

ORDINANCE NO. 40

AN ORDINANCE OF THE TOWNSHIP OF CATHARINE, BLAIR COUNTY, COMMONWEALTH OF PENNSYLVANIA, SETTING FORTH THE REQUIREMENTS AND PROCESSES FOR CONSTRUCTION AND ACCEPTANCE OF ROADS BY THE TOWNSHIP FOR PUBLIC USE OR TRAVEL.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Catharine, County of Blair, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

ARTICLE I TITLE

This Ordinance shall be known as the Catharine Township Roads Dedication Ordinance.

ARTICLE II GENERAL PROVISIONS

SECTION 100. DEFINITIONS

A. THE BOARD - is the Board of Supervisors of Catharine Township.

B. DEDICATION - the formal acceptance or "take over" of roads by a Township for public use and travel including future maintenance and upkeep.

C. PERSON(S) - the developer, property owner, or group of property owners of a "land development" as defined in the Pennsylvania Planning Code, 53 P.S. 10107.

D. PLANNING CODE - the Pennsylvania Municipalities Planning Code, 53 P.S. 10107, as amended.

E. ROADS - roads, streets, lanes, or alleys including drainage facilities in connection therewith.

F. TOWNSHIP - is the Township of Catharine, Blair County, Pennsylvania.

SECTION 101. INTENT

The intent of this Ordinance is to:

A. Establish the mandatory construction requirements and standards for roads to be considered for dedication for public use and travel within the Township.

B. Establish the processes for requesting or petitioning for dedication and for acceptance of roads by the Township.

C. Establish the process for amending, changing, or altering the requirements of this Ordinance.

SECTION 102. APPLICABILITY

A. The provisions of this Ordinance shall apply to all persons who plan, design, or construct roads and to those who would petition the Township for dedication or take over of roads for public travel and use.

SECTION 103. ROAD STANDARDS AND REQUIREMENTS

A. The Township shall not accept as a township road any road involving "land development" as defined in the Planning Code unless said road meets the following minimum standards and requirements:

1. The road must have a minimum right-of-way width of forty (40) feet. (Note: Additional right-of-way may be required where the terrain is such that sloping and fill areas shall not exceed a three (3) foot horizontal to a one (1) foot vertical slope.)

2. The road must have a minimum roadway width of twenty-six (26) feet, which includes four (4) foot shoulders or berms on both sides.

3. The road must have a paved surface not less than eighteen (18) feet wide consisting of not less than an eight (8) inch base of durable rock/course stone for stabilization and not less than a double bituminous surface coat treatment as approved by the Board of Supervisors (Ref. PENNDOT 408 Sec. 480) and using materials meeting the Supervisors specifications.

4. Where a road is laid out as a dead end road, it shall have at its terminus a cul-de-sac with a minimum right-of-way diameter of one hundred (100) feet sufficient for a turnaround area, which shall be constructed the same as the integral roadway.

5. Where the road intersects the township line, an additional turnaround area, constructed the same as the integral roadway and established as a permanent right-of-way, shall be provided at or near the township line. The location and size of this turnaround area shall be as deemed adequate or appropriate by the Board.

6. The entire forty (40) foot right-of-way shall be cleared of all trees, stumps, brush, rocks, etc., with disposal of same at some acceptable disposal site. The roadway shall then be cleared of top soil for a width of thirty (30) feet with remaining embankments sloped to the Supervisors' specifications and thereafter mulched and seeded to stabilize such embankments.

7. Adequate drainage shall be provided where required and where culvert pipes are needed, they shall be no less than eighteen

(18) inches in diameter.

8. Driveways shall be constructed so that no drainage shall endanger the roadway nor impede drainage along the township road.

9. Utilities shall in no way interfere with normal maintenance or use of the road. All utilities must be located beyond the road right-of-way.

B. The road must be designed and constructed so as qualify for PENNDOT allocation of "Liquid Fuels" funding for maintenance. Where the associated PENNDOT requirements and standards governing the allocation of Liquid Fuels funds exceed those set forth in this Ordinance, the PENNDOT requirements and standards shall prevail.

SECTION 104 OVERSIGHT

The Board of Supervisors reserves the right to designate an inspector or inspectors of their choice, including PENNDOT representatives, to observe or otherwise oversee the construction of the road, storm sewers, paving and curbing while in progress. The developer, property owner or group of property owners, or contractors shall notify the Township at least ten (10) days prior to the beginning of any construction and indentify when such construction shall occur.

SECTION 105 REQUESTING DEDICATION OF ROADS

A. The person(s) desiring dedication or take over of a road or road(s) by the Township shall prepare or execute and submit the following to the Board of Supervisors:

1. A Petition and Deed of Dedication. This shall be in a form prescribed or approved by the Township Solicitor, contain all of the signatures of all abutting landowners on the road(s), contain a survey of the road(s) described by metes and bounds and indentify all adjacent landowners.

2. A Release of Damages by the petitioning parties releasing damages and agreeing to hold harmless the Township and its Supervisors from all liabilities, suit and claims for damages from such taking over of said road.

3. The nomination of an agent for all parties to whom all necessary notices may be sent.

B. The costs of preparing the petition and advertising the same pursuant to statutory mandates thereon are the responsibility of the petitioning parties.

SECTION 106 ACCEPTANCE OR DEDICATION OF ROADS BY THE BOARD

A. The Board of Supervisors shall evaluate, advertise, and

otherwise approve or reject the petition for dedication pursuant to statutory mandates.

B. Acceptance or rejection of the request shall be accomplished at any regularly scheduled or specially-called meeting of the Board.

SECTION 107 RIGHT TO AMEND OR CHANGE

The Board of Supervisors shall have the right to amend, change or alter any of the aforesaid provisions at any time as they in their discretion deem advisable through an amended ordinance.

ARTICLE III SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

ARTICLE IV ENACTMENT

This Ordinance shall become effective on 19 March, 1995, and shall remain in full force until modified, amended, or rescinded by the Township of Catharine, Blair County, Pennsylvania.

Adopted by the Catharine Township Supervisors this 14th day of March, 1995.

ATTEST:

Christine E. Shankelty

SIGNED:

David C. ...
Linda McKnight
Barrie R. Wyland

AMENDMENT 1 TO ORDINANCE #40, CATHARINE TOWNSHIP ROADS
DEDICATION ORDINANCE, DATED 19 MARCH 1995.

It is hereby enacted and ordained by the Board of
Supervisors of Catharine Township that Ordinance #40, dated
19 March 1995, be amended as follows:

Add Article II, Section 101 A10 to read "The maximum
grade of any street or road shall not exceed ten percent
(10%)."

Add Article II, Section 101 A11 to read "Streets or
roads shall be named and posted with approved street or road
signs at all intersections in accordance with the Blair
County 911 System street and road naming and signing
requirements."

Ordinance #40 is hereby ratified and confirmed as
amended by this Ordinance.

This amendment to Ordinance #40, dated 19 March 1995,
shall become effective five (5) days after enactment.

Board of Supervisors of
Catharine Township

ATTEST:

Christine E. Shastoff
Secretary

SIGNED:

James C. Allen

DATE

ENACTED:

April 13, 2000

Bonnie R. Lyland

Ralph F. Phipps