b>	1 1/2"
ID-2, Wearing Course	Superpave Asphalt Mixture Design, 9.5 MM Wearing Course, PG 64-22, 0.0 to 0.3 million ESAL's*	1 1/2"
ID-3, Wearing Course	Superpave Asphalt Mixture Design 19.0 MM Wearing Course PG 64-22, 0.0 to 0.3 million ESAL's*	3"
ID-2, Binder Course	Superpave Asphalt Mixture Design 25.0 MM Binder Course PG 64-22, 0.0 to 0.3 million ESAL's*	4"
BCBC, Base Course	Superpave Asphalt Mixture Design 25.0 MM Base Course PG 64-22, 0.0 to 0.3 million ESAL's*	5" Max. per lift.

**ESAL's\***

- 0.0 to 0.3 million
- 0.3 to 3.0 million
- 3.0 to 10.0 million
- 10.0 to 30.0 million

**Trucks / Day**

- 0 to 40
- 40 to 400
- 400 to 1,300
- 1,300 to 3,900

## **New Road Construction Inspections.**

With respect to all new roads constructed in the Township by private developers which are expected to be offered for dedication by the Township after completion, in addition to the construction standards set forth in the Township's Road Design Standards Ordinance, No. 85-02, as amended, the following inspection schedule and time table shall apply:

1. The Township shall be afforded the opportunity to inspect the proposed public road at each of the following steps:

a. before the stone subbase is laid, to ensure there has been no settling, etc. with respect to pipes, manholes, etc.;

b. after the stone subbase is laid and before the asphalt binder course is laid, to ensure adequate depth, evenness and compaction of stone subbase;

c. after the asphalt binder course is laid, to ensure adequate and evenness of asphalt base;

d. the wearing course shall be applied as soon as possible after the binder course is completed to prevent contamination of the binder course by mud and debris;

e. after the wearing course is completed; and

f. after all roadway edge grading is completed.

2. Weigh slips and material certifications shall be provided to the Township during application of such materials, to verify quantities and quality of materials use.

3. It shall be the developer's duty to notify the Township at least three (3) business days prior to commencing any of the steps set forth in paragraph 1, advising the Township of the dates and times when the work will be done so that the Township can timely conduct the inspection and, if desired, observe the work as it is being done.

4. In the event that the Township is not afforded the above inspections, and/or the above timetable is not adhered to, the Township shall use whatever means it deems necessary, at the developer's expense, to verify the adequate construction of the road prior to acceptance of dedication.

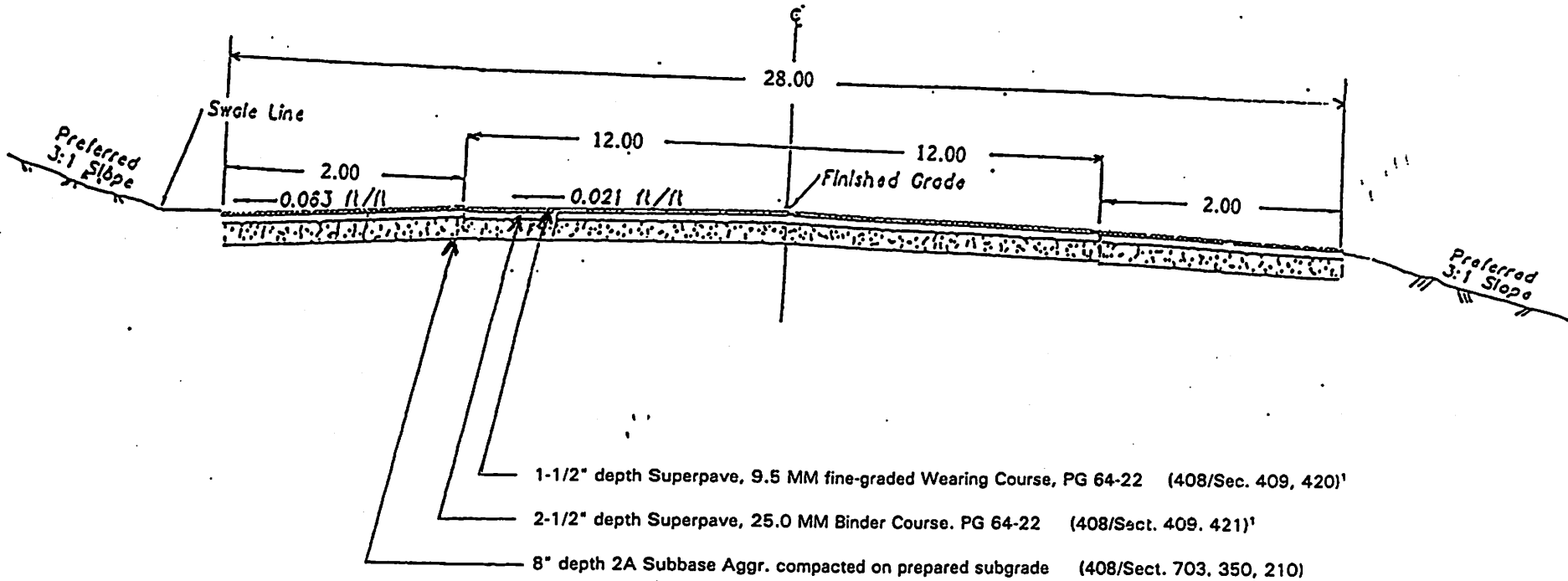
5. When the road is offered for public dedication, the developer will present to the Township, in form acceptable to the Township:

- a. an executed Deed of Dedication;
- b. Resolution for adoption of the road as a public road by the Board of Supervisors;
- c. Maintenance Bond warranting the integrity of the Road for a period of 18 months after acceptance of dedication:
- d. Financial security for the Maintenance Bond in a sum equal to 15% of the actual cost of the construction of the road.
- e. weigh slips for all material used in construction, if not previously provided during construction.

06/06

# ROADS ADJACENT TO LESS THAN 2.5 DWELLINGS PER ACRE.

## TYPICAL ROADWAY SECTION

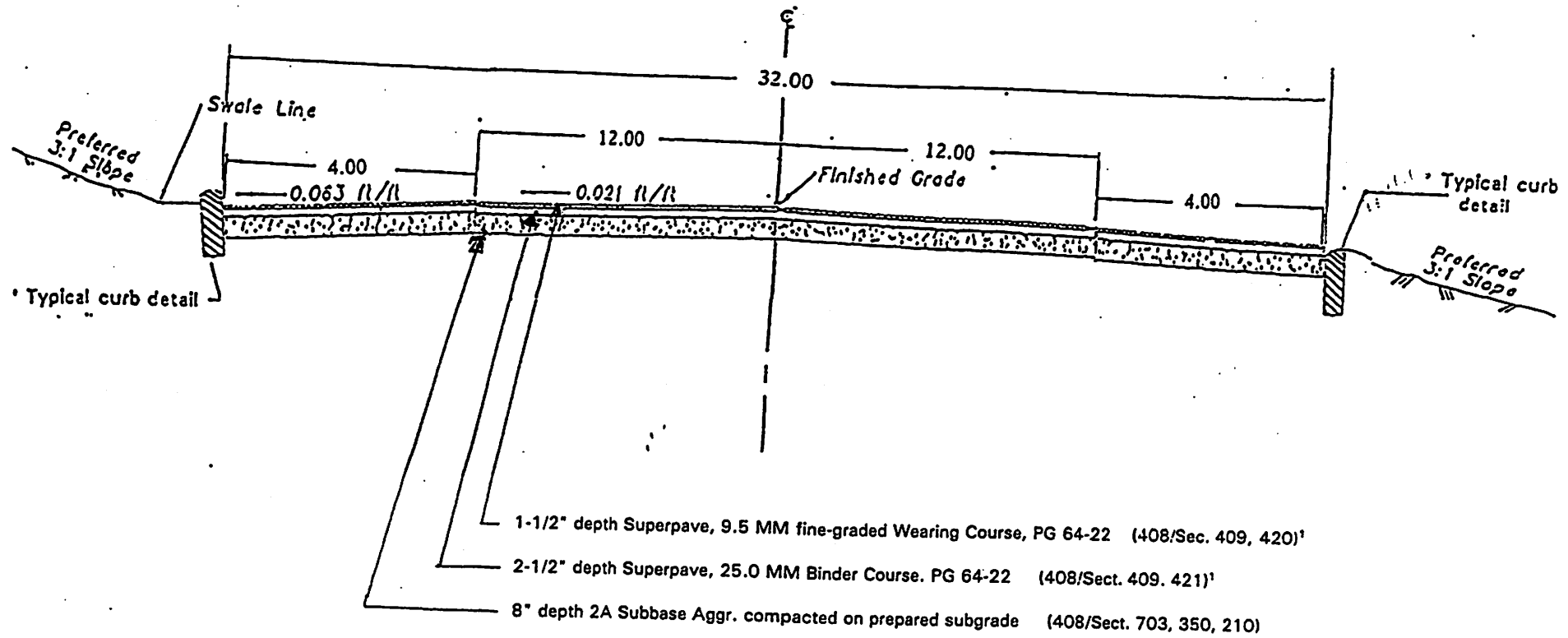


- 1-1/2" depth Superpave, 9.5 MM fine-graded Wearing Course, PG 64-22 (408/Sect. 409, 420)<sup>1</sup>
- 2-1/2" depth Superpave, 25.0 MM Binder Course. PG 64-22 (408/Sect. 409, 421)<sup>1</sup>
- 8" depth 2A Subbase Aggr. compacted on prepared subgrade (408/Sect. 703, 350, 210)

<sup>1</sup> Superpave Asphalt Mixture Design, PG 64-22, 0.0 to 0.3 million ESAL's  
 See Exhibit A, page 3 of 7, "New Superpave Designations for Materials Bid Effective January 1, 2006,  
 for material specifications.

ROADS ADJACENT TO MORE THAN 2.5 DWELLINGS PER ACRE.

TYPICAL ROADWAY SECTION



<sup>1</sup> Superpave Asphalt Mixture Design, PG 64-22, 0.0 to 0.3 million ESAL's  
See Exhibit A, page 3 of 7, "New Superpave Designations for Materials Bid Effective January 1, 2006,  
for material specifications.

\* Curb Detail - design and install as directed by Supervisors.

90/90