

Upper Bern Township Ordinance Number 151 - 2019

An Ordinance of Upper Bern Township, Berks County, Pennsylvania, which is intended to amend the Upper Bern Township Subdivision and Land Development Ordinance of 2008, by modifying, revising or adding certain provisions relating to street or driveway intersections within Upper Bern Township.

Whereas, Upper Bern Township has duly adopted and does maintain an ordinance titled the "Upper Bern Township Subdivision and Land Development Ordinance of 2008 (Subdivision and Land Development Ordinance or "SALDO").

Whereas, the Pennsylvania Municipalities Planning Code ("MPC") authorizes municipalities to amend their Subdivision and Land Development Ordinance.

Whereas, the Board of Supervisors believes it is in the best interest of the community to add, modify and/or revise certain provisions that have been identified, prepared and/or evaluated by the Planning Commission.

Whereas, the Board of Supervisors has considered the comments of the Berks County Planning Commission, the Upper Bern Township Planning Commission and the general public after a public hearing duly conducted in accordance with the provisions of the MPC and the Subdivision and Land Development Ordinance.

Section 1: The following provisions shall be added as Section 503 (Street Construction and Improvement Specifications) of the Subdivision and Land Development Ordinance:

- (F) The following design and construction specifications shall apply to all proposed street or driveway intersections involving a permitted non-residential use, which may provide access to vehicles with a 40 Equivalent Single Axle Load (ESAL) or more:
- (1) All proposed street or driveway intersections involving collector or arterial streets shall be located, designed and constructed considering the following criteria: a suitable cross-slope or profile to promote adequate drainage without ponding; a suitable sub-base course considering the underlying soil conditions; and a poured-in-place reinforce concrete base with a minimum depth of 6 inches and 4,000 psi. The extent of this intersection improvement shall extend 200 feet, as measured in all directions at the street intersection.
 - (2) All proposed street or driveway intersections involving a minor street shall be located, designed and constructed considering the following criteria: a suitable cross-slope or profile to promote adequate drainage without ponding; a suitable sub-base course considering the underlying soil conditions; and a poured-in-place reinforce concrete base with a minimum depth of 6 inches and 4,000 psi. The extent of this intersection improvement shall extend 100 feet, as measured in all directions at the street intersection
 - (3) All intersections within the property being developed that involves internal access lanes, service roads of emergency access lanes shall be located, designed and constructed to comply with the standards specified or provided by Upper Bern Township.
 - (4) Unless otherwise specified by Upper Bern Township, all proposed street or driveway intersections involving a permitted use, which shall provide access to all vehicles with less than 40 ESAL shall comply with the design standards for road construction, as specified by the Subdivision and Land Development Ordinance.
 - (5) The provisions specified for all proposed street and driveway intersections shall be subject to the review and approval of Upper Bern Township.

Section 2: Repealer: All Ordinances or Resolutions, or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, shall be in the same or hereby repealed.

Section 3: Validity: If any Section or part of a Section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or Sections of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid Section or portion thereof had not been included therein.

Section 4: Effective Date: This Ordinance shall become effective within five (5) days after adoption.

Section 5: Municipal Enactment

Ordained and enacted by the Upper Bern Township Board of Supervisors on August 12, 2019, by a vote of:
3 Yes 0 No 0 Abstained 0 Absent.

Upper Bern Township Board of Supervisors

By:

Debra Stein

Michael Edm

Nancy C. Hartman

Attest:

Debra Shovalta

Upper Bern Township Secretary