

DELAWARE TOWNSHIP

ORDINANCE # 12-96

AMENDING AND SUPPLEMENTING ORDINANCE # 4

An Ordinance of the Supervisors of Delaware Township, Mercer County, Pennsylvania, regulating the installation and maintenance of culverts across private driveways leading from a public highway and providing penalties for violation thereof.

PURPOSE

Whereas it has been determined that for the purpose of maintaining the road under the care of the Township it is necessary to dig drainage ditches to carry away rain and snow, which might otherwise damage the structure of the roads, and that obstructions to such ditches such as private driveways create a hazardous condition to those using said roads as well as damaging the road itself;

SECTION 1

Be it enacted and ordained by the Board of Supervisors of Delaware Township, Mercer County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that all entrances and exits from private property onto or from a township road shall hereafter provide for the passage of water contained in drainage ditches maintained by the Township by installing a culvert meeting township specifications as to the type, size and manner of installation as per the provisions of Ordinance No. 4.

SECTION 2

If the property owner fails to comply with the provisions of this ordinance, or Ordinance No. 4, within 30 days of notice thereof by the Supervisors, said Supervisors may install or maintain, or contract with another to install or maintain, any culvert necessary under this ordinance or of Ordinance No. 4 and assess a lien against the property owner for the costs thereof, including any designs, labor or material provided by the Supervisors, or others at their direction, at the current market price.

SECTION 3

The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, invalid or illegal by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional, invalid or illegal provisions not been included herein.

ENACTED AND ORDAINED INTO AN ORDINANCE THIS 4th day of

December, 1996.

BY: Donald C. Shyler

Carl M. Overton Jr

Ronald F. Kemmer

Attest:

Shaun Kay