

ORDINANCE NO. 14 - 1974

AN ORDINANCE PROHIBITING THE CONSTRUCTION OF A DRAIN, CULVERT, FOOTWALK, DRIVE OR DRIVEWAY, OR OTHER MEANS OF INGRESS OR EGRESS ONTO A TOWNSHIP ROAD WITHOUT A PERMIT: PROVIDING FOR PERMITS, REGULATIONS, AND FILING FEES, AND IMPOSING FINES AND PENALTIES FOR VIOLATION.

Be it enacted and ordained by the Board of Supervisors of the Township of Upper Bern, Berks County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED by authority of the same

SECTION 1: That no person, firm, or corporation shall grade, construct, install or erect a drain, culvert, footwalk, drive or driveway, or other means of ingress or egress, or affecting discharge or passage of drainage water, onto or along a township road unless and until the Township has issued a permit for such grading, construction, installation or erection.

SECTION 2: That application for such permit shall be made by the owner or occupier, or by his contractor or agent, in writing, 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 showing the outlines of the property affected with existing improvements thereon, existing drains, culverts, footwalks, drives and driveways, with the proposed drain, culvert, footwalk, drive or driveway, proposed to be added, and the relationship of the foregoing to the Township road, particularly with relationship to the effect on the drainage of said road.

SECTION 3: That the costs of filing such application and permit to be issued thereon, and the cost of any inspection deemed necessary by the Supervisors, shall be determined according to a schedule of fees which will be adopted by the Supervisors by resolution and all such fees and costs shall be paid into the Township treasury.

SECTION 4: That the Board of Supervisors may require that the plans filed with application be changed, and specify any changes or modifications of any kind which it may deem necessary, and condition its approval of the issuing of any permits subject to any such alterations, changes, or modifications.

SECTION 5: That all grading, construction, installation and erection shall be in strict compliance with the plans and specifications on the basis of which the permit is issued.

SECTION 6: That any person, firm or corporation violating the terms of this Ordinance or of any of the terms and conditions of any permit issued pursuant hereto, including any regulations applicable thereto, shall upon conviction thereof before a District Justice be sentenced to pay fine of not less than \$5.00 or more than \$30.00, together with costs of prosecution, or in default thereof to undergo imprisonment in Berks County Prison for not more than 15 days.

SECTION 7: That any ordinances or parts of ordinances inconsistent with the provisions of this Ordinance be and the same

is hereby repealed.

SECTION 8: This ordinance shall become effective 5 days after adoption.

ORDAINED and ENACTED this 0 day of August, 1974.

SUPERVISORS OF UPPER BERN TOWNSHIP

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