

ORDINANCE NO. 2012-01

AN ORDINANCE OF THE TOWNSHIP OF HEREFORD, BERKS COUNTY, PENNSYLVANIA, AMENDING THE HEREFORD TOWNSHIP DRIVEWAY ORDINANCE, ORDINANCE # 2000 - 05 TO MAKE TECHNICAL AMENDMENTS TO VARIOUS PROVISIONS OF THE ORDINANCE AS STATED BELOW

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

SECTION 1: Purpose and Intent

On or about August 1, 2000, Hereford Township (The Township) enacted Ordinance Number 2000-05, known as the Hereford Township Driveway Ordinance (the Driveway Ordinance). Since the date of adoption, certain omissions and technical issues were identified that make it advisable to amend the Driveway Ordinance to address these concerns in a way to further the overall intent of the Driveway Ordinance. This Ordinance addresses these issues in order to further the overall purposes and intent of the Driveway Ordinance and contribute to the safety and welfare of the citizens of Hereford Township.

SECTION 2: Amendment to Section 3 Applicability

- a. Section 3.A is hereby amended by deleting the existing language in its entirety and replacing it with the following: "This Ordinance shall apply to all design and construction of new driveways after the effective date of this Ordinance."

SECTION 3: Amendment to Section 8 Construction Specifications

- a. Section 8.A General is hereby amended by:
 - (1) Renumbering subsections 8.A.1, .2 and .3 as .3, .4 and .5 respectively; and by
 - (2) Adding subsection 8.A.1 to read "All driveways shall be designed in conformance with the requirements of the Hereford Township Driveway Ordinance 2000-05, as amended"; and by
 - (3) Adding subsection 8.A.2 to read: "Any driveway intersecting a State-owned road shall require the approval and issuance of a Highway Occupancy Permit from the Pennsylvania Department of Transportation. A copy of the approved permit shall be provided to the Township. To the extent which the provisions of this Ordinance are inconsistent with current PennDOT standards, the PennDOT specifications shall control."
- b. Section 8.C Entrance Locations is hereby amended by:
 - (1) Deleting subsection 8.C.3 in its entirety and replacing it with the following:
"The edge of any access driveway onto a street shall be at least forty (40) feet

from any street intersection, measured from the nearest intersection of street right-of-way lines, and in no case, within the curb radius, except for a cul-de-sac turnaround.”; and by

- (2) Deleting subsection 8.C.4 in its entirety and replacing it with the following: “Any use with less than one hundred (100) feet of street frontage shall not have more than one (1) access driveway to such street, and no use with one hundred (100) feet or more of street frontage shall have more than two (2) access driveways to any one (1) street for each four hundred (400) feet of street frontage.”; and by
- (3) Deleting subsection 8.C.5 in its entirety and replacing it with the following: “Shared driveways are permitted only in the Mixed Use (MU) and Village Preservation (VP) zoning districts, and in those districts, require a Conditional Use approval by the Board of Supervisors. Shared driveways will be considered when reducing the number of intersections with the street is beneficial for traffic safety. When a shared driveway is allowed, an agreement(s) regarding the usage rights and maintenance of the driveway must be submitted for review and approval by the Township Solicitor. Where practical, shared driveways shall be centered on a shared property line.”

c. Section 8.E. Widths is hereby amended by:

- (1) Replacing the words “20 feet” in subsection 8.E.1 with “18 feet”; and by
- (2) Deleting the existing language in subsection 8.E.2 in its entirety and replacing it with the following: “Driveways serving multi-family residences shall be a minimum of 10 feet wide per lane of traffic and shall not exceed a total width of 24 feet excluding radii.”; and by
- (3) Adding subsection 8.E.3 to read “Driveways serving non-residential buildings shall be a minimum of 10 feet wide per lane of traffic and shall not exceed a total width of 30 feet excluding radii.”; and by
- (4) Adding subsection 8.E.4 to read “Where shared driveways are permitted for single-family residential dwellings, the driveway shall be a minimum 18’ wide for a distance of 20’ from the street cartway. In addition, the remainder of the shared portion of the driveway shall be of sufficient width, in the opinion of the Township Engineer, to provide safe passage of two vehicles or have a sufficient number of pull-over areas to provide safe passage of two vehicles.

d. Section 8.G Setback Requirement is hereby amended by:

- (1) Deleting the existing language of subsection 8.G.1 in its entirety and replacing it with the following: “Driveways, turnarounds and parking facilities serving single family residences in all zoning districts in the Township shall be located a minimum of five (5) feet from any side and rear property line excluding radii at the entrance.”; and by

- (2) Deleting the existing language of subsection 8.G.2 in its entirety and replacing it with the following: “Driveways, turnarounds and parking serving multi-family residences and non-residential uses in all zoning districts shall be located a minimum of fifteen (15) feet from any property line excluding radii.”; and by
- (3) Deleting the existing language of subsection 8.G.3 in its entirety; and by
- (4) Deleting the existing language of subsection 8.G.4 in its entirety.
- e. Section 8.H Grades is hereby amended by deleting the existing language in subsection 8.H.5 and replacing it with the following: “All side slopes steeper than 3 feet horizontal per 1 foot vertical and which exceed 5 feet in height shall be stabilized in a manner approved by the Permit Administrator.”
- f. Section 8.I Construction Materials, subsection 8.I.2, is hereby amended by adding the words “or equal” after the words “wearing course”.
- g. Section 8.K Bends, subsection 8.K.2, is hereby amended by replacing the words “30 feet” with “thirty-five (35) feet”.
- h. Section 8.L Deceleration Lanes (Pull-off Areas) is hereby amended by deleting the portion of the sentence beginning with “in the R-H High” and ending with “Management zoning districts”.

SECTION 4: Amendment to Article XIII Mobile Home Park Overlay District

- a. Article VIII Section 1304 B Area and Bulk Regulations Applicable to Individual Mobile Homes is hereby amended by deleting the second sentence in subsection 1304 B (4) and replacing it with “Parking shall not be permitted within the portion of the front yard defined by drawing an imaginary line from each of the front building corners perpendicular to the street right-of-way line.”

SECTION 5: Amendment to Appendices

- a. Appendix A “Application and Permit for Driveways” is hereby deleted in its entirety and replaced with Appendix A attached herein.
- b. Appendix B “Summary of Driveway Design Standards” is hereby deleted in its entirety and replaced with Appendix B attached herein.

SECTION 6: Repealer

Any and all ordinances or parts of ordinances are repealed to the extent but only to the extent that the same are inconsistent with the provisions of This Ordinance. Except as modified herein, the Hereford Township Driveway Ordinance Number 2000-05, is hereby ratified, confirmed and readopted and shall remain in full force and effect.

SECTION 7: Severability

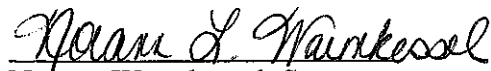
The provisions of this Ordinance are severable, and if any section, sentence, clause or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses or provisions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

SECTION 8: Effective Date

This Ordinance shall become effective five (5) days after its adoption.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Hereford, Berks County, Pennsylvania in lawful session duly assembled this 1st day of May , 2012.


Attest:


Notann Warmkessel, Secretary

**BOARD OF SUPERVISORS OF
HEREFORD TOWNSHIP, BERKS
COUNTY, PENNSYLVANIA**


John Membrino, Chairman


Keith Masemore, Vice Chairman


Jeffrey Sell, Supervisor



Hereford Township

Berks County, Pennsylvania

P.O. Box 225

Hereford, Pa 18056

Main: (610)-845-2929 – Fax: (610)-845-0616

Website: www.herefordtownship.org

Exhibit A

Official Use Only

Date Received: _____ Received by: _____
 Payment Type: _____ Amount Received: _____ Date Received: _____
 Tax Parcel No.: _____ Zoning District: _____
 Driveway Permit No.: _____ Permit Fee: ****See Below**

A NON-REFUNDABLE fee of \$25.00 will be applied to this permit. A deposit against total permit fee is required at the time of application to partially cover the administrative expenses involved in application processing. This deposit is NON-REFUNDABLE. However, the deposit will be applied against the total permit fee at the time the balance of the permit is made by the applicant. Permits are not considered issued until all fees are paid. All pending permits will expire and new applications will be required if the permit is not paid for and issued within 180 days from the date approved and signed by the zoning enforcement officer.

****Notice to Applicants:** Information on this form is public information and may be accessed by third parties in accordance with and subject to the requirements of the "Open Records Law"

Is there a legal reason your information should not be shared with a third party agency or available for public inspection: Yes No — If yes, please explain: _____

Driveway Permit

Permit Fees: New: \$75.00 Temporary: \$50.00 Existing: \$25.00 Payable at time of issuance of permit

Name of Applicant (Owner): _____

Street Address _____ City _____ State _____ Zip _____

Phone: _____ Email Address: _____

Name of Contractor: _____

Official Registration # of Contractor: _____ Phone: _____

Street Address _____ City _____ State _____ Zip _____

NOTE: To verify a contractor's registration number, visit the Pennsylvania Office of Attorney General's website at www.attorneygeneral.gov or call toll free 1-888-520-6680

Location of Driveway (List Subdivision Name if Applicable) please attach sketch of driveway location: _____
 Estimated Cost of Project: _____ \$

Road Driveway Will Intersect: _____

Statement of Material and Construction to Be Used: _____

Swale Required? Yes No Size: _____ Pipe Permitted? Yes No Size: _____

I CERTIFY THAT THE INFORMATION HEREON AND HERewith IS TRUE AND CORRECT TO THE BEST OF THE KNOWLEDGE. I FURTHER ACKNOWLEDGE THAT THE PAVING REQUIREMENTS SET FORTH IN THE DRIVEWAY ORDINANCE WILL BE COMPLETED WITHIN ONE (1) YEAR OF THE ISSUANCE OF THIS PERMIT.

Applicant's Signature: _____ Date: _____

Owner's Signature (if other than applicant): _____ Date: _____

MUST SUBMIT FOUR (4) SETS OF PLANS

Technicon Enterprises, Inc., II – Final Inspection Required – Call (610) 286-1622

Zoning Enforcement Officer: _____ Date Permit Approved: _____

Inspection Approved Inspection Disapproved Inspection Date: _____

(Technicon Enterprises, Inc., II – Please return inspection information upon completion)

When scheduling inspections, the contractor must ensure he has completed all items necessary for the inspection. Should the Building Inspector/Zoning Officer be required to make additional inspections, a fee of \$80.00 will be due to defray the cost of the inspection. The entire fee must be paid prior to the inspection. The fee is paid to the Municipality.

EXHIBIT B

SUMMARY OF DRIVEWAY DESIGN STANDARDS

		Single-Family Residential	Multi-Family Residential	Non-Residential
Angle of Intersection	-Preferred	90°	90°	90°
	-Range	60°-120°	60°-120°	60°-120°
Width	-Minimum	10'	10' per lane	10' per lane
	-Maximum	18'	24'	30'
Radius	-Minimum	5'	10'	10'
	-Maximum	15'	20'	20'
Safe Stopping Distance		Per Exhibit C		
Maximum Grade	Within 20' of Cartway	5%	5%	5%
	Beyond 20' of Cartway	14%	10%	10%
Minimum Driveway Pipe Size (if permitted)		15" Diameter Minimum		
Minimum Distances from Street Intersection		40'	40'	40'
Minimum Setback from Side & Rear Yards		5'	15'	15'
Maximum Side Slope		1.5 Horizontal to 1.0 Vertical		
Minimum Paving Length		20'	Entirety	Entirety

NOTES:

1. Driveways shall be constructed with a crown to provide drainage.
2. Driveways constructed across a slope shall be pitched to drain toward the downhill side.
3. Driveways with an uphill grade from the street shall not be used as a drainage way for turnaround runoff or roof spout runoff.
4. No paving of any driveway is permitted until the Permit Administrator has inspected the site.
5. No paving, re-paving, widening, pipe replacement, or modifying of any driveway is permitted until the Permit Administrator has received an application and approved a driveway permit.
6. Upon completion of construction, the Applicant shall contact the Permit Administrator for a final inspection.
7. When applicable, driveways shall be as designed and shown on the Subdivision or Land Development Plan.