

**AN ORDINANCE REGULATING THE CONSTRUCTION OF DRIVEWAYS IN PEACH BOTTOM TOWNSHIP, YORK COUNTY, PENNSYLVANIA, AUTHORIZING THE ISSUANCE OF PERMITS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Peach Bottom Township, York County, Pennsylvania as follows:

SECTION I. This ordinance shall be known as the "Peach Bottom Township Driveway Ordinance".

SECTION II. It shall be unlawful for any person, firm, association or corporation to construct, open, enlarge, alter, pave or resurface any driveway upon any property owned by or rented by such person, firm, association, or corporation without having first obtained a permit therefor from the Township Designated Official.

SECTION III. For purposes of this ordinance, "driveway" shall be construed to mean any road, alley, lane or other entrance suitable for use by automobiles for ingress and egress onto a road maintained by the Township. Roads or other entrances suitable only for use by tractors and other farm machinery and not suitable for use by passenger automobiles shall not be considered "driveways" within the provisions of this ordinance.

SECTION IV. All applications for a "permit" under this ordinance shall be made to an official designated by the Township Board of Supervisors on forms to be supplied by such Official and shall be accompanied by such fees as may be established by resolution of the Board of Supervisors. In the event any construction, opening, enlarging, altering, paving or resurfacing of a driveway shall have begun prior to the issuance of a permit, there shall be paid in addition to the permit fee, a late fee established by resolution of the Board of Supervisors. In the event any check presented for the payment of any of the fees set forth in this section is dishonored upon deposit thereof, any permit or certification issued for which such check was a part or full payment shall be void and shall not be reinstated until the Township has received payment in full of all sums represented by such check plus an additional administrative charges established by resolution of the Board of Supervisors.

SECTION V. Upon receipt of the application the Township Designated Official shall investigate the application to determine whether the proposed location achieves compliance with the requirements of relevant Township zoning ordinance provisions and in particular, Section 202.9 of the Township Zoning Ordinance and whether the design achieves compliance with relevant Township Zoning Ordinance provisions and in particular, Sections 250 through 254 of the Township Zoning Ordinance. Unless the proposal demonstrates such compliance, the permit shall be refused.

The Township Designated Official shall then investigate the application to determine whether a drainage pipe or other appliance which shall be installed and maintained by the property owner and/or further grading is required in order for proper drainage to be provided. He shall also determine whether slopes are such that in order to protect the Township street or road from earth and/or debris, etc. washing from the driveway onto the Township street or road. If the Township Designated Official finds that even with the installation of pipe or other appliance and even with regrading proper drainage cannot be achieved, the permit shall be refused.

If the proposed location and design are in compliance with Township ordinances, the Township Designated Official shall issue a permit to the applicant.

SECTION VI. The driveway must be completed consistent with the approved application within ninety (90) days next following the issuance of the permit and must be approved by the Township Designated Official. The driveway shall not be considered completed until the Township Designated Official has approved it as being completed in writing. If not completed within 90 days, the applicant may apply for an extension which will be approved or denied at the discretion of the Township Official.

The driveway must be completed in accordance with the provisions of the application and with the following requirements:

- a. Any pipe required to be installed by the Township Designated Official must be installed at the location specified by such Township Designated Official.
- b. All exposed banks created by the installation must be stabilized so as not to erode.
- c. The twenty-five (25) feet most proximate to the improved portion of the Township street or road must be improved with six (6) inches of PA2A or 3A crusher run stone over geotextile cloth. Prior to use and occupancy of a dwelling access by such driveway but no later than nine (9) months of the issuance of a permit the stone base of a driveway must be covered with three (3) inches of Superpave base 25mm mix or its equivalent and one and one-half inches Superpave wearing course 9.5mm or its equivalent.
- d. Provision must be made to prevent water running from the driveway to the existing Township Street or road and damaging such street or road. A swale is required on any driveway that slopes toward a street or road. The swale must follow the existing ditch line for the entire width of the access with a minimum of twenty-four (24) inches in width and three (3) inches in depth. If the Township Designated Official finds that in order to protect the Township street or road from earth and/or debris, etc. washing from the driveway onto the Township street or road, the permit holder must pave some or all of the driveway in addition to the twenty-five (25) feet most proximate to the Township street or road.

Upon the driveway being completed in accordance with the above requirements, the Township Designated Official shall issue a final completion certificate.

SECTION VII. Any person, firm, association or corporation violating any of the provisions of this ordinance shall, upon conviction thereof before a District Justice, be subject to a penalty in the amount of Six Hundred Dollars (\$600.00) for each and every offense. Each and every day that a road, alley, lane or other entrance suitable for use by automobile or truck remains constructed without a permit having been issued or is otherwise in violation of any provision of this ordinance shall be considered a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

SECTION VIII. This ordinance shall become effective five (5) days after enactment.

*Amended 9/5/13, 4/5/17, 6/6/18*