

TOWNSHIP OF CONOY

Lancaster County, Pennsylvania

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF CONOY, LANCASTER COUNTY, PENNSYLVANIA, PROHIBITING THE CONSTRUCTION, OPENING OR DEDICATION FOR PUBLIC USE OR TRAVEL OF ANY ROAD OR STREET, OR ANY DRAINAGE FACILITIES IN CONNECTION THEREWITH, EXCEPT IN ACCORDANCE WITH PLANS SUBMITTED TO, 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; PROVIDING FOR THE DEDICATION OF SAID ROAD OR STREET UPON SATISFACTORY COMPLETION THEREOF; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Conoy, Lancaster County, Pennsylvania, as follows:

SECTION 1. TITLE

This Ordinance shall be known and may be cited as the “Conoy Township Road Ordinance”.

SECTION 2. LEGISLATIVE INTENT

This Ordinance is enacted for the purpose of creating conditions favorable to the health, safety and general welfare of the residents of Conoy Township (the “Township”) by regulating and prohibiting the opening, construction or dedication for public use or travel of any road or street, or any drainage facilities in connection therewith, except in accordance with plans submitted to and approved by the Township Supervisors.

SECTION 3. MINIMUM STANDARDS

The provisions of this Ordinance shall be held to be minimum requirements for the promotion of the above purposes. Where the provisions of this Ordinance impose greater restrictions than those of any other statute, ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any other statute, ordinance, or regulation impose greater restrictions than this Ordinance, the provisions of such other statute, ordinance, or regulation, including but not limited to the Pennsylvania Municipalities Planning Code, as amended, the Conoy Township Zoning Ordinance, and the Lancaster County Subdivision and Land Development Ordinance, shall be controlling.

SECTION 4. DEFINITIONS AND WORD USAGE

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, its responsible officers, an unincorporated association, and a partnership, as well as an individual. The word “street” is used generally and shall be construed as if followed by the phrase “or part thereof”. The term “water-course” includes drainage ditch and stream. The word “may” is permissive; and the words “shall” and “will” are mandatory. In addition, the following terms shall have the meanings indicated:

- A. AASHTO – American Association of State Highway and Transportation Officials
- B. AASHTO Green Book – The current edition of A Policy in Geometric Design of Highways and Streets as published by AASHTO.
- C. Applicant. A developer and/or landowner, as hereinafter defined including here is, successors, and assigns, who has filed an application for a Street Improvement Permit.
- D. Board of Supervisors. The governing body of the Township of Conoy.
- E. Cartway. The surface of a street, drive, or alley available for vehicular traffic.
- F. Commonwealth. The Commonwealth of Pennsylvania.
- G. Cul-de-sac. A local street open at one end only and has a special turning area at the closed end.
- H. Dedication. The deliberate appropriation of land by its owner for general public use.
- I. Degradation Fee. A fee paid by the permittee to the Township of Conoy to defray a percentage of the costs for resurfacing the reconstruction of Township streets resulting from the depreciation of streets associated with street openings.
- J. Design Speed. The speed that is 5 miles per hour greater than the proposed posted speed limit.
- K. Developer. Any person, firm, corporation, or other legally recognized entity for whom subdivision or land development plans have been prepared or who constructs or proposes to construct a road intended to become part of the Township road system or intended for dedication to the public use.
- L. Drainage Facility. A facility or physical improvement intended or designed to accept and/or dispose of storm water runoff.
- M. Driveway. A private drive providing this owner or occupant of the land with access between a public or private street. For the purpose of this ordinance, an access drive as

defined in the Lancaster County Subdivision and Land Development Ordinance shall be considered a driveway.

- N. Landowner. The legal, beneficial, equitable owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lease (if authorized under the lease to exercise the rights of the landowner), or another person having a proprietary interest in the land.
- O. MPC. The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, 53 P.S. §10101 et. seq., as currently amended.
- P. PENNDOT. The Department of Transportation of the Commonwealth of Pennsylvania or any agency successor thereto.
- Q. Permittee. Any person who has been issued a permit and who shall have by acceptance thereof agreed to fulfill any provisions of this Part.
- R. Right-of-way. The total width of any land reserved or dedicated as a street, alley, pedestrian way, or for other public or private use.
- S. Street, Public. The entire right-of-way of the Public Street, public highway, public alley, public road or public easement within the Township limits. Excluding the designated curb and sidewalk areas.
- T. Street, Private. A street not accepted for dedication by the Township. Street shall include a legally established right-of-way.
- U. Township. The Township of Conoy, Lancaster County, Pennsylvania, acting by and through its Board of Supervisors or other agents.
- V. Township Engineer. The duly appointed Engineer of the Township.

SECTION 5. APPROVAL REQUIRED FROM TOWNSHIP FOR ALL CONSTRUCTION OF STREETS AND ROADS

- A. No person, partnership, association or corporation shall construct, open or dedicate any road or street, or any drainage facilities in connection therewith, for public use or travel in the Township of Conoy or proceed with site grading or construction activities relating to a proposed road or street without first submitting plans therefore in triplicate to the Board of Supervisors for their approval. The Board of Supervisors shall review said plans, and in the process thereof, may refer them to the Township Engineer, the Township Planning Commission and the Lancaster County Planning Commission. No road or street, or drainage facilities in connection therewith, shall be constructed, opened or dedicated for public use or travel nor shall any site grading or construction activities be commenced in connection therewith except in strict accordance with plans approved by the Board of Supervisors.

SECTION 6. PERMITS AND PROCEDURES AND REQUIREMENTS

- A. General. The construction of a street or other facilities within a street right-of-way shall not be initiated until a Street Improvement Permit has been issued.
- B. Applicant Procedure. An application for a Street Improvement Permit may be submitted to the Secretary of the Board of Supervisors on any business day.
 - 1. The Township Secretary may review the application with the Township Engineer, Solicitor, and other officials in order to determine approval, or disapproval, or the application.
 - 2. The Township Secretary shall, within 35 days from the municipal receipt of an application, issue a permit or disapprove the application and transmit the decision in writing to the Applicant and Township Engineer.
 - 3. Failure of the Township to render a decision and communicate as prescribed above shall be deemed an approval unless the Applicant extends the time period.
 - 4. A notice of disapproval shall cite the reasons for disapproval.
- C. Application Requirements. An applicant for a Street Improvement Permit shall include one (1) copy of the Application for Street Improvement Permit (See Appendix No. 1), liability insurance, when applicable, and filing fee in the amount specified in the fee schedule, as established by resolution of the Board of Supervisors.
- D. Inspection of Improvement During Construction. Prior to initiation of construction, the Applicant shall notify the Secretary of the Board of Supervisors so that the Township may, at their discretion, inspect the improvements during construction. The Township shall be notified two (2) days in advance of the intended date of construction. No provisions, as stated herein, shall be construed as mandatory periodic inspections and the undertaking of periodic inspections shall not be construed as an acceptance of the work during construction or as a final inspection of the construction.
- E. The Township, at the expense of the applicant, reserves the right to require tests of the improvements to determine whether they comply in all respects with the requirements of the Township.
- F. As-built plans. After issuance of a Street Improvement Permit and upon completion of all required improvements, the Applicant shall submit an As-Built Plan showing the location, dimension and elevation of all improvements. The plan shall note all deviation from the previously approved drawings. Two (2) copies of the plan shall be submitted to the Secretary of the Board of Supervisors, who shall distribute one (1) copy for the Township files.
- G. Liability Insurance. If, in the opinion of the Board of Supervisors based upon a report of the municipal engineer, the nature of the work is such that it may create a hazard to human life, or endanger adjoining property or streets, then the Board of Supervisors shall,

before issuing the Permit, require that the applicant file a certificate of insurance showing that there exists insurance against claims for damages for personal injury, bodily injury and property damage. The liability insurance shall be to the amount prescribed by the municipality in accordance with the nature or risks involved and include the municipality as an additional insured. Such insurance shall be written by a company licensed to do business in the Commonwealth.

- H. Neither issuance of the Permit nor compliance with the provisions hereto or any conditions imposed by the municipality shall relieve any person from any responsibility for damage otherwise imposed by law, nor impose any liability upon the Township of Conoy or its officers and employees for damages to persons or property.

SECTION 7. SUBMISSION OF PLANS

- A. No developer shall construct, open, dedicate, or attempt to open or dedicate any road, or drainage facility for public use or travel in the Township of Conoy without first submitting plans therefore in triplicate to the Board or its duly designated representative, for approval.
- B. A complete plan submission shall be filed with the Township Secretary at least thirty (30) days prior to a regular meeting of the Township Supervisors. Before acting upon any such plans, the Township Supervisors may, in their discretion, arrange for a public hearing, after giving such notice, as they may deem desirable in each case.

SECTION 8. REVISIONS AND APPROVAL OF PLANS

- A. The Township Supervisors reserve the right to specify any plan changes or modifications, which they, in their discretion, may deem necessary with respect thereto, and to make their approval of such plans subject to any such alterations, changes or modifications. The Township Supervisors shall render a decision either approving or disapproving such plans within sixty (60) days after the initial meeting of the Board to consider said plans, or within ninety (90) days of receipt of a complete plan submission. Any disapproval of the plans shall be issued within the said time after the plans are filed, provided that any disapproval and the manner, if any, in which the plans can be corrected and/or modified to obtain the required approval. If no decision is rendered on the plans within said time period the plans shall be deemed to be approved.
- B. Conformance with Adopted Plans. The proposed street pattern shall be properly related to existing streets; to Official Maps; to such County and state road and highway plans as have been duly adopted; to approved and recorded plans of subdivision and/or land developments, where required by the Township.

SECTION 9. DESIGN STANDARDS, PREPARATION AND PROCESSING OF PLANS

- A. Plans for roads and/or drainage facilities shall be prepared and submitted to the Board in triplicate. The Board shall review said plans, and in the process thereof may refer them to the Township Engineer, Township Solicitor or other sources as deemed necessary, including the Township Planning Commission and Lancaster County Planning

Commission. In the event any changes are required, the Board shall refer the plans back to the developer for revisions in accordance with the specified changes.

- B. All plans shall show the profile of such roads, streets or alleys; the course, structures and capacity of any drainage facility; the method of drainage of the adjacent or contiguous territory; and drainage profiles of the roads and properties shown on the plan. Storm drainage plans meeting the requirements of the Lancaster County Subdivision and Land Development Ordinance for Storm Water Management as amended, shall also be submitted to the Township, together with calculations concerning the volumes and velocities of runoff and the size of drainage facilities. In all cases, the design of the storm water drainage facilities shall conform to the minimum standards for drainage facilities and the maximum allowable storm water runoff velocities set forth in the Lancaster County Subdivision and Land Development Ordinance.
- C. A subdivision or land development plan, meeting the requirements of the Lancaster County Subdivision and Land Development Ordinance, as amended, or any future subdivision and land development ordinance governing the subdivision or development of land in the Township, shall be acceptable; provided that all other information required herein is submitted to the Board.
- D. All roads shall have a right-of-way width of not less than fifty (50) feet and a cartway width of not less than thirty (30) feet. If the installation of sidewalks and curbs is proposed or required, then the cartway width shall be not less than thirty-six (36) feet, and shall be designed in accordance with Appendix No. 2 herein.
- E. All permanent cul-de-sac streets shall be constructed at the closed end with a turnaround having a right-of-way diameter of not less than one hundred and twenty (120) feet and a cartway diameter of not less than one hundred (100) feet. Cul-de-sac streets shall have a minimum length of three hundred fifty (350) feet and a maximum length of one thousand (1000) feet measured from the terminus of the turnaround of the cul-de-sac streets to the centerline of the intersecting through street. All temporary cul-de-sac streets shall be constructed at the closed end with a paved turn around having a cartway diameter of not less than eighty (80) feet. When, however, a temporary turnaround is provided at the end of a street that will be continued under phased construction, the temporary cul-de-sac street shall be constructed so that the cartway diameter of the turnaround of the temporary cul-de-sac street is on the adjoining section of the intended street extension. "No parking" signs shall be erected by the developer on all cul-de-sac streets.
- F. If the developer proposed to erect mailboxes within the right-of-way, grouped mailboxes shall be used whenever permitted by the Postal Service. The location of such grouped mailboxes shall be acceptable to the Postal Service and the Board.
- G. The names of the roads shall not conflict with the names of existing roads, and all roads shall be designated by the names of existing roads with which they connect as extensions thereof.
- H. Street Circulation. Streets, alleys, driveways, and access drives shall be designed to:

1. Permit the safe, efficient and orderly movement of vehicles and facilitate adequate access for emergency vehicles.
 2. Provide, when possible, two directions of vehicular access by means of a street or access drive to and within a development.
 3. Meet the needs of the present and future populations.
 4. Provide a simple and logical pattern.
 5. Function under a hierarchy system where the intensity of intersections decreases as traffic volumes and speed increases.
 6. Respect the natural features and topography.
 7. Present an attractive streetscape.
- I. All street design elements shall conform to the standards of this Ordinance and the appropriate design criteria in the latest editions of the PENNDOT Design Manual Part 2 and the AASHTO Green Book.
- J. Private Streets. Private streets are to be discouraged. Private streets shall meet all the design standards of this Ordinance for public streets. Applications, which propose development of a private street, shall be accompanied by an agreement, which shall be recorded with the Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the street will be constructed and maintained, as well as conditions controlling an offer of dedication, and shall stipulate:
1. The street shall be constructed and maintained to conform to this Ordinance.
 2. An offer for dedication of the street shall be made only for the street as a whole.
 3. The method of assessing maintenance and repair cost to maintain such street as depicted on the final plan. If the street is dedicated, the method of providing financial security to guarantee the proper functioning and structural integrity of the street as depicted on the final plan for a term of eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in Article 500 of this Ordinance. The financial security shall be fifteen (15%) percent of the actual cost of installation of said improvements.
 4. An agreement by the owners of 51 percent of the front footage thereon shall be binding on the owners of the remaining lots.
 5. An agreement that any amendment to the agreement shall be subject to the prior approval of the Township.
- K. Handicap Provisions. All public areas shall be designed barrier-free in accordance with applicable federal and state standards, including but not limited to the Rehabilitation Act.

- L. Street Design. Streets within the Township are designated by classification in the Conoy Township Zoning Ordinance. Any street not designated as an Arterial or Collector shall be designated a local street.
1. The design standards for arterial streets shall be specified by PENNDOT and based upon the projected average daily traffic and a minimum design speed of 55 mph.
 2. Collector streets shall have a minimum design speed of 35 mph.
 3. Local streets, including cul-de-sac streets, shall have a minimum design speed of 30 mph.
 4. The design speed of all streets shall be subject to Township approval.
 5. The applicant shall indicate the design speed for all proposed streets.
 6. The speed limit for all streets shall not exceed the design speed. The applicant shall post the speed limit for all streets upon completion of construction.
 7. All public areas shall be designed barrier-free in accordance with applicable federal and state standards including but not limited to the Rehabilitation Act.
- M. Arrangement. Streets shall be designed with consideration to both existing and planned streets.
1. All streets shall be arranged to conform as closely as possible to the original topography.
 2. Streets, which serve as connector routes to population centers, shall be connected with streets of similar function, to form continuations thereof.
 3. Local streets shall be laid out to discourage use by through traffic.
 4. Streets shall be laid out to provide convenient and safe access to the property.
 5. The rigid rectangular street pattern need not be adhered to; curvilinear streets may be provided when their use will result in a more desirable layout. Where a development abuts an existing or proposed arterial street, the Board of Supervisors may require the use of reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the arterial street, and separate the local and through traffic.
- N. Street Provisions for Future Development. Where the Township determines it to be appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. Areas reserved for future street usage shall include sufficient area to establish street and lot graded and extend the area necessary to construct the street. Areas reserved for future streets will be at least equal to the minimum right-of-way for the type of street proposed. The Township may require the extension of sanitary sewer and public water supply facilities within the area of the future street. The applicant

shall submit an agreement in a form acceptable to the Township, which shall provide for the construction and removal of the temporary turnaround.

1. Wherever there a dedicated or platted right-of-way reserved for future street usage along or abutting the boundary of a tract being developed, the developer shall extend the adjacent street into the proposed development provided that this extension is not adverse to significant man-made or natural features of the site.
 2. The developer connecting a proposed street to an existing temporary cul-de-sac shall perform all restoration work necessary to restore the adjacent lots in the area of the existing turnaround.
- O. Half Streets. Half or partial streets (less than the required right-of-way or cartway width) will not be permitted. All plans shall be designed to provide for the entire required right-of-way and cartway.
- P. Street Names. Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate nor closely resemble names of existing streets within the Township or within the same postal area. All new street names are subject to the local postmaster and local emergency service providers and Lancaster County Wide Communications granting approval with all final plan applications. All street names shall conform, where applicable, to the Township plan for street names. The developer shall install street name signs at all new street intersections. The design and placement of such signs shall be subject to Township approval and shall be in accordance with the current edition of PENNDOT Publications 236M (Handbook of Approved Signs) and 408M (Specifications).
- Q. Vertical Alignments. Vertical street alignments shall be measured along the centerline. The minimum grade of all streets shall be one (1%) percent and the maximum grade shall be eight (8%) percent.
1. Vertical curves shall be used in changes in grade exceeding an algebraic difference of one (1%) percent. The minimum lengths (in feet) of vertical curves shall be in accordance with the requirements of the AASHTO Green Book.
 2. Where the approaching grade exceeds seven (7%) percent on any or all streets at a four-way street intersection, or the terminating street at a three-way intersection, a leveling area shall be provided on the street(s) with such excessive grade. Such leveling area(s) shall have a maximum grade of four (4%) percent for a minimum length of one hundred fifty (150) feet measured from the intersection of the centerlines.
 3. The grade within the diameter of a turnaround at the terminus of a permanent cul-de-sac street shall not exceed five (5%) percent nor be less than one (1%) percent.
 4. All new streets shall be graded to the right-of-way line. The maximum slopes of banks located outside of the street right-of-way, measured perpendicular to the right-of-way of the street, shall not exceed three to one (3:1) for fills and two to one (2:1) for cuts.

5. Guide rail protection is required along embankments when a barrier is indicated as warranted in latest version of the PENNDOT Design Manual Part 2. Guide rail shall be constructed according to PENNDOT standards.

R. Horizontal Alignments. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes in excess of two (2) degrees. Single long radii curves shall be used rather than a series of curves with varying radius and/or a series of short curves separated by short, tangent segments. The minimum horizontal curve centerline radius for streets shall be two hundred and fifty (250) feet. For streets with design speeds greater than 30 mph, minimum radii shall be in accordance with the requirements of the current edition of PENNDOT Publication 70M, Guidelines for the Design of Local Roadways and Streets.

1. Perimeter Streets. Plans with street locations along the perimeter of a property shall be required to show building setback lines and clear sight triangles within the adjacent properties; permission for any encroachment shall be obtained from the adjacent landowner in the form of a signed agreement.

2. Cartway Alignment. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.

S. Street Rights-of-Way and Cartway Widths and Improvements. The minimum street rights-of-way and cartway widths for new streets shall be as follows:

| STREET CLASSIFICATION | CARTWAY WIDTH | RIGHT-OF-WAY |
|------------------------------|------------------------------------|---------------------|
| ARTERIAL STREET | 36' w/ Curb or 30' w/ 4' Shoulders | 60 Feet |
| COLLECTOR STREET | 36' w/ Curb or 30' w/ 4' Shoulders | 50 Feet |
| LOCAL STREET | 36' w/ Curb or 30' w/ 4' Shoulders | 50 Feet |
| ALLEY | 20' | 30 Feet |
| CUL-DE-SAC TURNAROUND | 100' Diameter | 120 Foot Diameter |

1. Shoulders. Shoulders shall be provided in accordance with the design specifications Appendix No. 2.

2. Extension of Existing Streets. The extension of existing streets, which constructed with a cartway different from the standards of this Ordinance, shall be provided with a transition area, the design of which is subject to the Board of Supervisors approval.

T. Future Rights-of-Way. Future rights-of-way are rights-of-way reserved for future street improvements. They shall be designed in conformance with the design requirements of a street, and the contiguous parcels must contain proper setbacks and sight distances.

1. The area within the future right-of-way shall be included within the deeds to the abutting lots with an easement in favor of the Township and landowners of the land into which the future right-of-way will extend to permit the use of the future right-of-way for public street purposes should the adjoining lands be developed.

2. The landowners of the lots in which the future right-of-way is included shall have the duty to maintain the area included within the future right-of-way and this duty shall be indicated in a note on the final plan and in all deeds to such lots.
3. The landowners of the lots in which the future right-of-way is included shall have no obligation concerning the improvement of such future right-of-way for street purposes.

SECTION 10. ENCROACHMENT ON STREET RIGHT-OF-WAYS

- A. No person shall plow, cultivate, harrow, regrade, or in any way, disturb the surface of the land within the rights-of-way of any Township Street without approval and issuance of permits as required by this Ordinance.
- B. No person shall deposit fieldstone, trash or other debris of any kind within the right-of-way of any Township street.
- C. No person shall allow the deposit of mud, dirt, silt, manure or any other debris, whether accidentally or otherwise, to remain upon the cartway of any Township street.

SECTION 11. SAFETY CONTROLS

- A. The Applicant is solely responsible for maintaining the site of the work in a safe condition at all times. Maintenance and protection of traffic shall be in strict accordance with the latest edition of PENNDOT Publication 203, "Work Zone Traffic Control." Failure of the Township to notify the landowner of any unsafe conditions shall not relieve the landowner of his responsibility and liability.
- B. All work shall be performed without damaging property other than the property of the Applicant. The Applicant shall be responsible for remedying any off-site damages promptly and to the satisfaction of the damaged property owner, before final approval and acceptance of the work by the Township.

SECTION 12. IMPROVEMENTS OF EXISTING STREETS AND INTERSECTIONS

- A. Where a subdivision or land development abuts an existing Township and/or state street or shall have a traffic impact on an existing Township and/or state street as indicated by a traffic study required by the Lancaster County Subdivision and Land Development Ordinance, the developer shall make the following improvements:
 1. In cases where a subdivision or land development abuts an existing Township or state street, the street shall be improved to the ultimate width in accordance with the Lancaster County Subdivision and Land Development Ordinance.
 2. In cases where the development is situated only on one side of an existing street, the Township may require that only that side of the street be improved. The Township may require that both sides of the street be improved where the traffic impact study indicates that the improvements are necessary.

3. Where the traffic impact study indicates that improvements are necessary or advisable to existing Township and/or state streets and/or intersections within the traffic impact study area in order to (i) assure adequate, safe and convenient access to each lot and/or structure and/or parking compound proposed as part of the development of the tract, (ii) accommodate the traffic due to the proposed development, (iii) provide for a level of service and delay for the design year, or years for phase projects, with the development which is at least equivalent to the projected level of service and delay for the design year(s) without the proposed subdivision or development, and/or (iv) preserve the existing convenience of access to or ability to exit from abutting properties which gain access from the existing street, the developer shall install additional traffic lanes, traffic dividers, traffic improvements. The developer shall install additional traffic lanes, traffic dividers, traffic control devices, traffic signals, and other measures as appropriate to ensure that the development of the tract does not adversely impact the existing street system and/or access to or the ability to exit from properties gaining access from an affected street. If the traffic impact study indicates that improvements must be made to a state street, the developer shall also take all action necessary to obtain any PENNDOT permits and/or approvals to install the necessary street widening and/or traffic signals and/or traffic signal modifications (including but not limited to preparation of all studies and submission of all necessary applications to enable the installation of the traffic signal or modifications) and shall install the traffic signal or modifications at its cost and expense. If the traffic impact study indicates that traffic control devices or regulations including, but not limited to, stop intersections, speed limit reductions, or parking prohibitions, are required, the developer shall prepare all studies necessary to justify imposition of such regulations in accordance with PENNDOT regulations and shall pay all costs associated with the preparation and enactment of an ordinance to establish such regulations. The developer shall bear all costs and expenses in connection with the improvements. If the developer requires the Township to submit any permit applications or requests for approvals in the name of the Township, the developer shall reimburse the Township for all costs and expenses incurred by the Township in connection with its review of the application and submission of the application to PENNDOT or any other governmental agency.
4. When the Township determines that the required improvements are not feasible at the time of development of the use, the developer shall deposit funds with the Township in the amount of one hundred and ten (110%) percent of the cost of the improvements as detailed in the Subdivision and Land Development Ordinance. The Township Engineer shall review and approve the amount of the deposit (after it has been determined that the amount meets current standards).
5. Street Improvements. All streets shall be designed and constructed in accordance with the latest edition of PENNDOT Publication 408 (Specifications), PENNDOT Publication 242 Pavement Policy Manual pg 64-22, the Road Ordinance, the construction details located in Appendix No. 2, and the following:
6. Subgrade. Roadway subgrade shall be graded to provide a minimum two (2%) percent cross-slope from centerline as indicated in the construction details in Appendix No. 2. In all cases subgrade material shall be firm and dry prior to the

installation of the proposed subbase material. In the instance of unsuitable subgrade conditions, the developer may excavate unsuitable material and replace with suitable crushed aggregate, install under drains, or utilize geotextile material in order to provide sound pavement structure in accordance with PENNDOT guidelines and as approved by the Township.

7. Required Paving Section. All roads to be constructed shall meet the following paving requirements:
 - a. Streets intended to serve as rural local roads and in residential developments shall be constructed as follows:
 - (1) Subbase Course – Six (6) inches of 2A subbase.
 - (2) Base Course – Five (5) inches of Bituminous Concrete Base Course or Superpave equivalent.
 - (3) Binder Course – Two and one-half (2-1/2) inches of Bituminous Concrete ID-2 Binder material or Superpave equivalent.
 - (4) Wearing Course – One and one-half (1-1/2) inches of Bituminous Concrete ID-2 Wearing material or Superpave equivalent.
 - b. Streets intended to serve as collector or arterial roads or as part of industrial or commercial developments shall be constructed as follows:
 - (1) Subbase Course – Six (6) inches of 2A subbase.
 - (2) Base Course – Six (6) inches of Bituminous Concrete Base Course or Superpave equivalent.
 - (3) Binder Course – Three (3) inches of Bituminous Concrete ID-2 Binder material or Superpave equivalent.
 - (4) Wearing Course – One and one-half (1-1/2) inches of Bituminous Concrete ID-2 Wearing material or Superpave equivalent.
 - c. Except where curbs are to be installed, the subbase for all proposed roads shall extend one (1) foot beyond the edge of the paved cartway.
 - d. The maximum lifts for the installation of bituminous material shall be four (4) inches for base courses, three (3) inches for binder courses and two (2) inches for wearing courses.
 - e. All vertical pavement joints shall be staggered by a minimum distance of one foot.
 - f. Tack coat shall be applied as needed.

- B. The drainage channel or “berm” of said roadway shall be graded so that the normal surface water will be properly carried therein without any surface water running across the roadway.
- C. Except to the extent that any provision of this Section is inconsistent therewith, all roads, streets and alleys shall be constructed so that all work, materials and equipment conform to the requirements of the latest edition of the PENNDOT Publication 408.
- D. In the event sinkholes or wet areas are encountered in the construction of said street, the roadway shall be so constructed that the danger of said roadway sinking, cracking or otherwise being weakened by such conditions is completely removed.
- E. The berm of said roadway shall be a minimum of four (4) feet wide and shall have been graded and rolled. Gutters shall be constructed so that the surface of the twenty-five (25) year storm gutter flow shall not encroach upon the cartway. In the event that the drainage of surface water will require installation of pipes, storm sewers, drains, water boxes and grates or other improvements in order to carry such surface water from the premises, the person constructing the same shall be required to lay said pipes, storm sewers, drains, water boxes and grates or other improvements to take care of such surface water in the manner required by the Lancaster County Subdivision and Land Development Ordinance or any other applicable subdivision regulations.
- F. The installation of pipes, storm sewers, drains, water boxes and grates or other improvements, and the installation of the necessary headwalls or the extension of any pipes or other improvements shall be so constructed as to not be damaged by the persons using said road. Said facilities shall be so located that manholes, grates, valves, or other improvements, which rise above the surface of the ground, are not located within the paved cartway. Such facilities may be located on the shoulder or other areas of the right-of-way.
- G. Curbs and sidewalks shall be constructed with Class A concrete, as specified by the PENNDOT Publication 408, with four (4) percent to six (6) percent air entrainment, and the sidewalks shall be required unless specifically waived by the Board of Supervisors. Such waivers shall be acknowledged in writing to the developer.
- H. Sidewalks.
 - 1. Sidewalks shall be provided as follows:
 - a. In all residential subdivisions or land developments located within or adjoining the Village Centers of Falmouth and Bainbridge.
 - b. To provide access to and/or within a commercial, industrial, or community facility. Sidewalks, which are provided as part of such non-residential facilities, shall be designed and constructed to service the projected pedestrian needs.
 - c. Where deemed necessary for the public safety by the Township.

2. Sidewalks shall be designed and constructed in accordance with the following standards:
 - a. Sidewalks within a residential subdivision plan shall be located along the side(s) of the street upon which lots front. These sidewalks shall be constructed in accordance with the design specifications (Appendix No. 2) and shall be located within the street right-of-way.
 - b. Sidewalks within a residential land development plan shall be located along both sides of proposed streets and/or access drives throughout the project, and adjacent to vehicular parking compounds. These sidewalk locations may be varied if, in the judgment of the Board of Supervisors, the proposed alternate system meets the projected need for pedestrian circulation. Sidewalks shall be constructed in accordance with the design specifications (Appendix No. 2) and shall be located within the street right-of-way.
 - c. Pedestrian easements which may be required by the Board of Supervisors to facilitate pedestrian circulation or to give access to community facilities shall have a minimum right-of-way width of six (6) feet and a walkway width of four (4) feet. This walkway shall be improved to the standards assigned by the entity, which accepts the easements.
 - d. In all cases, sidewalks shall be separated from curbs by a four (4) foot wide planting strip.
3. Each plan showing proposed curbs and sidewalks will contain a note to the effect of the following:
 - a. "Developer shall be responsible for and bear the sole cost of the installation for all curbs and sidewalks shown on the plan. Sidewalks shall be constructed in accordance with all requirements of the Conoy Township Subdivision and Land Development Ordinance and other provisions. The owner of each lot shall be responsible for the care and maintenance of the curbing and sidewalk along the full frontage of the lot. Curbs and sidewalks shall be kept in a continuous and constant state of repair and shall be generally maintained in a good and safe condition, with a smooth surface, only minor cracks, no bulging, and free of obstructions, ice and snow. Conoy Township shall be considered as a third party beneficiary of this note and shall have the full right, but no duty, to enforce the terms hereof."

I. Curbs.

1. Curbs shall be required along all proposed streets in subdivisions, along all proposed streets, access drives, alleys and parking compounds in land developments, and along all existing streets in and abutting both subdivisions and land developments.
2. All curbs shall be constructed in accordance with the design specifications (Appendix No. 2).

3. Curbs shall be provided on all arterial, collector and local streets within or adjacent to the Village Centers of Falmouth and Bainbridge. Curbs shall be vertical. Where no curb is provided, there shall be a stabilized shoulder provided with a minimum width of six (6) feet.
 4. Vertical curbs shall be eighteen (18) inches deep, seven (7) inches wide at the top, and eight (8) inches wide at the base. The distance from the top of the curb to flow line of the gutter shall be eight (8) inches. A minimum of four (4) inches of 2A subbase shall be installed under vertical curb. To provide for driveways, depressions in vertical curb shall be constructed and finished during the time of pouring.
 5. All curbs shall conform to specifications for Class A concrete as specified by the PENNDOT, with a minimum compressive strength of three thousand (3,000) pounds per square inch after twenty-eight (28) days.
 6. Curbs shall be built in ten (10) foot lengths; construction joints of asphalt impregnated paper of one-sixteenth (1/16) inch shall be provided at ten (10) foot intervals, and expansion joints of one-quarter (1/4) inch premoulded filler shall be placed at intervals of one hundred (100) feet.
 7. Cuts and fills within the street right-of-way shall be made at a maximum slope of two (2) feet horizontal to one (1) foot vertical. Where curbing or retaining walls are used to control slopes, a sketch showing details of the construction shall be submitted to the Township Engineer.
- J. Seed. All distributed areas to be reseeded shall receive a treatment of seed in accordance with Pennsylvania Department of Transportation Publication 408 Section 804, and shall be equivalent to the following mixture:

| <u>Formula B</u> | |
|----------------------|-----|
| Ryegrass, perennial | 20% |
| Fescue, Pennlawn Red | 30% |
| Bluegrass, Kentucky | 50% |

All areas adjacent to curbs, inlets, manhole covers, and similar facilities are to be sealed with PG 64-22 for a distance of twelve (12) inches from the curb, inlet, manhole cover, or similar facility. Notwithstanding the foregoing, no facilities such as manhole covers and grates, which rise above the surface of the grade, shall be permitted to be installed within the cartway.

All backfilling within State Highways shall conform to Pennsylvania Code, Department of Transportation, Title 76, Chapter 459, and "Occupancy of Highways by Utilities", latest edition.

SECTION 13. INSPECTIONS

- A. At the time of initiation of construction, developer shall notify the Township Secretary so that appropriate Township Officials may inspect the road, street or drainage facility during construction. The Township shall be notified two (2) days in advance of the

intended date of construction of the base so that the subgrade may be inspected. The Township shall be notified one (1) day in advance of the intended date of construction of the paved surface so that the base course may be inspected. Upon completion of construction, the Township shall be notified so that the finished road may be inspected. If found satisfactory, the developer shall be so notified but said road, street or drainage facility shall not be deemed accepted for future repair and maintenance by the Township until the provisions of dedication are complied with. If after the final inspection is made, deficiencies in the method of construction are determined, the deficient work shall immediately be corrected by the developer. Township, at developer's expense, reserves the right to require tests of the road to determine whether the road complies in all respects with the approved plans as modified, if applicable.

- B. No provisions of this Section shall be construed as mandating periodic inspections and the undertaking of periodic inspection of the construction.

SECTION 14. STREET INTERSECTIONS

- A. Intersections involving the junction of more than two streets are prohibited.
- B. The distance between the centerline of streets opening onto the opposite sides of existing or proposed streets shall be no less than one hundred and fifty (150) feet between centerlines, measured along the centerline of the street being intersected.
- C. Intersections with collector streets shall be located not closer than four hundred (400) feet, measured from centerline to centerline, along the centerline of the collector street being intersected.
- D. Intersections with arterial streets shall be located not closer than one thousand (1000) feet, measured from centerline to centerline, along the centerline of the arterial street being intersected.
- E. Right angle intersections shall be used whenever possible. No Street shall intersect another at an angle of less than seventy-five (75) degrees.
- F. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius of twenty-five (25) feet for local streets or alleys and fifty-five (55) feet for intersections involving arterial and collector streets. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway.

SECTION 15. CLEAR SIGHT TRIANGLES AND STOPPING SIGHT DISTANCE AT STREET INTERSECTIONS

- A. Clear Sight Triangles. There shall be provided and maintained at all intersections a clear sight triangle of at least one hundred (100) feet as measured from the intersection of the street centerlines in all directions. Clear sight triangles shall be indicated on all plans, and a note shall be provided on the plans which states that no structures, landscaping or grading may be constructed, installed or performed within the area of the clear sight triangle which would obscure the vision of motorists. Deeds to lots, which contain clear sight triangles, shall include the requirement of this Section.

B. Safe Stopping Sight Distance (SSSD):

1. Street intersections shall be located at a point, which provides optimal sight distance in both directions.
2. Calculation of Safe Stopping Sight Distance (SSSD).
 - a. For each intersection, the available sight distance for each direction shall equal or exceed the SSSD computed from the following formula:

$$SSSD = 1.47Vt + \{V^2 / [30 \times (f+G)]\}$$

WHERE: SSSD = Safe stopping sight distance (feet).

V = Speed limit, or 85th percentile speed or safe operating speed.

t = Perception time of driver (2.5 seconds).

f = Wet friction of pavement as follows:

| <u>Speed</u> | <u>f</u> |
|--------------|----------|
| 25 mph | 0.38 |
| 30 mph | 0.35 |
| 35 mph | 0.34 |
| 40 mph | 0.32 |
| 45 mph | 0.31 |
| 50 mph | 0.30 |
| 55 mpg | 0.30 |

G = Percent grade of roadway divided by 100.

- b. If the 85th percentile speed varies by more than ten (10) miles per hour from the speed limit, the Township may require the 85th percentile speed to be used to determine stopping distance.
 - c. Table 1 depicts stopping sight distance for selected speeds. The sight distances in Table 1 apply for roadway grades in whole numbers from +13% to -13% along with speeds from 15 to 60 miles per hour in increments of 5 miles per hour. The designer may use this table in-lieu-of the above formula.

FORMULA SIGHT DISTANCE TABLE

| Speed (V) (Miles Per Hour) | Average Grade (G) | | | | | | | | | | |
|----------------------------------|-------------------|------|------|------|------|------|------|------|------|------|-------|
| | Percent | | | | | | | | | | |
| | 0.0 | +1.0 | +2.0 | +3.0 | +4.0 | +5.0 | +6.0 | +7.0 | +8.0 | +9.0 | +10.0 |
| 25 | 147 | 145 | 144 | 143 | 142 | 140 | 139 | 138 | 137 | 136 | 135 |
| 30 | 196 | 194 | 191 | 189 | 187 | 185 | 183 | 182 | 180 | 178 | 177 |
| 35 | 249 | 245 | 242 | 239 | 236 | 233 | 231 | 228 | 226 | 224 | 221 |
| 40 | 314 | 309 | 304 | 299 | 295 | 291 | 287 | 284 | 280 | 277 | 274 |
| 45 | 383 | 376 | 370 | 364 | 358 | 353 | 348 | 343 | 339 | 334 | 330 |
| 50 | 462 | 453 | 444 | 436 | 429 | 422 | 415 | 409 | 403 | 397 | 392 |
| 55 | 538 | 527 | 517 | 508 | 499 | 490 | 482 | 475 | 468 | 461 | 454 |
| | Percent | | | | | | | | | | |
| | 0.0 | -1.0 | -2.0 | -3.0 | -4.0 | -5.0 | -6.0 | -7.0 | -8.0 | -9.0 | -10.0 |
| 25 | 147 | 148 | 150 | 151 | 153 | 155 | 157 | 159 | 161 | 164 | 166 |
| 30 | 196 | 199 | 201 | 204 | 207 | 210 | 214 | 217 | 221 | 226 | 230 |
| 35 | 249 | 252 | 256 | 260 | 265 | 269 | 275 | 280 | 286 | 292 | 299 |
| 40 | 314 | 319 | 325 | 331 | 338 | 345 | 352 | 360 | 369 | 379 | 389 |
| 45 | 383 | 390 | 398 | 406 | 415 | 425 | 435 | 447 | 459 | 472 | 487 |
| 50 | 462 | 471 | 481 | 492 | 504 | 517 | 531 | 546 | 563 | 581 | 600 |
| 55 | 538 | 550 | 562 | 576 | 590 | 606 | 622 | 641 | 661 | 682 | 706 |

d. Measurement of Sight Distance.

- (1.)The correct measurement of available sight distance at each proposed street intersection shall be the responsibility of the applicant.
- (2.)For the purpose of measuring available sight distance, the height of each driver's eyes shall be 3.50 feet above the road surface, and the height of each vehicle shall be 4.25 feet above the road surface. The lateral placement of vehicles on the roadway and at the proposed access point shall be consistent with the operation of the access and roadway.
- (3.)For each direction, the shortest of the following measurements shall be considered the available sight distance for that direction:
 - (a.)The maximum length of roadway along which a driver at the proposed street intersection can continuously see another vehicle approaching on the roadway. The driver's eyes at the proposed point of access shall be ten (10) feet back from the near edge of the closest travel lane.
 - (b.)The maximum length of roadway along which a driver on the roadway can continuously see a vehicle which is located in his travel lane on the roadway in order to make a left turn into the proposed access or as a result of a left or right turn out of the proposed access.
 - (c.)The maximum length of roadway along which the driver of a vehicle intending to make a left turn into the proposed access can continuously see

vehicles approaching from the other direction. This is measured from the point where the left turning vehicle stops.

- e. Inadequate sight distance remedies. If it is impossible to achieve required stopping sight distance, in both directions the Township may:
 - (1.) Prohibit left turns by entering or exiting vehicles.
 - (2.) Require alteration of the horizontal or vertical geometry of the roadway or access; all such work shall be at the expense of the applicant.
 - (3.) Require removal of physical obstruction from the line of sight, at the expense of the applicant.
 - (4.) Deny access to the roadway.
- f. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections.

SECTION 16. ALLEYS

- A. The use of alleys is limited to providing a secondary means of access to the side and/or rear of those lots with street frontage and designed to discharge through traffic. Alleys shall conform to the following standards:
 - 1. A lot, which utilizes an alley, shall maintain frontage along a public or private street.
 - 2. An application that proposes alleys shall be accompanied by an agreement which shall be recorded with the Final Plan and which shall establish the conditions under which the alleys will be maintained.
 - 3. The Final Plan for recordation with the Recorder of Deeds shall include a plan note, which identifies (1) the specific alleys, (2) the recorded maintenance agreement, and (3) a notification that the alleys do not qualify for dedication to the Township and that the Township will not assume any responsibility for their maintenance.
 - 4. The cartway of all alleys shall be provided and constructed in accordance with the specifications for local streets as stated in Section 9.
 - 5. The vertical and horizontal alignments of alleys shall conform to the specifications for local streets as stated in Section 9 respectively.
 - 6. Alley intersections shall conform to the specifications for local streets in Section 9.
 - 7. No part of any structure shall be located within thirty (30) feet from the cartway edge of an alley.
 - 8. Alleys, which form a cul-de-sac, shall not exceed four hundred (400) feet in length, measured from the centerline intersection of a street or private street, which is not a

cul-de-sac. Alley cul-de-sacs, which do not terminate in a parking compound, shall be provided at the terminus with a fully paved turnaround. The turnaround shall be designed with an eighty (80) foot paved diameter.

- 9. Alley Maintenance. The final plan shall contain a note, which states that the alley shall not be offered for dedicated and shall be privately maintained.
 - a. If an alley is to be for the common use of two or more properties, the applicant shall provide for the maintenance of such alley. The applicant shall provide for private maintenance through the formation of the homeowner’s association or through the setting forth of the maintenance responsibilities in easement in the deeds to the lots, which have the right to use the alley. If a homeowners’ association is formed, a document setting forth the maintenance responsibilities of such association and the right of such association to assess lots within the development shall be recorded at the same time as the final plan is recorded. All such documents shall be in a form acceptable to the Township Solicitor.
 - b. All persons who shall purchase a lot abutting or having the right to use an alley shall be given a copy of the final plan, and, if a homeowners’ association has been formed, shall be given a copy of all such documents relating to the maintenance responsibilities of such homeowners’ association.

SECTION 17. ACCESS DRIVES.

- A. Shall conform to the requirements in the Subdivision and Land Development Ordinance and the following characteristics:
 - 1. The cartway of all access drives shall be constructed in accordance with the specification for local streets as stated in Section 9.
 - 2. Access drives do not require a specific right-of-way; however, the following standards for cartway width shall apply:

| <u>Function</u> | <u>Cartway Width</u> |
|---|----------------------|
| Two lanes of traffic with on street parking | 36 Feet |
| Two lanes of traffic without on street parking* | 24 Feet |
| One lane of traffic with one lane of on street parking# | 20 Feet |
| One lane of traffic without on street parking# | 12 Feet |

#The one-way direction of traffic must be identified along the cartway.

- 3. The vertical and horizontal alignments of access drives shall conform to the specifications for local streets as stated in Section 9.

4. Access drive intersections shall conform to the specifications for local streets as stated in Section 9.
5. No part of any structure shall be located within thirty (30) feet from the cartway edge of an access drive.
6. Access drives which form a cul-de-sac shall not exceed one thousand (1,000) feet in length, measured from the centerline intersection of a street or private street, which is not a cul-de-sac. Access drive cul-de-sacs, which do not terminate in a parking compound, shall be provided at a terminus with a fully paved turnaround. The turnaround shall be designed with an eighty (80) foot paved diameter.

SECTION 18. DRIVEWAYS

- A. Driveways shall be located to provide minimum safe stopping distance at intersections with streets and shall not be located within any clear sight triangles on abutting streets or access drives. Driveways shall intersect the street of lesser classification when there is more than one street classification involved. Driveways shall not interfere with the normal traffic movement or be inconsistent with the design maintenance and drainage of the street.
- B. Driveways shall be located at least sixty (60) feet from the cartway edge at street or access drive intersections. Access shall be provided and maintained to the street or access drive of lesser classification or lesser traffic volumes. Driveways shall not interfere with the normal traffic movement or be inconsistent with the design, maintenance, and drainage of the street or access drive.
- C. All driveways constructed on Township right-of-way shall have the same degree of slope as the existing shoulder and in no case less than three-quarters inch (3/4") per foot, with the low point in line with the existing gutter line.
- D. Driveways shall have a maximum slope of eight (8%) percent for a distance of twenty-five (25) feet from the street or access drive. Where the remainder of the driveway exceeds or is expected to exceed a slope of twelve (12%) percent, special grading and/or drainage provisions may be required by the Township.
- E. When a proposed driveway will access a street or access drive which in the Township's opinion has large traffic volumes, higher traffic speeds, or poor site distances the Township may require the use of a turnaround area to prevent vehicles from backing onto the street or access drive. The turnaround design is subject to the Township's approval.
- F. Drainage pipe may not be installed under any driveway within the Township right-of-way, unless written permission and pipe diameter is supplied by the Township.
- G. Trench Restoration. Excavation within, or adjacent to streets shall be restored in accordance with the construction details located in Appendix No. 2 and the following:

1. Trench restoration shall proceed as promptly as is possible. Trenches, which must remain open for longer periods of time, shall be properly plated and delineated for oncoming traffic.
2. The remainder of the trench shall be backfilled with 2-RC or 2A promptly compacted. The backfill material shall be mechanically tamped in approximately six (6) inches layer.
3. Where openings are made behind the curb line, work shall be performed as required in these specifications, and the opening covered with good topsoil to a depth of six (6) inches, and seeded or sodded to the Township's satisfaction.
4. Whenever the trenches have not been properly filled, or if settlement occurs, they shall be refilled, compacted, smoothed off, and finally made to conform to the surface of the ground.
5. Frozen material shall not be used for backfill, nor shall any backfilling be done when materials already in the trench are frozen.

H. Weather Limitation. Criteria for placement of bituminous materials during cold or inclement weather shall be in accordance with the latest edition of PENNDOT Publication 408 (Specification).

SECTION 19. STORM WATER MANAGEMENT

- A. If a development contains structures such as streets, sewers and other public improvements that will be dedicated to the Township, storm water control facilities may also be dedicated to and maintained by the Township. Even if the Township elects to accept dedication of streets, the Township is under no obligation to accept storm water management facilities located outside of the public right-of-way.
- B. All storm water inlets within the right-of-way shall be constructed in accordance with PENNDOT Publication 408.
- C. Periodic maintenance (after each storm event) of temporary control facilities such as replacement of straw bale dikes, straw filters, silt fence, or similar measures.

SECTION 20. TRAFFIC CONTROL

- A. If any traffic signals are to be installed, the distance between any new and/or existing signals shall be at least one thousand (1,000) feet unless the developer demonstrates that adjacent traffic signals can operate sufficiently at lesser distances.
- B. Design of proposed development access points shall take into consideration the horizontal and vertical grades of the existing road network in the traffic impact study area to permit safe and convenient access to the site as defined in the latest PENNDOT and regulations. All modifications required to meet these regulations will be the responsibility of the developer.

- C. Specific Traffic Control and Access Requirements. The following specific traffic control and access requirements shall be met for developments, which produce 100 peak hour directional trips.
- D. The developer shall demonstrate by using the latest PENNDOT standards and regulations that the proposed uses will not create traffic patterns and movements, which will jeopardize the traveling public.

Stacking of sufficient length shall be provided in all traffic lanes on the site and off the site on adjacent roadways to insure that there shall be no blockage of through traffic. The design and length of the stacking lanes shall be justified and supported by the queuing analysis required as part of the traffic impact study.

Street and/or access drives to and within the site shall be designed in a manner that blockage of through traffic by vehicles attempting to enter or exit on these streets or access drives will not occur.

Acceleration, deceleration and turning lanes shall be of sufficient lengths to accomplish their intended use.

- E. If reduction of the speed limit, installation of traffic control devices, limitation of parking or turning movements or similar measures are required to mitigate traffic impacts upon Township or state highways, the applicant shall present traffic studies performed in accordance with PENNDOT regulations and Publication No. 201, Engineering and Traffic Study regulations. The erection or the installation of such traffic control devices shall be in accordance with Title 67, Chapter 211, "Official Traffic Control Devices", of PENNDOT regulations. If the enactment of an ordinance is necessary to effectuate the traffic regulations or the installation of the traffic control device, the applicant shall reimburse the Township for all expenses in the preparation and enactment of the necessary ordinance.
- F. For access points to the proposed development and any major intersections where traffic signal control may be required or is being proposed, a traffic signal warrant analysis shall be performed in accordance with the requirements of PENNDOT Publication 201. A left turn lane shall be provided and analysis shall be completed to determine the type of signal phasing required.
- G. Emergency traffic signal preemption shall be addressed and provided as required.
- H. An agreement between the Township and the developer shall be provided with regard to operating expenses and maintenance of proposed traffic signals.
- I. Additional through lanes and lane transitions of sufficient length shall be provided to allow smooth traffic flow to existing traffic lanes thus minimizing congestion, delay and blockage of through traffic within the proposed improvement area. The design and length should be justified and supported by the queuing analysis required as part of the traffic impact study.

All required signs should be in accordance with the Pennsylvania Department of Transportation Publication 408 latest edition and the Manual on Uniform Traffic Control Devices for Streets and Highways latest edition (MUTCD).

SECTION 21. STREET LIGHTS

- A. The developer shall install poles or standards for streetlights, with underground “parkway cable” service lines, when the Township requires. Such facilities shall be located in the right-of-way and shall be placed at each intersection and no more than three hundred fifty (350) feet apart. The Township shall approve the facilities as to type and location within the right-of-way.
- B. Street lighting shall be designed to provide a minimum average of one (1) foot-candle at an elevation of three (3) feet above the road surface.

SECTION 22. STREET PLAN

- A. At such time as the construction of the road is found to meet all necessary requirements and the approved plans, as modified, shall submit to Board one (1) Mylar as-build plan of the road which shall form a part of the permanent records of the Township. The plan shall be prepared using a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals ten (10) feet vertical, unless another scale is approved in writing by the Township.

SECTION 23. SPECIAL PROVISIONS

- A. Notwithstanding the provisions of this Part, the Board reserves the right and privilege to alter the method of construction, type of construction and/or require the utilization of a specified alternate where the physical characteristics of the land indicate, where roads, streets, or drainage facilities will be Township road is being relocated at the request and expense of the developer.

SECTION 24. CONSTRUCTION IN ACCORDANCE WITH PLANS

- A. All streets, roads, and drainage facilities shall be constructed in strict accordance with the approved plans and no changes shall be effectuated unless the same receive the written authorization of the Board. Notwithstanding the provisions of this Section, the Board reserves the right to require changes during the construction stage where on-site conditions, in the opinion of the Board or its duly designated representative, indicate the adverse effect of stormwater run-off and/or the adverse effect to the roadbed and/or road surface may be minimized by such changes.

SECTION 25. PERMITS

A. General

- 1. The permit shall be issued in the name of the owner of the facility, hereafter called the permittee, and shall be binding upon the permittee, its agents, contractors, successors, personal representatives, and assigns.

2. The permittee shall cause its agents, contractors, successors and assigns to comply with all the terms and conditions of the permit. The permit shall be maintained as a permanent record and remain in effect, subject to the conditions thereof, as long as the permittees facilities authorized therein occupy the public right-of-way.
3. The work authorized by the permit is subject to all applicable laws, rules and regulations, including but not limited to Act No. 247, approved October 29, 1972 of the Commonwealth of Pennsylvania, concerning environmental control measures related to pollution and the preservation of public natural resources. The work shall be done at such time and in such manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of the Township including but not limited to, the Technical Specifications set forth in the PENNDOT 408 Manual as amended.
4. If at any time it shall be found by the Road Master that the work is not being done or has not been properly performed, the permittee and/or its contractor, upon being notified in writing by the Road Master, shall immediately see that the necessary steps, at its own expense, are taken toward placing the work in condition to conform to said requirements or standards.

B. Permit Required and Emergency Openings

1. The opening of the surface of any Township road is prohibited unless a permit is obtained for that purpose in the manner hereinafter described. Such a permit shall be granted through the Road Master of the Township when the person applying for such permit files and application with the Township Secretary in compliance with the provisions of this section and pays into the Township Treasury the amounts hereinafter provided.
2. Any person working in the vicinity of a Township road who in any manner disturbs such street, or who in any manner causes damage to a street, shall be required by this Part to obtain a permit and correct such damage in accordance with the standards of the Township. Road opening permits will not be required for persons excavating adjacent to the curb for the express purpose of installing or replacing curbs and/or sidewalks provided a curb and sidewalk permit has been obtained from the Township Secretary prior to performing such work.
3. The obtaining of street opening permits by the Township and Bainbridge Water Authority shall be waived when work is to be performed completely by their own personnel.
4. All contractors performing work under contract for the Township or any Municipal Authority shall obtain the street opening permit for street openings.
5. Public utilities shall obtain street opening permits for street opening and for excavations to be performed by their own crew or forces or by contractors.

6. Nothing herein contained shall be construed to permit the issuing of a permit for the making of a tunnel under any street, alley, or highway in the Township. Tunneling will be permitted only after successful petition to Township Supervisors.
7. In the event that street openings are necessitated by emergencies, street opening permits shall be obtained and fees paid within five (5) days after completion of the work, and said permit shall be retroactive to the date when the work was begun.
8. A person performing street openings for an emergency must certify the emergency nature of the circumstance in writing to the Road Master of the Township within five (5) days after such emergency.
9. No permit shall be granted to any applicant unless the applicant shall have paid into the Township any and all monies then due to the Township for prior excavations made or for any loss, damage, or expenses in any manner occasioned by or arising from the exaction of streets of the Township under prior permits.

C. Street Openings Prior to Reconstruction or Resurfacing

1. When the Township shall propose to reconstruct or resurface any street, the Road Master shall serve written notice by certified mail of such improvements to all persons owning property abutting the road about to be improved, and to all public utility companies operating in the Township. Within ninety (90) calendar days from receipt of such notice all notified persons shall complete or cause to be completed all necessary repairs and replacement of utility mains, service under the street and designated curb and sidewalk areas. Notified persons shall also complete any new installations under the street and designated curb and sidewalk areas required for use within a three (3) year period thereafter. All repairs, replacements, and new installations shall be in first-class condition so that the same cannot reasonably be expected to require repairs or renewal within a period of at least three (3) years thereafter.
2. Upon failure of any of the notified person or persons to comply with the notice from the Road Master to place the same in first-class condition as hereinbefore provided, the Road Master shall cause existing utility mains, service connections and/or laterals to be not used or necessary for public convenience, whereupon the Township shall be entitled to collect the cost of such renewals, repairs, removal or other work from the aforesaid responsible person or persons, either by invoicing the person or persons, or in case of water or sewer house connections, by filing municipal liens therefore against the abutting properties benefited by such connection.
3. This section shall not forbid, however, the installation of new pipes, conduits or other services or structures, or the repair, replacement or removal of those already existing, in or under the portions of such streets improved as aforesaid, in accordance with the ordinances of the Township and the direction of the Pennsylvania Department of Transportation, or the Road Master of the Township of Conoy, upon obtaining a permit and payment to the Township of the same fees as prescribed by the provisions of this Part for making a surface opening in the street.

D. Prerequisites to Obtaining Permit

1. Street opening permits shall only be granted upon compliance with the following express provisions:
2. A written application shall be filed with the Township Secretary for making all street openings or excavations and the same shall be signed by the person desiring such permit. Such application shall set forth the purpose for which such excavation is to be made; the size and location of the same; the full scope of work to be included in the project; a sketch of the proposed opening site; the date such excavation is to be refilled and resurfaced in the manner hereinafter provided; and shall provide that the applicant will faithfully comply with each and every provision contained in this Part. An applicant shall furnish a drawing of the proposed opening site upon request of the Road Master. Items required on the drawing shall be specified at the time of request.
3. Prior to the issuing of such permit, every such applicant shall pay to the Township Treasurer the amount hereinafter provided and shall exhibit to the Township Secretary a receipt for the amount aforesaid.
4. Where the street opening permit is required for water supply purposes, the application shall be countersigned by an authorized representative of the Bainbridge Water Authority before the permit will be granted Road Master.
5. Where the street opening permit is required for sewer service purposes, the application shall be countersigned by the Road Master.
6. Except in emergency situations, the Road Master shall, at his discretion, be permitted to deny the opening of a street, which has been resurfaced or reconstructed within a three (3) year period prior to the date of request for the street opening.
7. Except in emergency situations, applications for street openings shall be submitted to the Road Master at least two (2) days prior to the proposed date of excavation. The Road Master shall review each application and grant or deny the applicant a permit upon completion of the review.
8. No street opening shall be performed, except in the case of emergencies, when seasonally prohibited or, in the judgment of the Road Master, working conditions are unreasonable for such work.
9. Applicant shall agree to save the Township, its officers, employees, and agents harmless from any and all costs, damages and liabilities by reason of personal injury or property claim, which may accrue to be claimed to accrue, whether directly or indirectly, by reason of said work irrespective of the cause of such injury or damage. The acceptance of any permit under this Part shall constitute such an agreement by the applicant whether the same is expressed or not.
10. An applicant shall supply a certificate of insurance to the Township Secretary and have the certificate of insurance properly executed by the applicant's insurance

agency. Property executed certificates of insurance shall be filed with the Township and verify that the applicant is insured against claims for personal injury as well as against claims for property damages which may arise from or out of the performance of the excavation work, by the applicant or anyone directly or indirectly employed by him. Such insurance shall include protection against liability arising from completed operations, underground utility damage, and collapse of any property. Liability insurance for bodily injury shall be an amount not less than five hundred thousand dollars (\$500,000.00) for each person and five hundred thousand dollars (\$500,000.00) for each occurrence and for property damages in an amount not less than one hundred thousand dollars (\$100,000.00). Such insurance shall also provide hold harmless coverage pursuant to subsection 9 above. Failure of an applicant to file a certificate of insurance shall be sufficient reason for denying a permit.

E. Bond.

1. Public utility companies desiring to open a street shall establish an escrow account in the name of Conoy Township in the amount of ten percent (10%) of the total cost of the project or one thousand five hundred dollars (\$1,500.00), whichever is the greater. In the event that a public utility company is engaged in two or more unrelated street opening projects, said public utility company shall execute a separate and distinct escrow account for each street opening project. At the discretion of the Township public utilities may post a blanket bond to cover all street openings in an amount satisfactory to the Board of Supervisors.
2. All other persons, including contractors performing work for the Water Authority, desiring to open a street shall furnish a properly executed corporate surety bond. Said bond shall be executed by a reputable surety company licensed to do business in the Commonwealth of Pennsylvania. All bonds secured by contractors performing work under contract with the Water Authority must be countersigned by an authorized representative of the Authority.
3. Said bond shall cover street opening work performed during one (1) calendar year. The bond shall be in effect for a twenty-four (24) month period. The amount of the surety bond shall be one thousand five hundred dollars (\$1,500.00) unless any street excavation and restoration work for a single project exceeds the one thousand five hundred dollars (\$1,500.00) and the dollar amount computed in accordance with the following schedule:

| <u>Pavement Structure</u> | <u>Amount of Bond</u> |
|--|------------------------|
| Sidewalk, concrete | \$30.00 per sq. yd. |
| Curbing-Straight | \$15.00 per lineal ft. |
| Curbing-Roll | \$10.00 per lineal ft. |
| Street, Bituminous concrete surface With bituminous or stone base | \$37.50 per sq. yd. |
| Alley, unpaved | \$7.50 per sq. yd. |

F. Fees

1. A permit fee, inspection fee, and degradation fee (for Township streets only) shall be paid to the Township Treasurer prior to permit issuing. The Township shall have the right in its discretion to waive fees for contractors performing work under contract with the Township.
2. The permit fee shall be established in the manner prescribed by Section 1156 of the Second Class Township Code, as amended.
3. The degradation fee and inspection fee to accompany the application, as herein provided, are shown on Table 1 and Table 2, respectively, of this Part, which said tables are incorporated by reference. The Township Treasurer shall place collected degradation fees in the Township General Fund. The degradation fee shall be waived for openings made on streets maintained by PENNDOT. The number of square yards computed for the degradation fee and inspection fee will be based on the actual size of excavation disregarding any pavement that must be removed to enable an overlap of surface course on the existing base course.

**Table I
Degradation Fee**

Rate of Fee in Dollars per Square Yard. Streets
Constructed, Reconstructed or Resurfaced
Within the Following Number of Years Prior to
Issue Date of Permit

| PAYMENT STRUCTURE | Rates Associated with Emergency Situations or approval exceptions | | |
|---|--|-----------------|----------------------------|
| | Less than 1 Year | 1 to 3 Years | Greater than 3 Years |
| Streets-Bituminous concrete surface with bituminous or stone base | \$15.00 | \$12.00 | - |
| Sidewalks- concrete | 12.00 | 9.75 | - |
| Alleys-unpaved | 2.25 | 2.25 | - |

**Table II
Inspection Fees**

| TOTAL SQUARE YARDS TO BE EXCAVATED | INSPECTION FEE (DOLLARS) |
|---|---|
| 1 to 5 yards | \$15.00 |
| 6 to 50 yards | \$75.00 |
| Greater than 50 yards | \$75.00 plus \$1.50 per each additional 5 sq. yd. or part thereof |

NOTES:

1. The number of square yards of excavation shall be computed to the nearest whole square yard.
2. Minimal fee shall be \$15.00.
3. Additional square yards, if required during construction, shall be added to original square yard computation to obtain an adjusted total. Additional fee shall be based on the adjusted total.
4. Sample:
 Excavation- 3 feet wide by 255 feet long
 3×155 divided by 9 = 51.67 sq. yd.
 Fee = \$76.50

G. Cancellation of Permit.

In all cases where a permit has been issued and the work set forth in such permit has not been completed, the amount not completed shall be cancelled. The degradation fee along with the inspection fee paid shall be recalculated on the basis of the work actually completed and the actual extend of excavation. All degradation fees and inspection fees paid in excess of this adjustment shall be refunded without interest by the Township Treasurer, upon warrant properly drawn. The permit fee shall not be refunded upon permit cancellation.

H. Revocation of Permit.

1. All street opening permits are subject to revocation at any time by the Road Master after written notice for:
 - a. Violation of any condition of permit;
 - b. Violation of any provision of this Part or any other applicable ordinance or law relating to the work;
 - c. The existence of any condition or doing of any act consisting or creating a nuisance or endangering the lives or property of others.
2. Written notice of such violation shall be served upon the person to whom the permit was granted, or his agent or employee engaged in the work. Such notice may be given either by personal delivery thereof to the person to be notified or by United States mail, postage paid, addressed to such person to be notified. The permittee shall

be granted twenty-four (24) hours to correct such violations, unless specifically stated otherwise within the Letter of Notification of such violation.

3. Upon revocation of the permit, the degradation and inspection fees will be refunded to the permittee for that portion of the project not completed.
- I. Time Extensions and Fee. If any permittee is unable to complete the street opening on or before the date specified in the permit, the permittee shall file a written application for an extension of time with the Road Master, who shall have discretion to grant or deny such application. The written application shall be in letterform and shall thoroughly explain the reasons for the extension of time plus the additional length of time required. A fee of two dollars (\$2.00) shall accompany the application. This fee shall defray the costs of processing and filing the application.
- J. Backfilling and Paving. The permittee shall be responsible for backfilling and paving the opening and restoring the street surface to its original condition. The Road Master shall have the full authority to establish standards for paving and backfilling materials and associated procedures. Details specifying paving and backfilling procedures and materials shall be obtained from the Road Master prior to any street opening work.
- K. Backfilling and Replacing Surface: When Done by Township. In case the work has not been completed before the date of expiration as shown on the permit, which time shall be fixed when the permit and/or time extension is granted, the Road Master may take steps to backfill the trench and replace the street surface over the opening for which the permit has been issued. The Township shall invoice the permittee for all costs incurred by the Township in the performance of this work. Payment not made within thirty (30) days will be chargeable against the posted bond including all fees and costs involved in the collection of this payment.
- L. Responsibility; Extra Inspectors; Other Rules. The permittee shall assume all responsibility for the excavation made by such party for refilling the same and for all damages that may arise by reason of the digging of such trenches or excavations. Whenever it is determined by the Road Master that in the best interests of the Township it is necessary to assign additional street opening inspectors to supervise excavation, backfill or pavement restoration operations, such inspectors shall be paid by the Township at a rate to be fixed by the Township. The Township shall invoice the permittee for all costs incurred by the Township necessitated by the assignment of additional inspectors. The Road Master is authorized to make such other rules and regulations for the excavation of streets which he may deem necessary for the proper maintenance of the street surface due to excavations, which rules and regulations shall be printed upon the permit granted or forwarded from the Township in writing from time to time.
- M. Test Holes. A street opening permit shall be obtained for any test hold work. No test holes shall be made in or upon a greater surface of the highway than as specified in such permit, and no excavation or test holes shall interfere with any of the water pipes, sewers, drains of the Township, or any other underground utility service. Test holes having an area of four (4) square inches or less shall be filled by the applicant with grout composed of one part cement and two parts sand and by a sufficient quantity of water, filled to the

surface of the highway, and the surrounding surface of the highway shall be placed in the same condition as before. Test holes greater than four (4) square inches in area shall be backfilled in accordance with the provisions of this Part, unless otherwise directed by the Road Master.

N. Gutters, Lights and Identification.

1. All gutters must be left open so as not to obstruct the free passage of water, and the sidewalks and footways must be kept in a safe passable condition. All excavations shall have sufficient lights and barricades to identify them from all directions during the day and after dark. If for safety purposes, the Road Master deems it necessary to install additional warning devices, i.e., lights, barricades, or signs, the permittee shall be notified of the decision and shall receive instructions on the installation. In case of emergencies the Township may install all additional warning devices deemed necessary by the Road Master. The Township shall invoice the permittee for rental and installation costs incurred from the date of installation until the permittee installs the required warning devices.
2. If the permittee fails to install such devices, the Township shall invoice the permittee for rental and installation costs incurred from the date of installation until the date of removal. Payment not made by the permittee within thirty (30) days of the invoice date will be chargeable against the posted bond including all fees and costs involved in the collection of this payment.
3. All openings shall have a sign at least twelve inches (12") by eighteen inches (18") clearly displayed with the contractors' name and phone number.
4. The Township shall inspect all work, which has been performed prior to acceptance of dedication of any road.

SECTION 26 STREET DEDICATION

1. Dedication. Any person requesting the township to accept the dedication of a road, street or alley for public use or travel shall deposit a filing fee with the township in the amount of two hundred dollars (\$400.00) for the first road, street or alley to be dedicated and an additional one hundred dollars (\$100.00) for each additional street to be dedicated at the same time. For example, if three streets are being offered for dedication at the same time, the fee would be \$600 [$\400 (1st street) + $\$100$ (2nd street) + $\$100$ (3rd street) = $\$600$]. If only one street is accepted by the Township at a particular point in time regardless the number of streets, which may have previously been accepted, the fee is \$400. The developer shall be responsible for the payment of the entire dedication fee prior to the acceptance of the streets.
2. The fee covers inspection costs, the cost of preparing the resolution of acceptance, filing fees, recording fees, and other expenses necessary for the Board of Supervisors to accept land dedicated for road purposes pursuant to §1140 et seq., of the Second Class Township Code, as amended, 53 P.S. §66140 et seq.

3. No action by the Board of Supervisors shall be construed to require the Township to accept dedication of any road, street, or alley.
4. No road, street or alley shall be considered finally accepted by the Township until the deed of dedication has been recorded and the resolution of acceptance has been duly adopted and filed in the manner required by the Second Class Township Code. Notwithstanding final acceptance of any road, street or alley, or any drainage facilities in connection therewith, the person who offered the same for dedication shall remain responsible for the maintenance thereof, snow removal excepted, for a period of eighteen (18) months from the date of final acceptance and shall furnish the Township with a maintenance bond from a surety bonding company authorized to do business in the Commonwealth of Pennsylvania, or with other security satisfactory to the Board of Supervisors, guaranteeing the correction of all defective work and material discovered during said eighteen (18) month period.
5. Information/Items Needed for Street Dedication
 - a. Four (4) copies of the recorded subdivision plan showing the street(s) to be dedicated.
 - b. A copy of the recorded deed for the development (or the portion of the development which includes the street(s) to be dedicated reflecting the current owner, previous owner, date of the deed and the recording reference.
 - c. A legal description for each street.
 - d. The name and address of the legal owner(s) of the land to be dedicated.
 - e. Total centerline length of each street.
 - f. The beginning and ending points for each street. This information should be as specific as possible.
 - g. The right-of-way width and the cartway width for each street.
 - h. A current title search or title binder reflecting the present owner of the street(s) to be dedicated and any liens or encumbrances affecting the street(s).
 - i. If the developer is a general partnership, the names of all partners.
 - j. If the developer is a limited partnership, the names of all the general partners.
 - k. If the developer is a corporation the names of the President and Secretary of the corporation or the names and titles of other officers who will sign the documents.
 - l. If the Township Engineer has inspected the streets, a copy of the Engineer's letter recommending acceptance of the streets.
 - m. If required "as built" drawings should be submitted directly to the Township.

- n. If the documents will be executed on behalf of the developer by an attorney-in-fact, a copy of the recorded power of attorney must be furnished.
 - o. Releases for any mortgages affecting the street(s).
 - p. Financial Security as authorized by Section 509(k) of the Pennsylvania Municipalities Planning Code.
6. The Board of Supervisors may, at its discretion, require the applicant to submit a maintenance guarantee for the maintenance and repair of a street improvement shown on the application for one (1) year after completion of construction and approval of all such improvements by the Board of Supervisors. Said guarantee shall not exceed fifteen (15) percent of the actual cost of the installation of said improvements.

SECTION 27. ADMINISTRATION

A. Requirement to Provide Financial Security to Guarantee Completion of Improvements.

Any person desiring or intending to construct any road or street, or any drainage facilities in connection therewith shall first furnish the Township with an acceptable form of improvement guarantee in the amount and form as prescribed by the MPC.

B. Street Plans.

At such time as the construction of the road is found to meet all requirements of this Ordinance and the approved plans, the developer, prior to offering the road for dedication, shall submit to the Board of Supervisors one Mylar as-constructed plan of the road which shall form a part of the permanent records of the Township. Such plan shall be prepared using a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals ten (10) feet vertical, unless another scale is approved in writing by the Township.

C. Access the Work Site for Inspections.

- 1. The developer shall grant to the Township or its agents access to the site of the work at all times while the streets and drainage facilities are under construction for the purpose of inspecting the work. The developer shall promptly correct any deficiencies noted by the Township. The Township may require the developer to perform tests (at developer's expense) to establish the adequacy of his work.
- 2. This Ordinance does not mandate inspections by the Township, and the actual performance of inspections shall not be construed as acceptance of any portion of the work during construction.

D. Disturbance of Township Rights-of-Way without Permits Prohibited.

No person shall plow, cultivate, harrow, regrade, or in any way disturb the surface of the land within the rights-of-way of any Township road or street without approval of plans and/or issuance of permits as required by this Ordinance.

E. Waivers.

The provisions of these regulations are intended as a minimum standard for the protection of the public health, safety and welfare. If literal compliance with any mandatory provision of these regulations is shown by the applicant, to the satisfaction of the Board of Supervisors, to be unreasonable or to cause undue hardship as it applies to a particular property, or if the applicant shows that an alternative proposal will allow for equal or better results, the Board of Supervisors may grant a waiver from such mandatory provision so that substantial justice may be done and the public interest secured while permitting the reasonable utilization of the property. However, the granting of a waiver shall not have the effect of making null and void the intent and purpose of this Ordinance. In granting waivers, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards are requirements of this Ordinance.

F. Bonding.

To guarantee satisfactory construction and installation of the road, street or drainage facility, Board reserves the right to require developer to furnish a performance bond or other security satisfactory to Township in an amount equivalent to one hundred (100) percent of the estimated cost of construction as determined by the Township. The bond shall be kept in effect by developer until the road is finally accepted by the Township pursuant above. The failure to keep said bond in effect until final acceptance of the road by the Township shall constitute a violation of this Part.

G. Engineering Designated to Review and Approve Plans.

The Board may designate the Township Engineer to act on its behalf in the approval of all plans, the making of all inspections and the granting of all approvals required by this Part; provided, however, that the formal acceptance of any road, and the execution of any documents related thereto, is reserved to the Board.

H. Funds to Cover Inspection of Road Improvements.

No person shall commence construction of a street or drainage facilities until an amount equal to two (2) percent of the estimated cost of the street and drainage facilities (as determined in accordance with the procedures set forth in the Pennsylvania Municipalities Planning Code) has been deposited with the Board of Supervisors to be used to reimburse the Township for the expenses incurred to inspect such improvements. In the event said sum deposited is in excess of the inspection costs, the Township shall refund such excess money without interest upon completion of work. The Board of Supervisors shall be authorized to withdraw of use from time to time any such monies deposited with the Township in order to pay inspection costs.

I. Penalties and Remedies.

1. Any person, partnership or corporation who or which shall construct, open or dedicate any road or street, or any drainage facilities in connection therewith, for public use or

travel in this Township, without having first complied with the provisions of this Ordinance, shall be guilty of a misdemeanor of the third degree, and upon conviction thereof, such person or members of such partnership or officers of such corporation responsible for such violation, shall be sentenced to suffer imprisonment not exceeding two (2) years, or pay a fine not exceeding One Thousand Dollars (\$1,000.00), or both, in the discretion of the Court. Any person who shall take such action shall also be subject to a suit for all costs and damages incurred by the Township of property owners in the course of correcting all substantive violations of State or municipal law or regulations resulting from or arising out of an unlawfully recorded plan in accordance with Section 2317 (f) of the Second Class Township Code, as reenacted by Act 60 of 1995.

2. If the Board of Supervisors or the officer designated to enforce this Ordinance by the Board of Supervisors determines that a person has committed or permitted the commission of a violation of this Ordinance, the Board of Supervisors or such enforcement officer shall inform such person in writing of the violation, shall notify such person to cease the violation of this Ordinance and shall inform such person that he or she must pay a civil penalty to the Township within the range of the amounts shall be not less than Fifty (\$50.00) Dollars and not more than Six Hundred (\$600.00) Dollars; the penalty for a second offense shall not be less than One Hundred (\$100.00) Dollars and not more than Six Hundred (\$600.00) Dollars; and the penalty for a third or greater offense shall be not less than Two Hundred (\$200.00) Dollars and not more than Six Hundred (\$600.00) Dollars. If such person fails or refuses to remit the penalty to the Township within ten days from the date of the written notice of the violation of this Ordinance, the Township may commence a civil enforcement proceeding seeking penalties and costs for the violation of this Ordinance and/or may commence an action in equity. The Township shall seek a judgment for the penalty previously imposed together with additional daily penalties for continuing violations plus all court costs, including the reasonable attorneys' fees incurred by the Township in the enforcement proceedings. Each day that a violation continues shall constitute a separate violation, and each Section of this Ordinance, which is violated, shall constitute a separate violation. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
3. In addition the penalties in Subsections A and B above, any continued violations of this Ordinance might be abated by proceeding against the violator in a court of equity for relief.

J. Serveability.

The provisions of this Ordinance are servable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

K. Repeals.

All other ordinances or parts of ordinances inconsistent herewith are expressly repealed.

L. Adoption and Effective Date.

This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of the Township of Conoy.

DULY ORDAINED AND ENACTED this _____ day of _____, 2005, by the Board of Supervisors of the Township of Conoy, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF CONOY
Lancaster County, Pennsylvania

CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Township of Conoy, Lancaster County, Pennsylvania (“Township”) certify that: The foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of Conoy at a meeting duly held on the ____ day of _____, _____; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of Conoy met the advance notice and public comment requirements of the Sunshine Act, 53 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of Conoy or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of Conoy, this ____ day of _____, ____.

(Assistant) Secretary

[TOWNSHIP SEAL]

CONOY TOWNSHIP

SUPERVISORS

ROAD IMPROVEMENT INSPECTION

DEPOSIT ACCOUNT

TO: Local Bank
FROM: Conoy Township
SUBJECT: Deposit Account

The developers of _____ subdivision or land development in Conoy Township are required to establish a savings deposit account at a local financial institution to set aside funds for the inspection of road improvements for the above-mentioned subdivision. The developer must deposit _____ in your bank to cover these costs. The account shall remain in full force and effect from _____ unless a written release is received from the Township.

The bank is required to notify the Township when the account has been established and forward a letter stating: (1) the amount deposited, (2) the date the account opened and account number, and (3) acknowledgement of the terms and conditions of this savings deposit account.

You may release funds from this account to the Township only, until the Township releases the account. The Township may request periodic payments from the account upon submission of a requisition (See attached) signed by not less than two of the following: (Please forward signature cards.)

_____ - Chairman

_____ - Vice-Chairman

Date _____

Name
Address
City State Zip

The Board of Supervisors of Conoy Township also request a special account to be established in the name of Conoy Township at an area bank in the amount of \$_____.

This account will enable the Township to cover the cost of inspections for the (Development Name) _____ construction.

Please read the following ordinance for complete details.

Ordinance _____ Section 27.H.

118. Funds to Cover Inspection of Road Improvements. No person shall commence construction of a street or drainage facilities until an amount equal to two (2) percent of the estimated cost of the street and drainage facilities (as determined in accordance with the procedures set forth in the Pennsylvania Municipalities Planning Code) has been deposited with the Board of Supervisors to be used to reimburse the Township for the expenses incurred to inspect such improvements. In the event the sum deposited is insufficient to pay the inspection costs, the Township shall bill such person for the additional costs. In the event said sum deposited is in excess of the inspection costs, the Township shall refund such excess money without interest upon completion of work. The Board of Supervisors shall be authorized to withdraw or use from time to time any such monies deposited with the Township in order to pay inspection costs.

If you have any questions concerning this information, please give the Township office a call and someone will be glad to answer your questions.

Respectfully Submitted,

Conoy Township

APPENDIX NO. 1
APPLICATION

APPLICATION FOR A STREET IMPROVEMENT PERMIT

CONOY TOWNSHIP

Lancaster County
Pennsylvania

File No. _____

Date Received _____

Application is hereby made to the Township Secretary for the issuance of a Street Improvement Permit pursuant to the specifications herewith submitted.

1. Name of Property Owner(s): _____
Address: _____ Phone No. _____

2. Project Location: _____

3. Brief Description of Work to be Performed: _____

4. Identification of the attached plans and profiles which identify the proposed improvements: _____

5. Name of applicant (if other than owner): _____
Address: _____ Phone No. _____

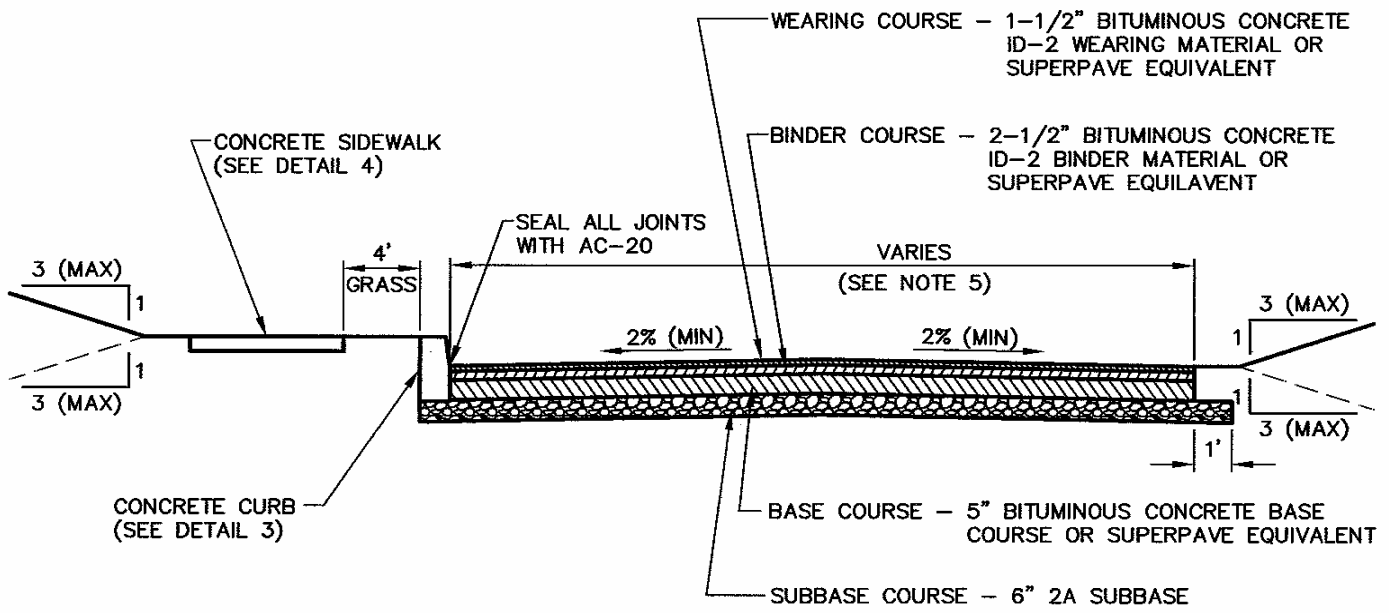
The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above and attached hereto is true, correct, and complete.

Date

Signature of Applicant

APPENDIX NO. 2

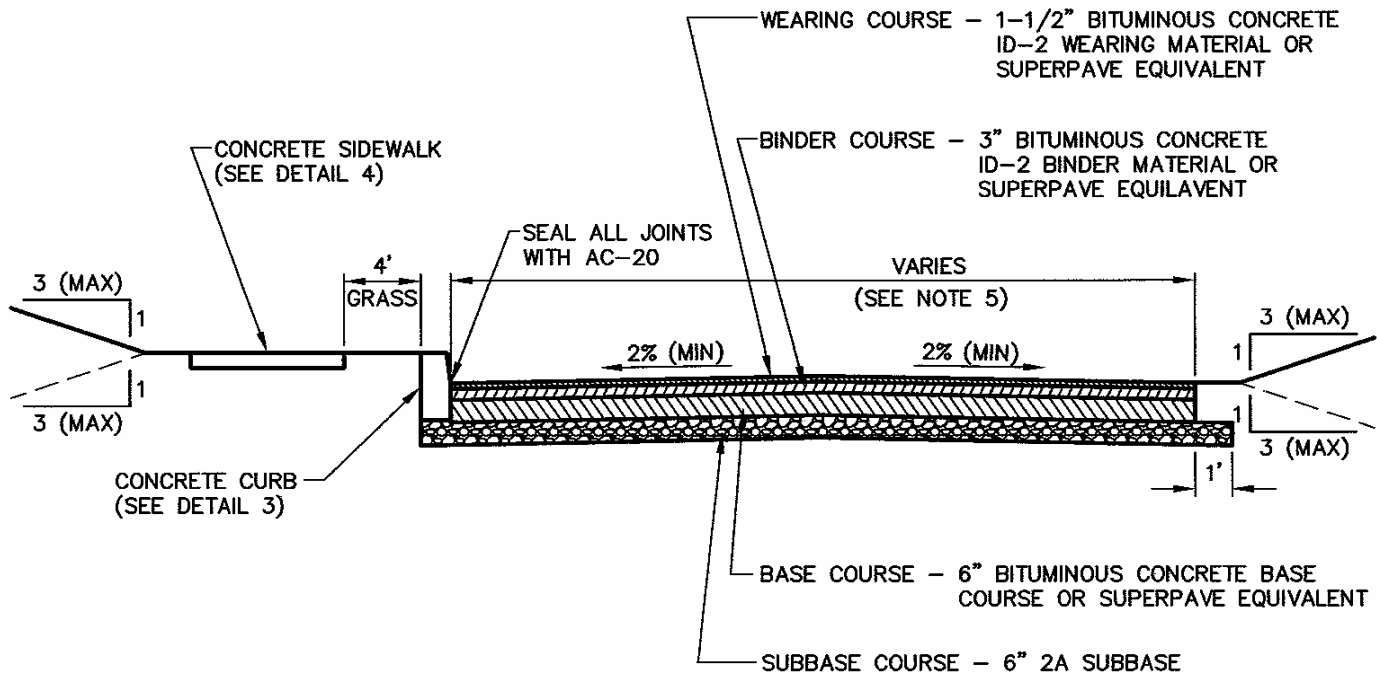
STREET, CURB AND SIDEWALK CONSTRUCTION
AND RECONSTRUCTION DETAILS



NOTES:

1. EXCEPT WHERE CURBS ARE TO BE INSTALLED, THE SUBBASE FOR ALL PROPOSED ROADS SHALL EXTEND ONE FOOT (1') BEYOND THE EDGE OF THE PAVED CARTWAY.
2. THE MAXIMUM LIFTS FOR THE INSTALLATION OF BITUMINOUS MATERIAL SHALL BE FOUR INCHES (4") FOR BASE COURSES, THREE INCHES (3") FOR BINDER COURSES AND TWO INCHES (2") FOR WEARING COURSES.
3. ALL VERTICAL PAVEMENT JOINTS SHALL BE STAGGERED BY A MINIMUM DISTANCE OF ONE FOOT (1').
4. TACK COAT SHALL BE APPLIED AS DIRECTED BY THE TOWNSHIP ENGINEER.
5. LOCAL ROADS SHALL HAVE A CARTWAY WIDTH OF THIRTY SIX FEET (36') WITH CURB OR THIRTY FEET (30') WITH FOUR FOOT (4') SHOULDERS. LEGAL RIGHT-OF-WAY WIDTH SHALL BE SIXTY FEET (60').

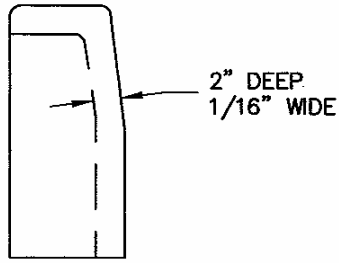
| | | |
|------------------|--|--|
| REVISIONS | TYPICAL PAVING SECTION – LOCAL ROADS | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS | |
| | CONOY TOWNSHIP | DETAIL |
| | LANCASTER COUNTY, PENNSYLVANIA | 1 |
| | HANDOVER ENGINEERING <small>ASSOCIATES, INC.</small> | <small>200 SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444</small> |



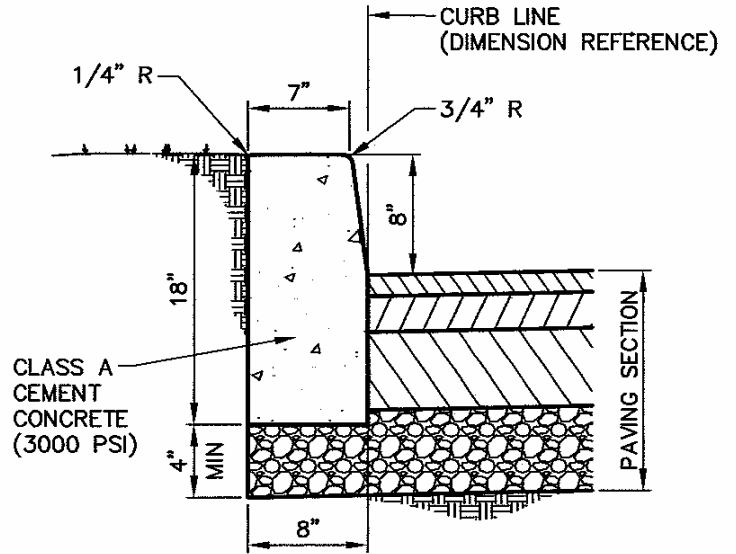
NOTES:

1. EXCEPT WHERE CURBS ARE TO BE INSTALLED, THE SUBBASE FOR ALL PROPOSED ROADS SHALL EXTEND ONE FOOT (1') BEYOND THE EDGE OF THE PAVED CARTWAY.
2. THE MAXIMUM LIFTS FOR THE INSTALLATION OF BITUMINOUS MATERIAL SHALL BE FOUR INCHES (4") FOR BASE COURSES, THREE INCHES (3") FOR BINDER COURSES AND TWO INCHES (2") FOR WEARING COURSES.
3. ALL VERTICAL PAVEMENT JOINTS SHALL BE STAGGERED BY A MINIMUM DISTANCE OF ONE FOOT (1').
4. TACK COAT SHALL BE APPLIED AS DIRECTED BY THE TOWNSHIP ENGINEER.
5. COLLECTOR AND ARTERIAL ROADS SHALL HAVE A CARTWAY WIDTH OF THIRTY SIX FEET (36') WITH CURB OR THIRTY FEET (30') WITH FOUR FOOT (4') SHOULDERS. LEGAL RIGHT-OF-WAY WIDTH SHALL BE SIXTY FEET (60').

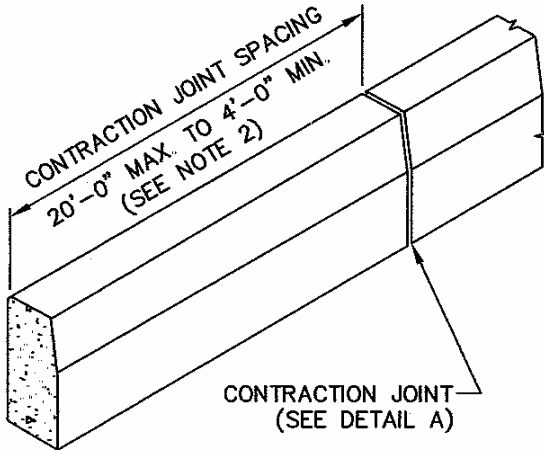
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| REVISIONS | TYPICAL PAVING SECTION - COLLECTOR AND ARTERIAL ROADS | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | DETAIL 2 |
| | HANDOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |



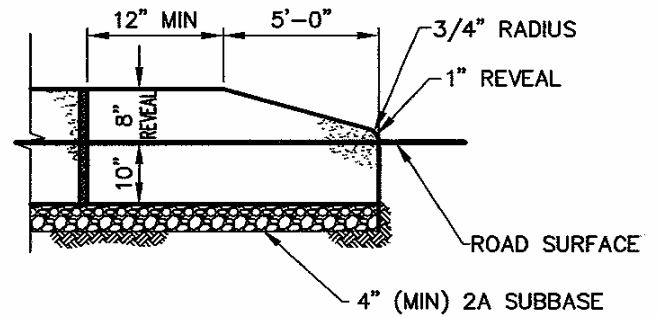
DETAIL A
CONTRACTION JOINT



TYPICAL CROSS SECTION



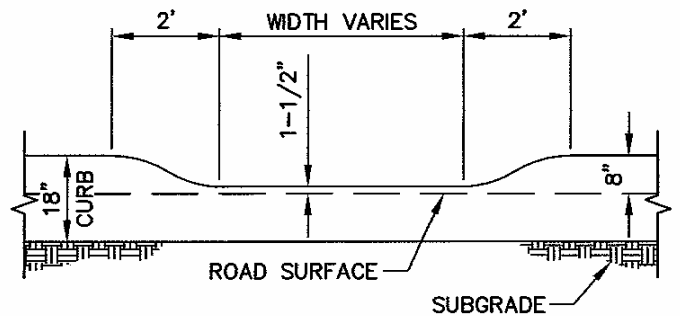
CONTRACTION JOINT
(SEE DETAIL A)



END TRANSITION

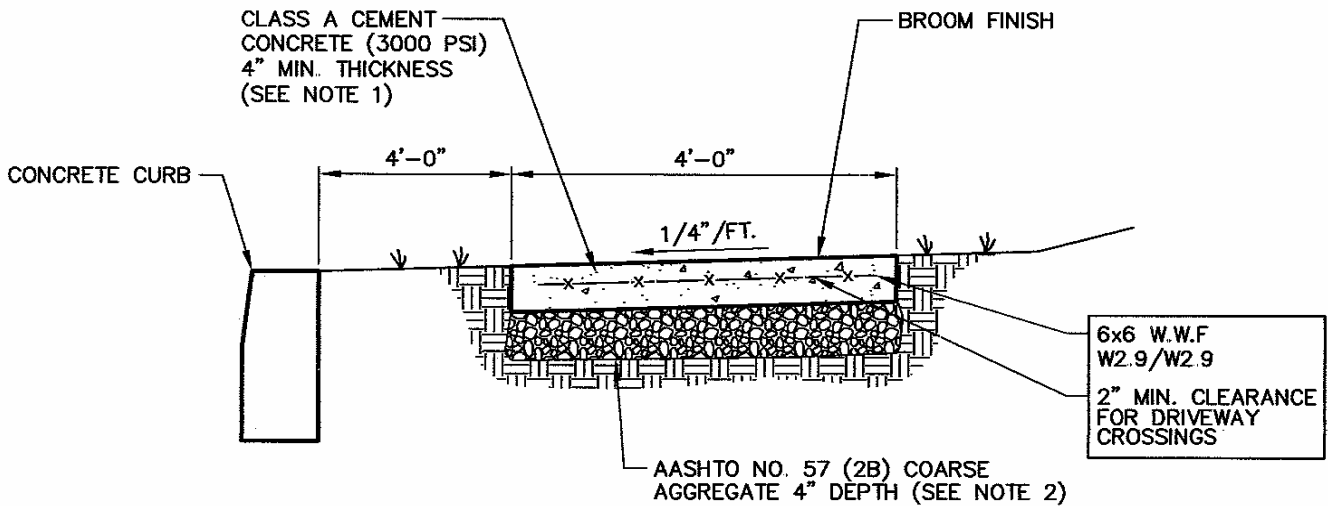
NOTES:

1. MATERIALS AND CONSTRUCTION SHALL MEET THE REQUIREMENTS OF PUBLICATION 408, SECTION 630.
2. SPACE CONTRACTION JOINTS IN UNIFORM LENGTHS OR SECTIONS.
3. PLACE 3/4" PREMOLDED EXPANSION JOINT FILLER MATERIAL AT STRUCTURES AND AT THE END OF THE WORK DAY. CUT MATERIAL TO CONFORM TO AREA ADJACENT TO CURB OR TO CONFORM TO CROSS SECTIONAL AREA OF CURB



TYPICAL DRIVEWAY DEPRESSED CURB

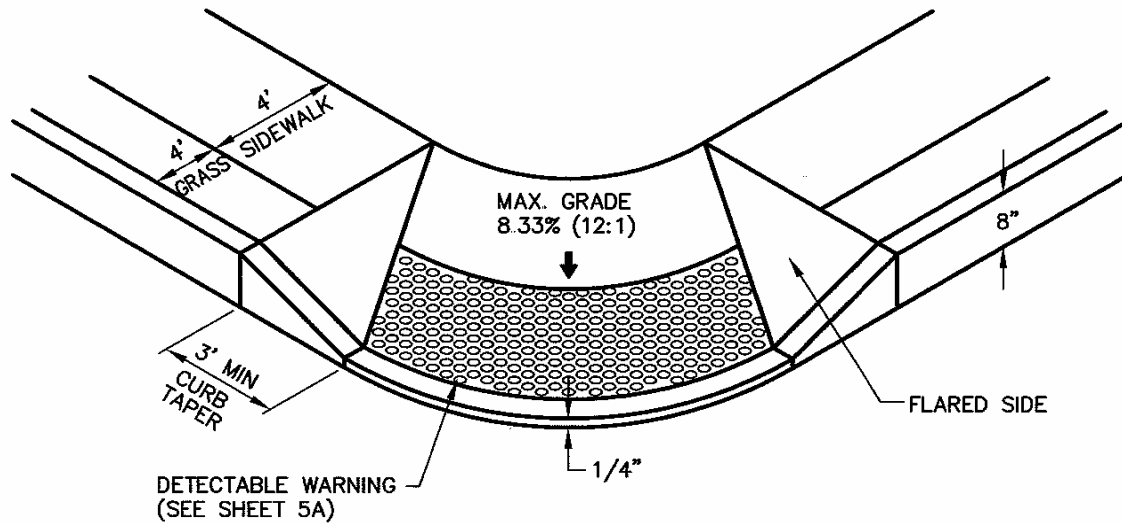
| | | |
|------------------|---|---|
| REVISIONS | CONCRETE CURB | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS | |
| | CONOY TOWNSHIP | |
| | LANCASTER COUNTY, PENNSYLVANIA | DETAIL 3 |
| | HANDOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |



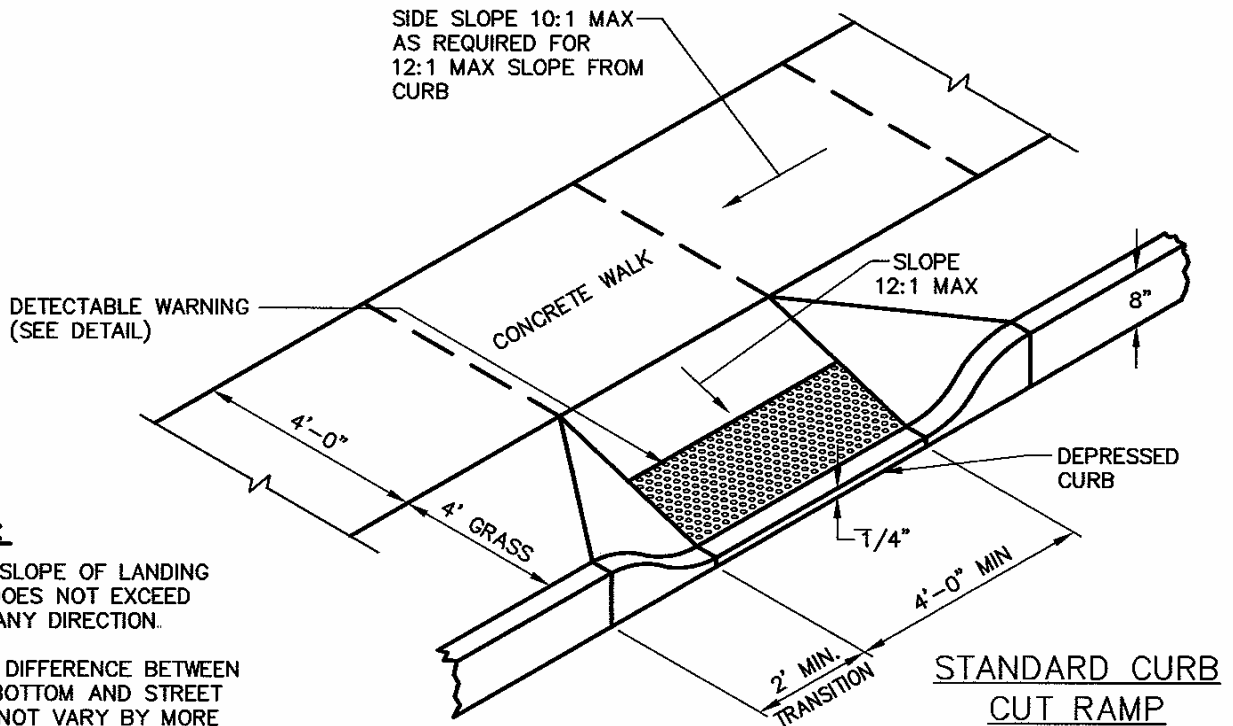
NOTES:

1. SIDEWALK SHALL HAVE A MINIMUM THICKNESS OF 4" WHERE USED SOLELY FOR PEDESTRIAN TRAFFIC AND A MINIMUM THICKNESS OF 6" AT ALL DRIVEWAYS.
2. AT DRIVEWAY LOCATIONS, THE DEPTH OF COARSE AGGREGATE MATERIAL SHALL BE 6".

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| REVISIONS | CONCRETE SIDEWALK | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS | |
| | CONOY TOWNSHIP | |
| | LANCASTER COUNTY, PENNSYLVANIA | DETAIL 4 |
| | HANDOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |



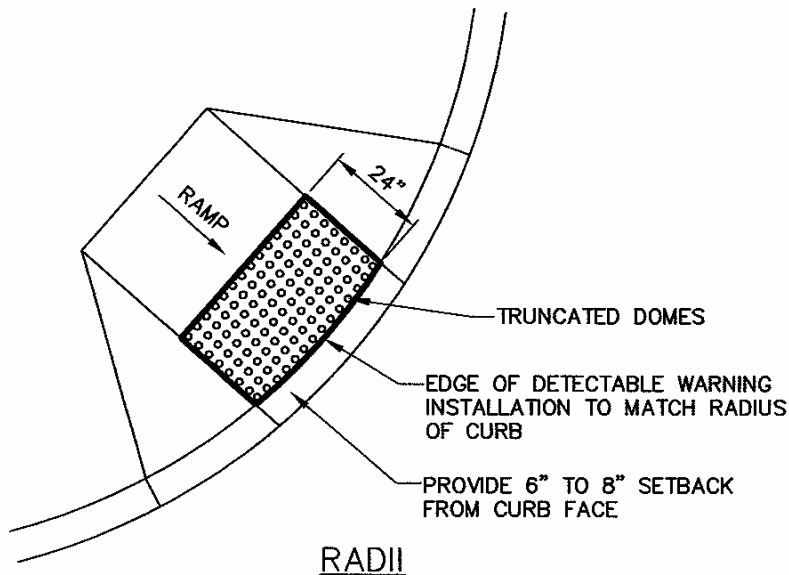
CONCRETE WALK WITH
ACCESS RAMP AT RADIUS



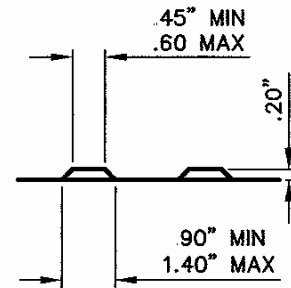
NOTES:

1. CROSS SLOPE OF LANDING AREA DOES NOT EXCEED 2% IN ANY DIRECTION.
2. HEIGHT DIFFERENCE BETWEEN RAMP BOTTOM AND STREET SHALL NOT VARY BY MORE THAN 1/4\".

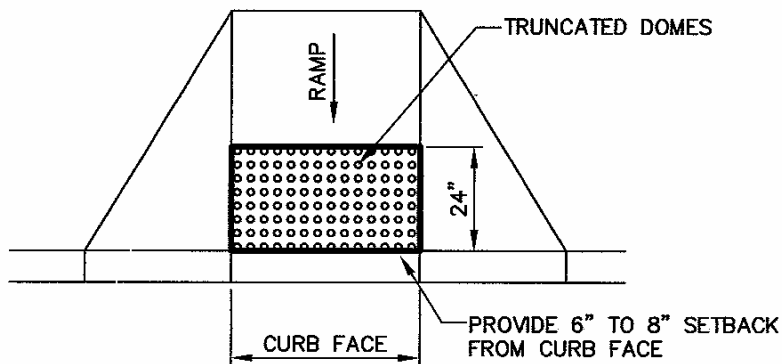
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| REVISIONS | CURB CUT RAMPS | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | DETAIL 5 |
| | HANDOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |



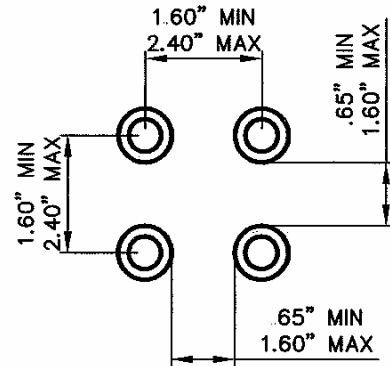
RADII



ELEVATION

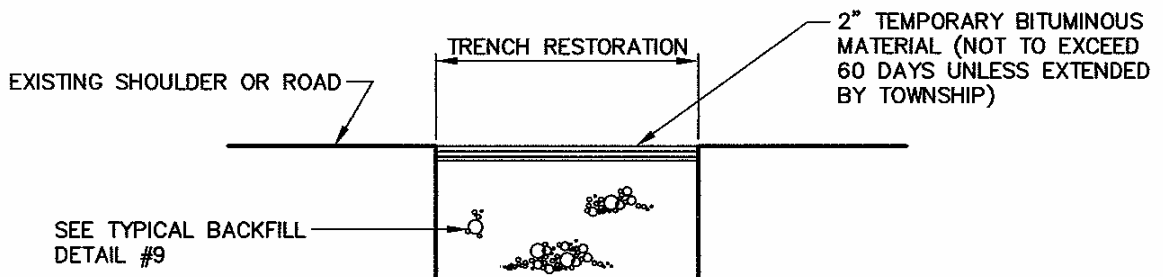


STANDARD



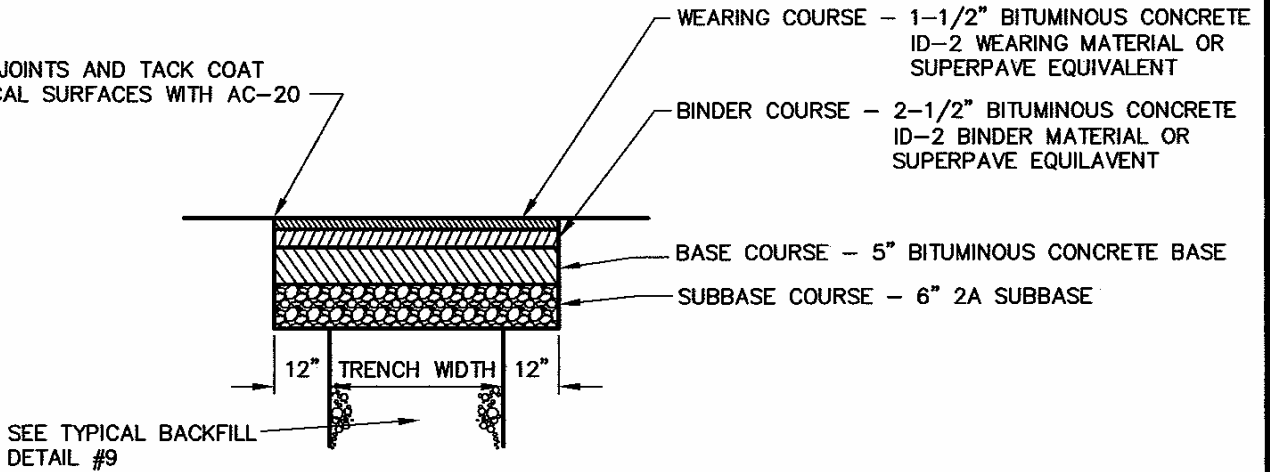
DOMES SPACING DETAIL

| | | | |
|--|--|--------------------------------|---------------------|
| REVISIONS | DETECTABLE WARNINGS | PROJECT NO. CON05-13 | |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | | |
| | HANDOVER ENGINEERING <small>ASSOCIATES, INC.</small> | | DETAIL 5A |
| | <small>200 SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444</small> | | |



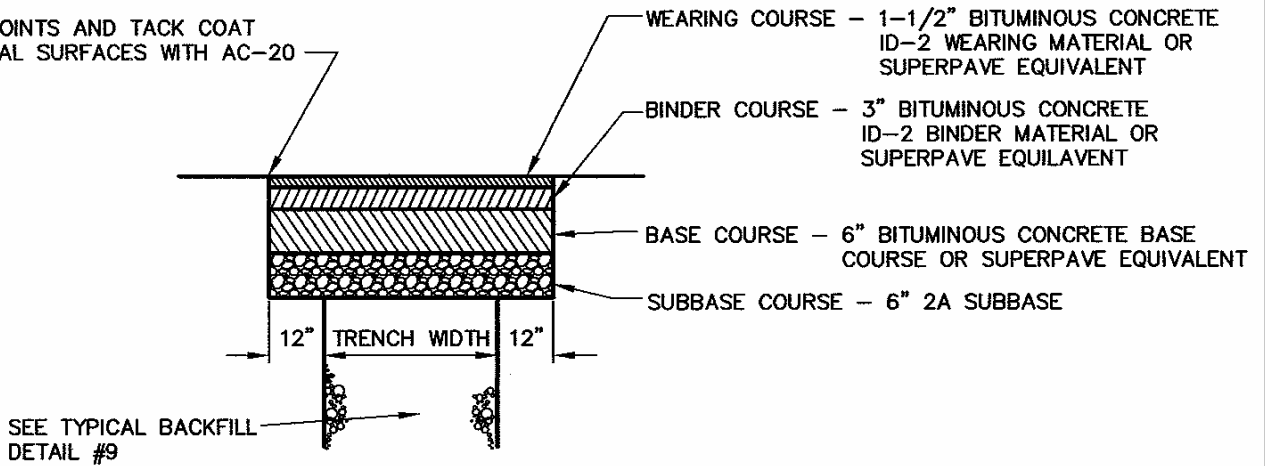
| | | |
|-----------|---|-------------|
| REVISIONS | TEMPORARY RESTORATION FOR ROADWAYS AND SHOULDERS | PROJECT NO. |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | CON05-13 |
| | | DETAIL |
| | HANDOVER ENGINEERING <small>ASSOCIATES, INC.</small> | 6 |
| | | |

SEAL ALL JOINTS AND TACK COAT
ALL VERTICAL SURFACES WITH AC-20



LOCAL ROAD & SHOULDER RESTORATION

SEAL ALL JOINTS AND TACK COAT
ALL VERTICAL SURFACES WITH AC-20

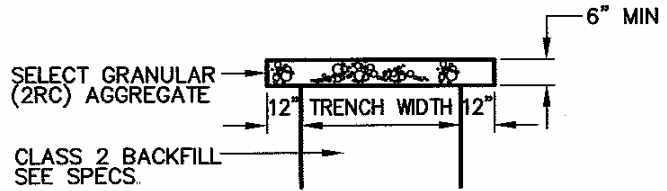


COLLECTOR & ARTERIAL ROAD & SHOULDER RESTORATION

NOTES

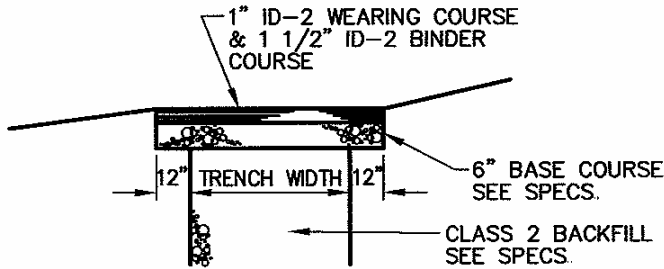
- ALL VERTICAL CUTS SHALL BE SAW CUT ONLY
- MATERIAL AND PLACEMENT FOR COURSE AND FINE AGGREGATES SHALL BE IN ACCORDANCE WITH PA D.O.T. SPECIFICATIONS PUBLICATION 408 AND ITS AMENDMENTS.

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| REVISIONS | TRENCH RESTORATION FOR ROADWAYS AND SHOULDERS | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | DETAIL 7 |
| | HANDOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |



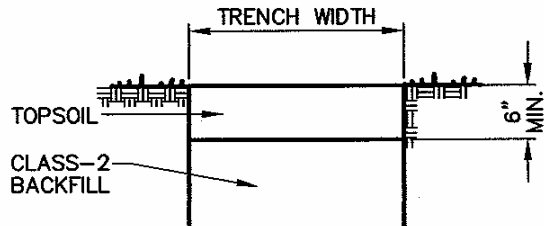
NOTE: MATCH EXISTING WIDTH OF DRIVEWAY

STONE DRIVE RESTORATION

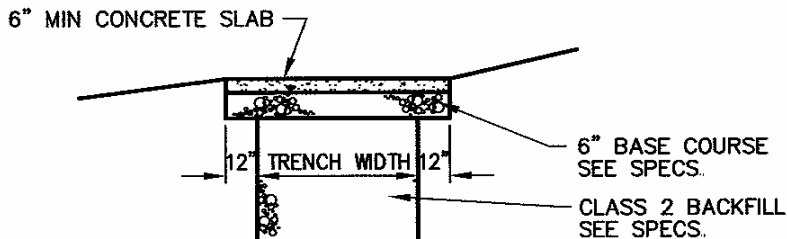


NOTE: MATCH EXISTING WIDTH OF DRIVEWAY

PAVED DRIVEWAY RESTORATION



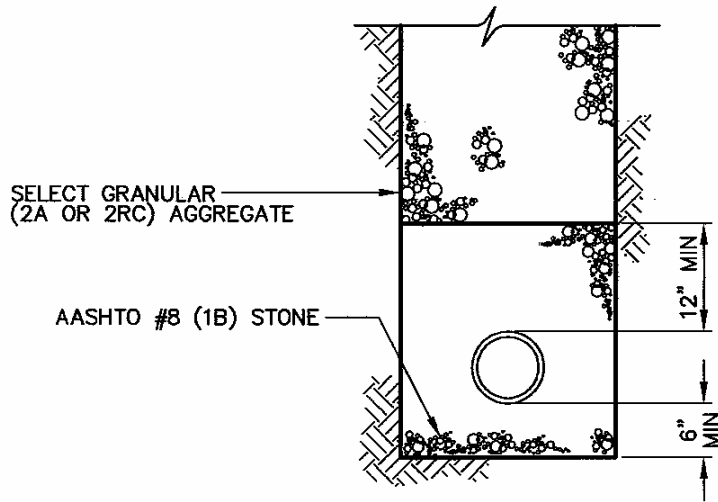
LAWN RESTORATION



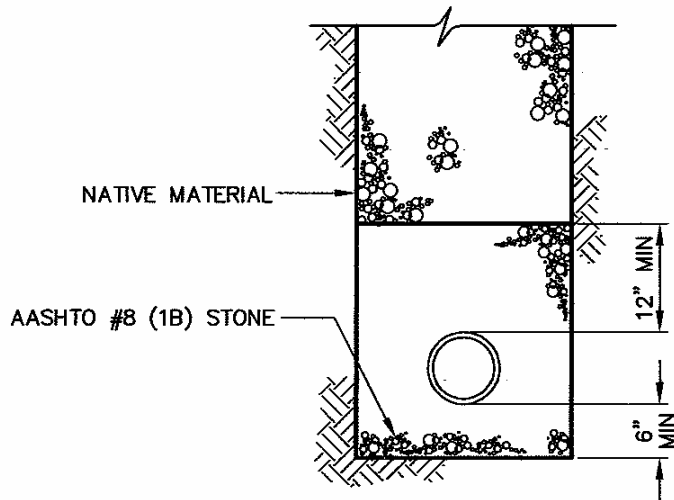
NOTE: MATCH EXISTING WIDTH OF DRIVEWAY

CONCRETE DRIVEWAY RESTORATION

| | | |
|-----------|---|---|
| REVISIONS | TRENCH RESTORATION FOR AREAS OTHER THAN ROADWAYS | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | DETAIL 8 |
| | HANOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |



ROADWAYS AND SHOULDERS



OTHER THAN ROADWAYS AND SHOULDERS

NOTES:

1. FOR FINAL RESTORATION, SEE APPROPRIATE DETAIL.
2. BACKFILL MATERIAL TO BE PLACED IN 12" (MAXIMUM) LIFTS. THOROUGHLY COMPACT EACH LIFT WITH MECHANICAL TAMPERS OR BY OTHER ACCEPTABLE METHODS FOR THE FULL TRENCH WIDTH. COMPACT TO NOT LESS THAN 100% OF THE DETERMINED DRY WEIGHT DENSITY OF THE BACKFILL MATERIAL.

| | | |
|------------------|--|---|
| REVISIONS | TYPICAL BACKFILL | PROJECT NO. CON05-13 |
| | STANDARD SPECIFICATIONS CONOY TOWNSHIP LANCASTER COUNTY, PENNSYLVANIA | DETAIL 9 |
| | HANDOVER ENGINEERING ASSOCIATES, INC. | 20C SNYDER LANE EPHRATA, PA 17522-9101 (717) 721-7444 |