

TOWNSHIP OF PENN
SNYDER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2017- 01

AN ORDINANCE OF THE TOWNSHIP OF PENN,
SNYDER COUNTY, PENNSYLVANIA, PROVIDING
THAT NO PUBLIC STREETS OF THE TOWNSHIP OF
PENN BE OPENED OR CUT BY ANY PERSON, FIRM,
CORPORATION OR UTILITY WITHOUT SECURING A
PERMIT IN ACCORDANCE WITH THE TOWNSHIP
CODE, AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF.

BE IT ORDAINED by the Township of Penn, Snyder County, Pennsylvania, as follows:

SECTION ONE.

In accordance with 53 P.S. §67322 of the Second Class Township Code, and as amended, no railroad or street railway shall be constructed upon any Township road, nor shall any railroad or street railway crossings, driveway connections, gas pipe, water 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 obstruction be erected upon or in, any portion of a Township road except under conditions, restrictions and regulations specified in permits granted by the Township for said purpose.

SECTION TWO.

The Application for a permit shall be on a form prescribed by the Township and submitted to the Township in duplicate. The Application shall be accompanied by a fee as determined by the Township, the same being set forth by Resolution of the Township which may be amended from time to time. Each Application shall be accompanied by said fee. In addition, the Applicant shall submit two (2) copies of a sketch plan showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and dimension to the nearest intersecting street.

SECTION THREE.

The Township shall review the Application and if the Township grants the permit, a permit shall be issued to the Applicant after all the aforementioned requirements have been met.

SECTION FOUR.

All work and restoration must be completed in accordance with current PennDOT Publication 408 specifications, supplements and standard drawings, as amended. The same shall include the furnishing and placement of geotextile in accordance with said publication. The Township reserves the right to change any of the requirements of restoration from time to time by resolution.

SECTION FIVE.

The Township shall conduct such inspections that it may reasonably require in order to ensure that the work is being performed in accordance with the requirements for restoration. At a minimum, the Township shall be contacted prior to the placement of any backfill and prior to covering, so that the Township can conduct an 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. In addition to that inspection, the Board of Supervisors or its agents may reinspect the work within two (2) years after its completion, and if settlement of the road surface or other defects appears in the work contrary to the conditions, restrictions and regulations of the Township, the Township may enforce compliance therewith. If the Applicant fails to rectify a defect which presents an immediate or imminent safety or health problem within forty-eight (48) hours after written notice from the Township to do so, or any other defect within sixty (60) days after written notice from the Township to do so, the Township may do the work and impose upon the Applicant the costs thereof, together with an additional twentypercent (20 %) of such costs.

SECTION SIX.


Any person, firm, corporation or utility which shall violate any of the provisions of this Ordinance shall be subject to pay a civil penalty of Six Hundred (\$600.00) Dollars plus costs of prosecution and reasonable attorney's fees. Each day that a violation continues shall be considered a separate offense.

SECTION SEVEN.

Any Ordinance or part of any Ordinance inconsistent herewith is hereby repealed insofar as it is inconsistent herewith.

ENACTED AND ORDANIED by the Board of Supervisors of Penn Township, Snyder County, Pennsylvania, this 1st day of February, 2017.

ATTEST:



Jacqueline Anders
Jacqueline Anders, Secretary

PENN TOWNSHIP BOARD OF SUPERVISORS

Brenda C Meyer
Chairman

Tom Dell'Uva
Vice Chairman

[Signature]
Supervisor