



Dear Rush Township Driveway Permit Applicant,

I have enclosed the following documents as requested (indicated by a check mark).

Orwigsburg Office
1239 Centre Turnpike
Orwigsburg, PA 17961
570.366.9534
570.366.9537

- A permit application for a driveway permit for the
 - Installation of a new driveway.
 - Reconstruction of an existing driveway.

- An approved driveway permit for the
 - Installation of a new driveway.
 - Reconstruction of an existing driveway.

- Be advised that the following items are required.
 - The application is incomplete. All items highlighted on the application must be completed.

 - A sketch showing the location of the driveway must be submitted.

 - The following permit fees must be submitted.
 - \$50.00 Application Fee
 - \$100.00 Application Fee
 - \$500.00 Retainer Fee

 - Other: _____

BE ADVISED THAT AT LEAST 24 HOURS PRIOR TO STARTING CONSTRUCTION OF THE DRIVEWAY A SITE VISIT MUST BE CONDUCTED WITH THE CONTRACTOR AND REPRESENTATIVE OF RUSH TOWNSHIP.

A FINAL INSPECTION IS REQUIRED PRIOR TO RETURNING THE RETAINER FEE OR BOND.

The permit fee and retainer must be submitted by separate checks made payable to RUSH TOWNSHIP. All applications and fees are to be submitted to ARRO Consulting, Inc. address listed to the right.

If you have any questions, please feel free to contact me at 570.366.9534.

Very truly yours,
ARRO Consulting, Inc.

William N. McMullen

RUSH TOWNSHIP APPLICATION FOR MINIMUM USE DRIVEWAY

A Minimum Use Driveway is a Residential Driveway Which is
Expected to Be Used By Not More Than 25 Vehicles Per Day (i.e. 50 A.D.T.)

Permit No. _____

READ INSTRUCTIONS ON ATTACHED SHEETS

Applicant / Property Owner		
Address		
Post Office	Zip Code	
Phone	Fee	Check No.

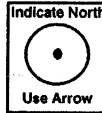
NOTICE: ROAD FOREMAN MUST BE CONTACTED 24 HOURS IN ADVANCE OF WORK

LOCATION OF PROPOSED DRIVEWAY

Street / T# _____
 Feet to Nearest _____
 Property Line _____
 Name of Contractor _____
 Address _____
 City _____
 Phone: _____

APPLICATION IS MADE TO

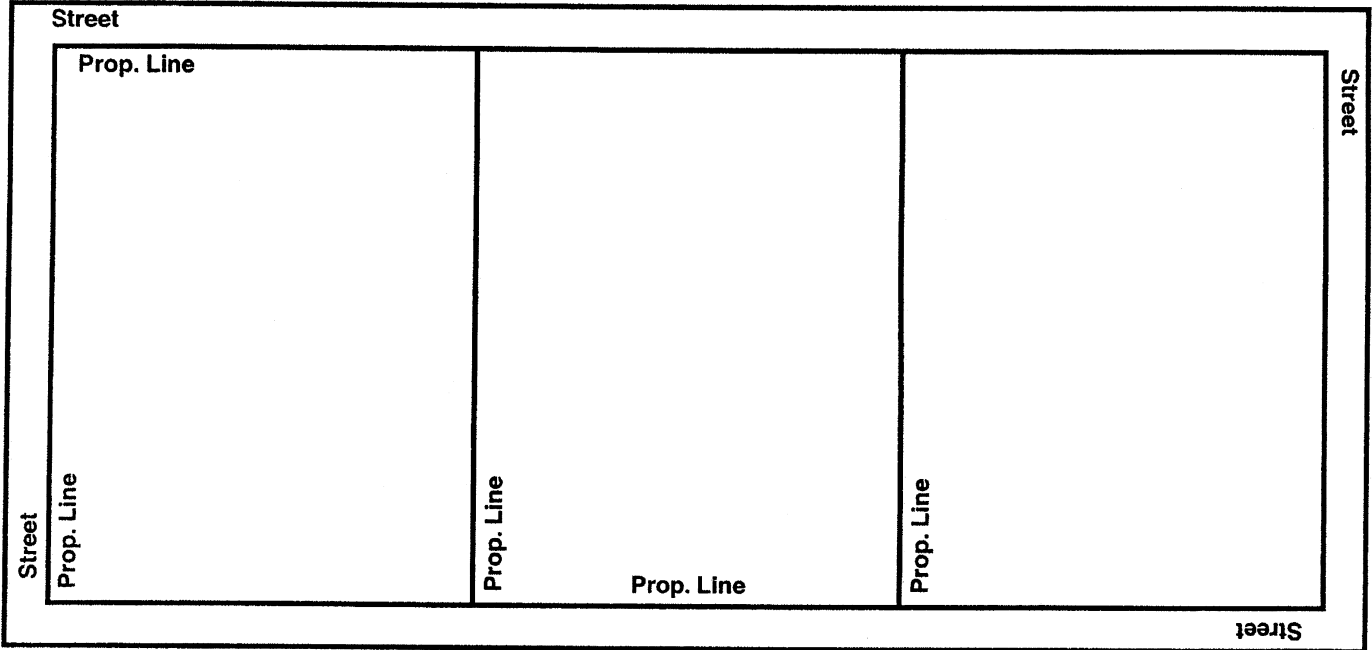
- CONSTRUCT A NEW DRIVEWAY ALTER AN EXISTING DRIVEWAY



DATE WORK SCHEDULED TO BEGIN _____

DATE WORK SCHEDULED TO BE COMPLETED _____

For the purpose of measuring sight distance, the drivers' eye height shall be 3.50 feet above the proposed access surface and highway pavement surface and the vehicles' height shall be 4.25 feet above the proposed access surface and highway pavement surface.

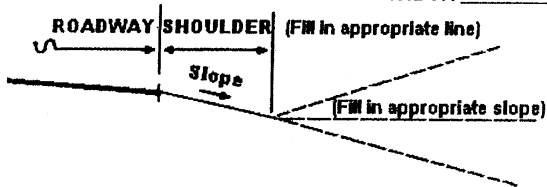


DRIVEWAY

FOR TOWNSHIP USE ONLY

DRIVEWAY WIDTH MUST BE AT LEAST 8 FEET AND A MAXIMUM OF 24 FEET

LENGTH _____
 WIDTH _____



Site Reviewed On _____ Date _____

Comments _____

Field Approved By: _____
Signature Date

Under and subject to all the conditions, restrictions and regulations prescribed by RUSH TOWNSHIP ORDINANCES/RESOLUTIONS. Has a sketch showing construction details been submitted? Y (REQUIRED). The applicant certifies that all statements contained herein are true and correct.

By _____
SIGNATURE(S) DATE

WHITE COPY - ROAD FOREMAN

HAVE YOU READ INSTRUCTIONS ON ATTACHED SHEETS HAVE YOU COMPLETED ALL BLANKS
 GREEN COPY - PERMIT OFFICE YELLOW COPY - TOWNSHIP PINK COPY - CONTRACTOR

GOLDEN ROD COPY - APPLICANT

TOWNSHIP OF RUSH
Schuylkill County, Pennsylvania

ORDINANCE NO. 123

DRIVEWAY PERMITS

WHEREAS, private driveways that abut and intersect with Township roads have been determined to cause drainage problems, traffic problems and other health and safety problems in Rush Township; and

WHEREAS, an increasing problem has developed because of the inadequate workmanship of contractors and the placement of driveways prior to permit issuance; and

WHEREAS, it appears necessary and advisable to adopt certain regulations in order to better protect the residents and property owners of Rush Township from unscrupulous and the inadequate workmanship in the installation of driveways and to better provide for traffic control and drainage of stormwater;

NOW THEREFORE, be it **ORDAINED** this 14th day of November, 1996,
by the Rush Township Board of Supervisors as follows:

1. No owner or occupant of real property situate within Rush Township, nor any person in the care, custody or control of such real property, nor any contractor shall permit or install, construct, repair or otherwise perform any work other than routine cleaning of a driveway that intersects with any Township road or ordained street or alley, unless that person, owner, occupant or contractor has obtained a permit from the Township known as a "driveway permit". A permit shall be issued to the land owner with a copy to the

contractor.

2. This Ordinance shall apply to any driveway constructed, designed, installed, substantially reconstructed, widened or where the point of intersection with a Township road is substantially moved after the effective date of this Ordinance.

a. A "driveway" shall mean any passageway, whether paved or unpaved, situate upon private property which intersects with a Township road for the purpose of providing a parking area for vehicles or providing ingress and egress of vehicular traffic from the said private property to the Township road.

b. Any driveway that has been approved or is in existence prior to the date of this Ordinance shall not be effected by this Ordinance unless the same is widened or the point of intersection is changed by more than five (5) linear feet or more than fifty (50%) percent of the driveway is repaved or reconstructed. A pre-existing driveway however need not conform to the requirement that it be located five (5) feet from the property boundary line.

3. No such driveway permit shall be issued by the Township unless and until a written application is made setting forth in a written narrative and accompanying sketch, the dimensions of the driveway, the materials to be used and the location of the driveway. Nothing shall prevent the Township from requiring further detail in the event that the proposed location of the driveway poses special difficulties with respect to drainage or visibility.

4. In addition, the Township shall issue no permit unless the driveway plans specified in Section 3 above include provisions for a swale or other appropriate construction to provide

drainage from the Township road. In addition to accomplish safe access, the Township hereby incorporates by reference the regulations set forth in Pennsylvania Code, Title 67 entitled "The Department of Transportation Chapter 441 Access to and Occupancy of Highways by Driveways and Local Roads". Such regulations as set forth therein shall be used as a guide and followed as closely as reasonably possible in order to be consistent with the Township Zoning Code. Where there is a conflict between these regulations and the Township Zoning Code, the Zoning Code shall control. Under any circumstances, all driveways must be at least five (5) feet from the nearest boundary line of any neighboring property. In addition, no more than two (2) driveways per residential property can be permitted. A copy of the said regulations shall be given to any person requesting a permit or instructed to obtain a permit.

5. No work shall be performed on any driveway by any person unless and until the permit is issued. No contractor shall perform or commence work on any driveway unless:
- a. the contractor has physical possession of an approved permit;
 - b. the contractor has given notice of intent to begin work to the Township Road Foreman twenty four (24) hours in advance of the start of work; and
 - c. the contractor gives evidence to the Township of a bond in the amount of \$500.00 or has posted said sum with the Township Secretary. Said sum shall be refunded to the person posting such bond upon final inspection and approval of the driveway by the Road Foreman.

Any person found performing any work without a permit or without fulfilling the above conditions shall be immediately notified by the Township Code Enforcement Officers,

the Township Road Foreman, the Township Police force or other Township Official authorized to enforce this Ordinance to cease work and to obtain a permit or fulfill the other conditions set forth above before proceeding with any further work upon the driveway. Any driveway installed or connected to a Township road without fulfilling these conditions may be immediately blocked off by the Township at the point of intersection with the Township right-of-way and such barriers may remain until the proper permit and other procedures are obtained. Removal of the barrier or use of the driveway without a proper permit shall be considered a civil violation of this Ordinance subject to the civil penalties set forth herein.

6. Once an application with an accompanying sketch is made to the Code Enforcement Officer, it shall be reviewed by the Township Road Foreman who shall within ten (10) days of the date of application grant or deny the permit. If the permit is denied, the Road Foreman shall, if possible, instruct the applicant on the deficiencies of the application and if the deficiencies are corrected, the Code Enforcement Officer shall issue the permit. A denial shall be delivered personally to the applicant or mailed to the address given by the applicant in his application by First Class Mail and shall be deemed to be received within two (2) days of the date of mailing. The reasons for the denial shall be set forth in the writing which shall also indicate what the applicant needs to do comply with this Ordinance. The applicant may appeal the denial by filing an appeal within ten (10) days of the date of the denial by submitting a writing to the Rush Township Board of Supervisors setting forth the reasons why the application should be granted. The Supervisors within forty five (45) days thereafter shall consider the application and all writings submitted by the applicant, and render a decision at a public meeting. Within sixty (60) days after the appeal,

the Board of Supervisors shall issue a written decision granting or denying the appeal which shall be mailed by First Class Mail to the applicant's address provided to the Board of Supervisors in the appeal. The written decision shall set forth the reasons therefore and shall be deemed to be received two (2) days after the date of mailing. If an applicant files no appeal to the decision by the Road Foreman or no appeal to the Court of Common Pleas to the decision of the Board of Supervisors, said decision will become final ten (10) days after the decision is deemed received.

7. Any owner or occupant of real property or person in the care, custody or control of such real property, or a contractor who installs, constructs, connects or otherwise permits a private driveway to intersect with a Township road without obtaining a permit or begins construction without posting bond or giving notice as required in this Ordinance or fails to abide by any other provision of this Ordinance shall be subject to a civil penalty not exceeding One Thousand (\$1,000.00) Dollars and be liable for all costs incurred by the Township for prosecution, together with any costs of repair or reconstruction required for the driveway to meet the Township's regulations and specifications. Said person shall also be liable for any costs incurred by the Township including attorney's fees, Court costs, witness fees, time of employees, materials and the like in the enforcement of this Ordinance.

8. Each application for a driveway permit shall be accompanied by a fee which shall be set by resolution on an annual basis. The application shall not be deemed to have been filed until the entire fee has been paid.

9. This Ordinance shall become effective at the earliest date permitted by law.

ADOPTED and ORDAINED the day and year first written above.

RUSH TOWNSHIP BOARD OF SUPERVISORS

Ronald L. Wersma

Kenis Kutson

George A. Penney

ATTEST:

Carol Ann Opet
Carol Ann Opet, Secretary

(SEAL)

TOWNSHIP OF RUSH
Schuylkill County, Pennsylvania

ORDINANCE NO. 129

AN AMENDMENT TO ORDINANCE NO. 123

BE IT ADOPTED AND ORDAINED by the Rush Township Board of Supervisors as follows:

Ordinance No. 123 styled "Driveway Permits" adopted November 14, 1996, is hereby amended to add Paragraph No. 10 which shall read as follows:

"10. The provisions including the permit requirements of this ordinance shall apply to any landowner, resident or occupant of any lot of real property situate within Rush Township desiring to install curbs and sidewalks. The applicable PennDOT regulations shall be utilized as the guidelines to establish the specifications for the materials and pipe length and width of curbs and sidewalks to be installed. The exact specifications may be modified by the roadmaster in individual circumstances in order to enhance the safety and welfare of the citizens of Rush Township or in order to avoid imposing an undue hardship upon the landowner. All other provisions of this ordinance shall remain in full force and effect and applicable to this paragraph."

ADOPTED AND ORDAINED this 2nd day of December, 1997.

ATTEST:

TOWNSHIP OF RUSH

Carol Ann Opet
Carol Ann Opet, Secretary

By:

Ronald T. Werner
Ronald T. Werner, Chairman

George A. Pinkey
George A. Pinkey, Vice Chairman

(SEAL)

Remo J. Motroni, Superviso