

ORDINANCE 84-03

AN ORDINANCE REGULATING THE DESIGN AND INSTALLATION OF DRIVEWAYS OPENING ON ROADS IN WEST BRADFORD TOWNSHIP, ESTABLISHING PROCEDURES FOR THE GRANTING OF PERMITS, ADMINISTRATION AND FEES WITH RESPECT THERETO AND ESTABLISHING PENALTIES FOR VIOLATION.

BE IT AND IT HEREBY IS BY THE BOARD OF SUPERVISORS OF WEST BRADFORD TOWNSHIP ENACTED AND ORDAINED:

SECTION 1. SHORT TITLE

This Ordinance shall be known as the West Bradford Township Driveway Ordinance of 1984.

SECTION 2. REPEALER

Ordinance numbers 74-3 and 74-6, known as the Driveway Ordinance of 1974, and amendment, are hereby repealed.

SECTION 3. PURPOSE

The purpose of this Ordinance is to regulate driveway construction so as to provide safe access to Township and State roads, private roads, to eliminate problems of stormwater runoff, and to assure sufficient area for and access to off-street parking.

SECTION 4. APPLICABILITY AND DEFINITION

This Ordinance shall apply to all driveways constructed in the Township. Driveway as defined herein shall mean a private vehicular access from a private or public street to an individual dwelling unit or to a non-residential single use property. The beginning of the driveway shall be measured from the centerline of the intersecting street.

SECTION 4.1 ALTERATION

Any change in grade or profile, width, or location of a driveway within the ultimate street right-of-way (as specified by the West Bradford Township Subdivision Ordinance) and 25 feet

beyond that point. This definition is not intended to include overlay or reconstruction of the existing driveway unless changes as noted are made.

## SECTION 5. PERMIT

### SECTION 5.1

Any person, partnership or corporation who shall construct or alter a driveway shall first make application to the Building Inspector or other designated official of the Township, present plans and obtain a permit for said construction.

### SECTION 5.2

No building permit will be issued without first obtaining a permit to construct a driveway.

### SECTION 5.3

Fees for driveway permits shall be as set by the Board of Supervisors from time to time by resolution.

## SECTION 6. PLANS

### SECTION 6.1

A plan shall be submitted with each application which shall include at least the following:

- (a) Site plan of driveway and the area 25 feet to each side of the driveway centerline.
- (b) Adjacent driveways or streets within 100 feet of the driveway entrance.
- (c) Profile of the driveway with existing and proposed grading within the area of the site plan and the 50' stretch of existing or proposed public road as defined in Section (a) above.

## SECTION 7. STANDARDS

### SECTION 7.1

All driveways shall contain a straight length of at least twenty-five (25) feet, measured from the edge of the street and extending inside the lot. The full length of this twenty-five (25) foot segment shall be paved with a base of Pennsylvania 3A stone compacted to four (4) inches and a surface of a minimum of 1½ ID-2A bituminous concrete.

### SECTION 7.2

The first 25' of any driveway shall have a grade of 5% or less.

### SECTION 7.3

A minimum of one parking space, within the first 25', but off the paved cartway shall be provided where the grade of the driveway at any point exceeds eight (8%) percent.

### SECTION 7.4

Driveways to single-family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways shall intersect streets at right angles, where practicable, and in no case less than seventy-five (75) degrees.

### SECTION 7.5

The width of a single-dwelling driveway within the legal right-of-way of the public road or when carried by a bridge shall be a minimum of twelve (12) feet; it shall be a minimum of ten (10) feet at all other points within the property line.

Where the township declares it feasible a shared street exist is permissable. A shared driveway must continue as a shared driveway for 25' from the cartway. Additional length of shared driveway may be required of approved by the township, however, it is not permitted without approval of the township.

SECTION 7.6

Driveway entrances into all non-residential, single use properties shall be no less than twenty (20) feet in width, shall not exceed thirty-six (36) feet in width at the street line.

SECTION 7.7

The curbs of non-residential driveway entrances shall be rounded with a minimum radius of 10 feet where they intersect a street.

SECTION 7.8

The edge of any driveway shall be at least forty (40) feet from the nearest end of the paving radius at the street intersection.

SECTION 7.9

Clear sight triangles shall be provided at all driveway entrances and shall be shown on plans. Within such triangles no object greater than two and one-half (2½) feet in height and no other object that would obscure the vision of the motorist shall be permitted. The legs of such triangles shall be at least 100 feet in either direction, measured from a point 12' back from the edge of the cartway of the intersecting street. Greater distances may be required if warranted by specific circumstances. Whenever a portion of the line of such triangles occurs within any proposed building setback line, such a portion shall be shown on the final plan of the subdivision or land development and shall be considered a building setback line.

SECTION 7.10

Sight distances for non-residential driveways shall adhere to the PennDot standards for non-residential driveways.

SECTION 7.11

The gutter line, wherever possible, shall be maintained as a paved swale. It shall have a maximum depth of four (4) inches and a minimum width of twenty-four (24) inches. A pipe may only be placed under the drive entrances when approved by the Township Engineer. The condition where a pipe will be accepted will be governed by the gutter depth on each side of the drive.

The minimum pipe size under the driveway will be subject to approval by the Township Engineer.

#### SECTION 7.12

Driveways shall be graded so that, wherever possible, surface drainage will be discharged to the owner's property, otherwise, adequately sized pipes, inlets, and/or headwalls shall be installed and gutter improvements shall be made to direct surface drainage into the road drainage system and not onto the paving of the intersecting road.

#### SECTION 7.13

Any person, property owner, or corporation who repaves an existing driveway and fails to maintain a proper gutter swale, as defined in this ordinance, or otherwise creates a blockage to the flow of stormwater within a road drainage system thereby causing the stormwater to be directed onto the traveled portion of the road shall be in violation of this ordinance.

#### SECTION 8. VARIANCES

Where due to the unusual topography, grade, size, width or other dimensions of a lot or the placement of structures thereon, literal compliance with this ordinance would be rendered physically impossible or where such compliance would, by reason of excess cuts or fills, otherwise render the lot unusable, the Board of Building Appeals shall be and hereby is authorized to grant reasonable variances from the literal requirements of this ordinance.

Such variances, when granted, shall not be contrary to the public health, safety, morals or welfare nor at variance with the spirit and purposes of this ordinance nor shall the variance be greater than the minimum variance necessary to remove or mitigate the hardship imposed. No variance shall be granted where the hardship for which a variance is sought was created by the developer by reason of the layout of any subdivision, installation and design of any road, or other cause within the

control of the developer.

SECTION 9.

Any structure erected in violation of the provisions of this ordinance or in violation of any plan or permit shall be and hereby is declared to be a public nuisance.

SECTION 10.

Any person violating the provisions of this ordinance or constructing any driveway at variance with the terms of this ordinance or at variance with the terms of any plan finally approved by the Township or at variance with the terms of any permit issued hereunder shall, upon conviction before a District Justice in a summary proceeding, be sentenced to pay a fine of not more than \$300.00 together with costs of prosecution. After notification by the Township Building Inspector of the violation, each day which the violation continues shall be deemed a separate offense subject to a \$300.00 fine.

SECTION 11.

In addition to the remedies provided in the immediately preceding Section, and not in substitution thereof, the Township, through the Board of Supervisors, may institute and prosecute any other action at law in equity for the abatement or removal of a violating structure or the Township may, in its discretion and in addition to the other remedies herein provided, enter upon the lands where the violation exists and cause the same to be removed and recover the cost of such removal from the owner, occupier, and/or contractor, all of whom are declared to be jointly and severally liable to the Township for such costs and expenses incurred.

