

## Chapter 37

### DRIVEWAY PERMITS

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[HISTORY: Adopted by the Board of Supervisors of the Township of Donegal 8-13-1997 by Ord. No. 97-1. Amendments noted where applicable.]

#### GENERAL REFERENCES

Streets and sidewalks — See Ch. 106.

Subdivision and land development — See Ch. 110.

§ 37-1. Permit required.

No person, firm, partnership or corporation shall grade, construct, install or erect a drain, culvert, footwalk, drive or driveway or other means of ingress or egress, which affects the discharge or passage of drainage water onto or along a Township road, unless and until the Township has granted a permit for such grading, construction, installation or erection.

§ 37-2. Construction standards.

All culverts or drainage pipes emptying from a private driveway of a residence onto a Township road, which culverts or pipes have been or are constructed after the passage of this chapter, shall follow the regulations set forth by the Pennsylvania Department of Transportation in Title 67, Chapter 441. In hardship cases, at the discretion of the Board of Supervisors, after inspection and approval, the diameter of pipe recommended by the Board of Supervisors may be installed.

§ 37-3. Application for permit.

Application for such permit shall be made in writing by the owner or occupier, or by his contractor or agent, on forms provided by the Township and in accordance with such rules and regulations as may be established by the Township. There shall be appended to each application a drawing or plan to scale showing the boundaries of the property affected, existing improvements thereon, existing drains, culverts, footwalks, drives or driveways, as well as the proposed drains, culverts, footwalks, drives or driveways to be added. Said drawing shall detail Township roads, the drainage ditches existing on both sides of the road and the direction of water flow.

**§ 37-4. Fees and costs.**

The cost of filing such application and of the permit to be issued thereon, as well as the cost of any inspection deemed necessary by the Supervisors, shall be determined according to a schedule of fees which shall be adopted by the Supervisors. All such fees and costs shall be paid into the Township treasury.

**§ 37-5. Modification of plan.**

The Supervisors retain the right to alter plans filed with the application which, in their discretion, they deem necessary, and to make their granting of any permits subject to satisfactory completion of any such alterations, changes or modifications.

**§ 37-6. Compliance with plans and specifications.**

All grading, construction, installation and erection shall be in strict compliance with the plans and specifications on the basis of which the permit is granted.

**§ 37-7. Maintenance of drains and culverts.**

The maintenance of all drains and culverts installed under this chapter shall be the responsibility of the property owner.

**§ 37-8. Violations and penalties.<sup>1</sup>**

Any person, firm, partnership or corporation violating the terms of this chapter, or of any of the terms and conditions of any permit issued hereunder, including any regulation applicable thereto, shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).