

ORDINANCE NO. 64

WESTFALL TOWNSHIP

PIKE COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF WESTFALL, PIKE COUNTY, PENNSYLVANIA, PROHIBITING THE OPENING, CONSTRUCTION AND DEDICATION FOR PUBLIC USE OR TRAVEL OF ANY ROAD, STREET OR ANY DRAINAGE FACILITIES IN CONNECTION THEREWITH, EXCEPT IN ACCORDANCE WITH PLANS SUBMITTED AND APPROVED BY THE TOWNSHIP SUPERVISORS; PRESCRIBING THE METHOD OF PREPARING AND SUBMITTING SUCH PLANS AND THE KIND AND CHARACTER OF IMPROVEMENTS TO BE MADE; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

The Supervisors of the Township of Westfall do enact and ordain as follows:

SECTION 1. PURPOSES: This Ordinance is enacted for the purpose of creating conditions favorable to health, safety and general welfare of the inhabitants of Westfall Township by regulating and prohibiting the opening, construction or dedication for public use or travel of any road, street, or any drainage facilities in connection therewith, except in accordance with plans submitted and approved by the Township Supervisors.

SECTION 2. INTERPRETATION: The provisions of this Ordinance shall be held to be minimum requirements for the promotion of the above purpose. Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such other ordinance or regulation shall be controlling.

SECTION 3. SHORT TITLE: This Ordinance shall be known and may be cited as the "Westfall Township Road/Street Dedication Ordinance of 1988".

SECTION 4. INCLUSIONS: As used in this Ordinance, words expressed in the singular include their plural meanings and words expressed in the plural include their singular meanings. The word "person" includes a corporation, and its responsible officers; an unincorporated association; a co-partnership, as well as an individual. The word "street" is used generically and shall be construed as if followed by the phrase "or part thereof". The term "water-course" includes a drainage ditch and stream. The word "may" is permissive; and the words "shall" and "will" are mandatory.

SECTION 9.2 STREET CONSTRUCTION REQUIREMENTS:

A. Widths.

(i) The minimum right-of-way widths for streets are as follows:

<u>Type of Street</u>	<u>Minimum Right-of-Way Width</u>
Major Streets	80 feet
Collector Streets	66 feet
Minor Streets	50 feet
Crosswalks	10 feet

Where a proposed subdivision fronts on an existing public right-of-way of less than the required width, as specified above, the applicant shall provide additional width as may be required to conform with these standards. Where the proposed subdivision fronts on only one side of a street the entire additional required width shall be provided on that side.

B. Cul De Sac Streets. Cul-de-sac streets, permanently designed as such, shall not exceed 1200 feet in length and shall furnish access to not more than 12 dwelling units. Cul-de-sac streets shall have at the closed end a turn-around with the right-of-way having a minimum outside diameter of not less than 160 feet and shall be paved to a diameter of not less than 140 feet. Drainage of cul-de-sacs shall preferably be toward the open end.

C. Construction of base and surface. The travelway of the street must be constructed in accordance with one of the following:

- (i) A 10 inch compacted depth base course of crushed stone or gravel with a bituminous surface course 2 1/2 inch thickness of 1 D - 2A in accordance with Pennsylvania Department of Transportation Specification Form #408 (latest revision), or
- (ii) A 10 inch compacted depth base course of crushed stone, gravel with a bituminous surface course 3 inch thickness of F B - 1 in accordance with Pennsylvania Department of Transportation Specification Form #408 (latest revision) or
- (iii) A suitable sub-base of select granular material 4 inch in depth with a bituminous black base course 5 inch in thickness and a wearing course 1 1/2 inch thickness of 1 D - 2A in accordance with Pennsylvania Department of Transportation Specification Form #408 (latest revision), or

SECTION 5. DEFINITIONS: The following words and phrases as used in this Ordinance shall have the meanings indicated below, except when such meanings are clearly out of context:

- A. Shoulder - That portion of a street between the outer edge of the travelway and the point of intersection of the slope lines at the outer edge of the street, for the accomodation of stopped vehicles and for lateral support.
- B. Cartway - The graded portion of a street including travelway and shoulders.
- C. Collector Streets - Streets which, in addition to giving access to abutting properties, intercept minor streets and provide routes, carrying considerable volumes of traffic, to community facilities and to major traffic streets.
- D. Drainage - The flow of water or liquid waste and the methods of directing such flow, whether natural or artificial.
- E. Easement - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public or private purpose, and within which there shall not be erected any permanent structure.
- F. Major Traffic Streets - Streets servicing large volumes of comparatively high-speed and long-distance traffic, and including facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.
- G. Minor Streets - Streets which are used primarily for access to abutting properties.
- H. Right-of-Way - Land reserved for use as a street, interior walk, or for other public purposes.
- I. Street or Road - A strip of land, including the entire right-of-way, intended for use as means of vehicular and pedestrian circulation.
- J. Travelway - That portion of a street or road which is intended for vehicular movement.

SECTION 6. No person, partnership, association or corporation shall construct, open, or dedicate any road, street, or any sewer or drainage facilities in connection therewith, for public use or travel in the Township of Westfall without first submitting plans therefor to the Township Planning Board for their recommendation, and without first having the plans approved by the Township Supervisors.

SECTION 7: All plans shall show the profiles of the roads, streets; the course grade; structure and capacity of any drainage facilities; the method of drainage of the adjacent or contiguous lands; and drainage profile of the applicant's total lands. All applicant's streets shall have a right-of-way width in accordance with the specifications hereinafter set forth. All streets where possible shall connect with existing or proposed streets so as to form through streets. The names of the streets shall not conflict with the names of existing streets, and all streets shall be designated by the names of existing streets with which they connect as extensions thereof.

SECTION 8: The Township Supervisors may adopt such rules and regulations as are necessary to implement and carry out the intent of this Ordinance. The regulations shall be known as and may be cited as the "WESTFALL TOWNSHIP STREET DEDICATION REGULATIONS".

SECTION 9.1 PLANS:

A. The plans shall include such details as may be required to adequately reflect the land conditions in, over or upon which the proposed road will be constructed, opened and dedicated for public use.

B. The plans shall include information including but not limited to the following details:

- (i) The typical cross section of a street showing width and thickness.
- (ii) The Specifications for proposed bridges.
- (iii) The Specifications for proposed drainage structures including the elevation, capacity, construction details, and watershed area for each drainage structure.
- (iv) The center line profile of the street giving existing ground and finished grade elevations at 100 foot stations.
- (v) The identification of the markers which will indicate on the ground the location of courses, property lines, or other items shown on the plan.
- (vi) A certification regarding the identity of each and every property owner along the right-of-way of the street, together with an indication as to whether such property owner joins in the submission for approval of the plan and releases any right to assert any claim such property owner may have against the applicant or Westfall Township by reason of the opening, construction and dedication of such street. Such certification shall be supported by appropriate evidence of the authority pursuant to which the certification is made.

vision-obstructing object other than utility poles, street lights, street signs, or traffic signs shall be permitted which obscures vision above the height of thirty-six (36) inches and below ten (10) feet measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of forty-five (45) feet from the point of intersection of the centerlines.

- (vi) Whenever possible intersections with major traffic streets shall preferably be located not less than eight hundred (800) feet apart measured from center line to center line, except in commercial areas where the distance shall preferably be not less than five hundred (500) feet.
- (vii) Streets, excepting cul-de-sacs, entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of two hundred (200) feet between their center lines.

I. Street Grades.

- (i) Parallel ditch grades shall not be less than one-half of one percent (0.5%).
- (ii) Center line grades shall not exceed the following:
 - a. Minor Streets: Ten per cent (10%).
 - b. Collector Streets: Eight per cent (8%). Up ten percent (10%) for two hundred fifty (250) feet.
 - c. Major traffic streets: Six per cent (6%). Up to eight per cent (8%) for two hundred fifty (250) feet.
 - d. For minor and collector streets the above listed maximum grades may be repeated after a grade of eight per cent (8%) or less, for a distance of five hundred (500) feet, is provided.
 - e. Vertical curves shall be used at changes of grade exceeding four per cent (4%) and to provide the following minimum sight distances for summit vertical curves measured along the center line from the driver's eye four and one-half (4 1/2) feet above the road surface to the top of an object eighteen inches high and on the road surface:
 - (1) Major streets: Five hundred (500) feet.
 - (2) Collector streets: Three hundred (300) feet.
 - (3) Minor streets: One hundred fifty (150) feet.
 - (4) Streets shorter than 500 feet: one hundred (100) feet.

- (iv) Any other suitable material if demonstrated to be of a quality equal to or better than items 1, 2, or 3 above, and provided the material is approved for use by the Pennsylvania Department of Transportation.

D: The shoulders shall be constructed of a 4 inch depth of crushed stone or gravel.

E. Shoulders and Embankments. Embankments at the sides of streets and cross-sections of drainage ditches shall not exceed a maximum slope of two (2) feet horizontally to one (1) foot vertically in a cut or fill section. In special cases, the Engineer may require more rigid standards.

F. Drainage:

- (i) At each point where the street is intersected by a driveway which requires that surface drainage water be carried under the intersection of the driveway and the street, a culvert pipe of not less than eighteen (18) inches in diameter with head walls (and of such gauge as conforms to Pennsylvania Department of Highways) or a size recommended by the Township Supervisors, shall be installed across the width of the driveway and at such depth as drainage and soil conditions may require at that location. The depth and manner of installation will be subject to approval by the Township Supervisors.
- (ii) Drainage culverts shall be provided for the following:
 - (a) To permit unimpeded flow of natural water courses.
 - (b) To insure adequate drainage of all low points along the line of streets.
 - (c) To intercept storm water run-off along streets at intervals reasonably related to the extent and grade of the area drained.
- (iii) For watershed areas in excess of three hundred twenty (320) acres, drainage systems shall be designed in accordance with design standards of the Pennsylvania Department of Environmental Resources, and the Board of Supervisors may request proof of such compliance.
- (iv) SCS TR55 or Penn Dot Design, Manual 2, Section 12 shall be used for computation of storm drainage systems for a watershed

of three hundred twenty (320) acres or less. All drainage systems shall be designed to accommodate a ten (10) year frequency storm.

- (v) All streets shall be so designed as to provide for the discharge of surface water from their rights-of-way. The slope of the crown on proposed streets shall be 1/4 inch per foot away from the center line.

G. Pennsylvania Department of Transportation Requirements. In addition to the requirements of this Ordinance any street, constructed, opened and dedicated to public use in Westfall Township must satisfy all requirements of the Commonwealth of Pennsylvania Department of Transportation as set forth in Form #408 Specifications (latest revision) and in Form #409 Specifications (latest revision) to the extent necessary to qualify the township to receive reimbursement from the Commonwealth for the street under such laws of the Commonwealth of Pennsylvania as provide for reimbursement to municipal subdivisions by the Commonwealth of Pennsylvania for the construction, reconstruction, maintenance, or repair of streets located within municipal subdivisions.

H. Street Alignment:

- (i) Wherever street lines are deflected a total of seven and one-half (7 1/2) degrees or more, within five hundred (500) feet, connection shall be made by horizontal curves.
- (ii) To insure adequate sight distance, minimum center line radii for horizontal curves shall be as follows:
 1. Minor streets: one hundred fifty (150) feet.
 2. Collector streets: three hundred (300) feet.
 3. Major streets: five hundred (500) feet.
 4. Streets shorter than five hundred (500) feet: one hundred (100) feet.
- (iii) Except on minor streets, a minimum tangent of one hundred (100) feet shall be required between curves or deflection points.
- (iv) A long radius curve shall be preferred in all cases to a series of curves and tangents.
- (v) Clear sight triangles shall be provided at all street intersections. Within such triangles, no structure or

f. Except on minor streets, sag vertical curves shall be a minimum of one hundred (100) feet in length for each additional four (4%) per cent algebraic difference in tangent grades (e.e. 1% to and including 4% - 100 feet v.c.: 4.1% to and including 8% - 200 feet v.c. etc.).

g. A levelling area having not greater than three per cent (3%) grades shall be provided at all street intersections for a distance of fifty (50) feet from the center line of the street.

SECTION 9.3 STREET INTERSECTIONS:

1. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.

2. Multiple intersections involving junction of more than two (2) streets shall be prohibited.

3. All intersections will be clearly marked with a street name sign uniform with those signs used by the Township.

SECTION 10: All storm sewers and other drainage facilities shall be installed on all streets before the paving of the streets where connection with existing drainage facilities is practicable, and all gas and water mains and all service connections shall be installed before the paving of the streets where water or gas is available, and all other proposed mains, pipes and conduits and the like shall be installed before the paving of the cartway.

SECTION 11: All plans shall be filed in duplicate with the Secretary to the Township Planning Board at least twenty (20) days prior to regular meeting of the Township Planning Board. Before acting upon any such plan, the Township Planning Board and/or Township Supervisors may, in their discretion, schedule a public hearing. The Township Planning Board and/or the Township Supervisors reserve the right to alter such plans and to specify any changes or modifications of any kind which they may deem necessary with respect thereto, and to make their approval of such plans subject to any such alterations, changes or modifications. All approved plans shall be signed, in duplicate, by the Township Planning Board and the Township Supervisors and a signed copy shall be filed in the office of the Secretary of the Township where the same shall be available to public inspection. Moreover, a signed copy of the plans shall be recorded by the applicant in the Pike County Recorder of Deeds Office. No plan shall be submitted

for filing to the Recorder of Deeds Office unless the plan has been signed by the Township.

SECTION 12: The applicant, at applicant's cost, shall deliver to the Township Secretary an owner's title insurance policy, in the name of the Township, in an amount satisfactory to the Township, setting forth that the title to the premises to be deeded to the Township is good and marketable, and not subject to any encumbrances or liens. The title insurance policy, and any exceptions to title set forth herein, must be approved by the Township Solicitor. The effective date of the policy will be the date the Township signs the plans.

SECTION 13: When a plan is filed with the Secretary of the Township Planning Board the applicant shall pay a non-refundable filing fee of One Hundred (\$100.00) Dollars, or such other sum as is set by resolution. The applicant shall pay all costs of inspection of the roads, including but not limited to the Township engineer's and attorney's fees. The applicant shall deposit with the Township Secretary sufficient monies, as determined by the Township, to guarantee the payment of the aforesaid costs.

SECTION 14: No action by the Township Supervisors shall be construed to require the Township to accept dedication of any road or street.

SECTION 15: Any person, who or which shall construct, open, or dedicate any street, drainage facilities, sanitary sewer, storm sewer, or water main for public use or travel, without having first complied with the provisions of this Ordinance, shall be guilty of a misdemeanor and upon conviction thereof such person shall be sentenced to suffer imprisonment not exceeding two (2) years or pay a fine not exceeding One Thousand (\$1,000.00) Dollars per day, or both, at the discretion of the Court.

SECTION 16: The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Supervisors that this Ordinance would have been


adopted if such illegal, invalid or unconstitutional section, clause, sentence, or part of a provision had not been included herein.

SECTION 17: This Ordinance shall become effective immediately upon its enactment.

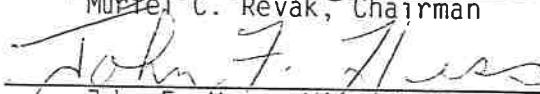
SECTION 18: Any ordinance or section thereof inconsistent with this Ordinance is hereby repealed; This Ordinance shall repeal Westfall Township Ordinance Nos. 22 and 46.

ENACTED and ORDAINED by the BOARD OF SUPERVISORS of the Township of Westfall, Pike County, Pennsylvania, this *1st* day of *November*, 1988.

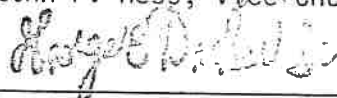
THE TOWNSHIP OF WESTFALL



Murrel C. Revak, Chairman



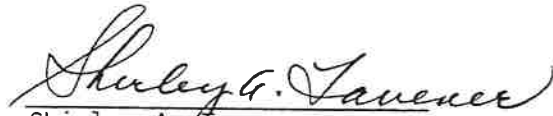
John F. Hess, Vice-Chairman



George E. Decker, Supervisors

Supervisors

ATTEST:



Shirley A. Tavener
Township Secretary