

ORDINANCE NO. 212

AN ORDINANCE TO AMEND SECTIONS 115-37, 115-38, 115-39 AND THE ADDITION OF A NEW SECTION 115-43 TO THE PENN TOWNSHIP CODE REGULATING STREETS AND SIDEWALKS IN PENN TOWNSHIP, YORK COUNTY, PENNSYLVANIA.

BE IT ORDAINED by the Penn Township Board of Commissioners as follows:

The Penn Township Code is hereby amended by revising §115-37, which establishes standard widths, curbs and other dimensions, §115-38 establishing curb construction standards, §115-39 establishing sidewalk construction standards, and adding §115-43 establishing exceptions for variances.

Section 1.

§ 115-37. Establishment of standard widths, curbs and other dimensions, which now reads:

"Streets hereafter opened and adopted shall be of the widths of either fifty (50) or sixty (60) feet, as assigned by the Commissioners at the time of their opening by the Township.

A. On all such streets of the width of fifty (50) feet, there shall be a central roadway of thirty-four (34) feet, being seventeen (17) feet on either side of the center line, on each side of which there shall be a seven-inch curb, constructed as hereinafter provided, then on each side a three-foot-five-inch grass plot, then on each side a four-foot-wide sidewalk.

B. On all such streets of the width of sixty (60) feet, there shall be a central roadway of forty (40) feet, being twenty (20) feet on each side of the center line, on each side of which there shall be a seven-inch curb, constructed as hereinafter provided, then on each side a five-foot-wide grass plot, then on each side a four-foot-wide sidewalk," is amended to include Part C to this section.

C. The construction of curbs and sidewalks shall be done under the direction of the Township Manager.

§ 115-38. Curb construction standards, which now reads:

A. "Curbs shall be constructed of concrete and shall extend in depth eighteen (18) inches from top to bottom. Curb thickness shall be eight (8) inches at the finished grade of the street and thence downward the entire depth. The thickness shall taper from the grade of the street toward the property line so that at its

top the curb shall be seven (7) inches thick. The height of the curb above street grade at the curblines shall be eight (8) inches. There shall be a three-fourths-inch radius on the top of the curb facing the street and a one-fourth-inch radius on the top of the curb toward the property. All curb shall comply with PennDOT Form 408 and drawings pertaining thereto in design, materials, construction and workmanship," is amended to read:

A. Curbs shall be constructed of concrete and shall extend in depth eighteen (18) inches from top to bottom. Curb thickness shall be eight (8) inches at the finished grade of the street and thence downward the entire depth. The thickness shall taper from the grade of the street toward the property line so that at its top the curb shall be seven (7) inches thick. The height of the curb above street grade at the curblines shall be eight (8) inches. There shall be a three-fourths-inch radius on the top of the curb facing the street and a one-fourth-inch radius on the top of the curb toward the property. Expansion joints shall be placed approximately every twenty (20) feet. In case of private driveways' crossing any sidewalk the curb may be depressed across the entire width of the driveway by providing a sloping section at either side with a slope of five (5) inches per foot. All curb shall comply with PennDOT Form 408 and drawings pertaining thereto in design, materials, construction and workmanship. In cases where downspout water is discharged at the curb, a four (4") inch pipe must be placed under the sidewalk and through the curb. This will outlet the water into the gutter. Outlet openings shall be placed three (3") inches from the top of the curb in areas designated by the Township Manager.

§ 115-39. Sidewalk construction standards, which now reads:

"Sidewalks shall be constructed of concrete and shall slope from the property line toward the street one-fourth ($\frac{1}{4}$) inch to the foot", is amended to read:

A. Every owner of property in the Township of Penn shall, on sixty (60) days' notice from the Township Commissioners, through its agent, servant or employee construct or reconstruct either a sidewalk or curb, or both, as specified in the notice, which shall conform to all applicable requirements of this or any previous ordinance, in front of, or along side of such property.

B. Every owner of property in the Township shall have thirty (30) days notice from the Township Commissioners, to repair the sidewalk or curbing, or both, in the manner stipulated in such notice, in front of or along side of such property.

C. All sidewalks and curbing shall be constructed, reconstructed and repaired in accordance with the Ordinance and according to the following specifications:

1. New sidewalks constructed on streets of the Township of Penn shall be of concrete construction and shall comply with PennDOT Form 408. Sidewalks shall be scored in general in four (4') foot sections and in no case shall scored section be more than six (6') feet in length. A one-half ($\frac{1}{2}$ ") inch expansion joint shall be provided and shall be filled with approved joint filler. An expansion joint shall be provided where the sidewalk meets a curb, driveway, concrete private walkway and buildings, and at such other places as may be directed by the Township Commissioners or other persons designated by the Commissioners. All utility poles, traffic posts, fire plugs, and sign posts positioned within the sidewalk must be separated with an expansion joint with a clearance of six (6") inches provided.
2. The thickness of all finished walks shall be at least four (4") inches laid on an approved five (5") to eight (8") inch base. All sidewalks shall maintain a one-fourth ($\frac{1}{4}$ ") inch per foot slope toward the curb. The front edge of the sidewalk shall be elevated one (1") inch above the top of the curb and the back edge shall be one (1") inch higher than the front edge. Finished sidewalks shall have a broomed abrasive surface.
3. Sidewalks shall not be constructed with a curb as a single integral unit.

D. Where sidewalks are a part of the driveway the sidewalk shall maintain grade, with no depression, as to provide a safe and easy walkway. That portion of the driveway that provides access to private property between the curb and the sidewalk shall be constructed of concrete with a minimum thickness of six (6") inches reinforced with wire mesh. An expansion joint shall be provided where the driveway abuts the sidewalk and/or curb. Driveways shall be installed as directed in the Penn Township Subdivision and Land Development Ordinance.

All details of construction not mentioned in this ordinance shall be in accordance with approved engineering specifications.

§ 115-43. Variance

Exceptions to the current street and sidewalk ordinance shall be given detailed consideration by the Board of Commissioners who may, at their discretion, give a limited variance to that part of the ordinance (Streets and Sidewalks) when it creates a hardship on the Township, property owner and/or community. The Board of Commissioners shall consider variances on insufficient right-of-

way on streets and/or roads; permanent existing structures or trees; and excessive slope to the natural terrain as they pertain to the streets and sidewalks. Variances to correct insufficient right-of-way may be to modify grass plots, diversify sidewalks and to deviate on the slope of the natural terrain.

When a variance is requested by the property owner or community, a written statement shall be made at least 30 days prior to the oral request at a regularly scheduled Township meeting.

Section 2.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 3.

If any section, paragraph, subdivision or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 4.

This ordinance shall take effect immediately as provided by law.

ENACTED AND ORDAINED this 20th day of April, 1977.

BOARD OF COMMISSIONERS OF
PENN TOWNSHIP

By: Wesley S. Juma
President

Attest:

Karen M. Little
Secretary