

DELAWARE TOWNSHIP
Preparation of the Sub-Grade
ORDINANCE #13

After the drains have been constructed, the sub-grade shall be formed by AN ORDINANCE OF DELAWARE TOWNSHIP, MERCER COUNTY, PENNSYLVANIA, PRESCRIBING MINIMUM SPECIFICATIONS FOR CONSTRUCTION, OPENING OR DEDICATION OF ANY ROAD, STREET, ALLEY, OR ANY DRAINAGE FACILITIES IN CONNECTION THEREWITH, FOR PUBLIC USE OR TRAVEL IN DELAWARE TOWNSHIP.

SECTION 1
Plans and Profiles

No person shall construct, open, or dedicate any road, street, alley or any drainage facilities in connection therewith, for public use or travel in Delaware Township, without first submitting plans thereof to the Township Supervisors, for their approval. Such plans shall be prepared in duplicate in accordance with such rules and regulations as may be prescribed by the Supervisors, and shall show the profiles, the course, the structure of such roads, streets, or alleys, and the capacity of any drainage facilities, and the method of drainage of the adjacent or contiguous territory and also any other further details that may be required under the rules or regulations adopted by the Township Supervisors. Construction shall be in strict accordance with the plans so approved, and only after the plans and approval have been officially recorded at the Mercer County Recorder's Office. The Board of Supervisors may accept by resolution any roads, streets or alleys as public roads, if shown in such plans as dedicated to such use; and provided the roads or streets shall be not less than 50 feet (in width) and not more than 120 feet, and alleys not less than 20 feet (in width). These limits do not include the width required for the necessary slopes and cuts and fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified.

(4) CP-2 Surface Course- This is a standard CP-2 surface course with initial preparation No. 2-B stone dragged and rolled as applied in layers of No. 1-B stone and tar applied to build up the appropriate tar and

SECTION II
Excavation and Grading

Roads or streets shall be excavated and graded as indicated on the approved plans. This shall include excavation of the street or road to the lines, grades, and limits indicated on the drawings or as may be revised by the Township Supervisors to meet conditions encountered during construction, the excavation for intersecting of roadways or streets, stream channels, and culverts within the approved right-of-way limits; and shall also include the widening of cuts, flattening and rounding of slopes, outside the right-of-way as called for on approved plans, removal of top soil and excavation of ditches and the construction of fill. Inspection shall be performed and approval granted by the Township Supervisors prior to further work.

SECTION III
Drainage Structure

All drainage structures shown on the approved plans shall be installed to State Standards and to the satisfaction of the Township Supervisors. Culverts may be corrugated iron pipe, cement concrete or reinforced concrete pipe as specified on the approved plan and shall meet State Standards. Cementing of joints, trenches for pipe, shall be prepared according to State Standards. Headwalls shall be installed properly and inspected by the Township Supervisors.

Backfilling-After the pipe is laid and inspected the trench shall be backfilled to a height not exceeding the outside diameter of the pipe with a suitable material installed in 4-inch layers and thoroughly compacted to the satisfaction of the Township Supervisors.

SECTION IV
Preparation of the Sub-Grade

After the drains have been constructed, the sub-grade shall be formed by shaping the graded roadway or street surface to the approved profile. The surface shall be brought to a firm, thoroughly compacted condition for the width of the base course by rolling with an approved ten ton power roller, to the satisfaction of the Township Supervisors. Any soft or unsuitable material shall be removed and replaced with suitable material.

SECTION V
Installation of Cartway

A. CP-2 Surface Course (2-1/2" Compact depth).

(1) Description- selected material for the cartway shall consist of one 5-inch layer of coarse aggregate and one 5-inch top course of No. 2-A aggregate installed and compacted. Where special sub-grade conditions warrant, the coarse aggregate course may be eliminated by written approval of the Township Supervisors.

(2) Coarse Aggregate- The first course shall conform to State Standards for No. 4 aggregate and shall be graded gravel, crushed gravel, crushed stone, or crushed slag, meeting the approval of the Township Supervisors. It shall be spread and compacted into a 5-inch layer and approved by the Township Supervisors. This shall be choked and rolled.

(3) Top Course- The top course shall consist of approved, granulated slag, or graded gravel equivalent to State standards for No. 2-A aggregate, spread and compacted into a 5-inch layer. The depth after final compaction shall be as indicated on the approved plans and the surface shall be brought to such crown as specified.

(4) CP-2 Surface Course- This is a standard CP-2 surface course with initial primer and a No. 2-B stone dragged and rolled as applied; then three successive layers of No. 1-B stone and tar applied to build up the appropriate tar and chip surface. Likewise, the Township Supervisors will B. Bituminous Surfacing.

(1) Base- Base course shall consist of two 5-inch layers of No. 4 slag or graded gravel installed according to State standards for crushed aggregate base courses described above.

(2) Bituminous Surface Course- This surface will be the State standard ID-2 bituminous concrete surfacing, applied to meet State standards. If the base course has deteriorated prior to installation of surfacing, it shall be brought to a suitable condition prior to laying the surface course.

SECTION VI
Adopted Profiles of Minimum Specifications
for Delaware Township Roads, Streets, Alleys, Etc.

The profiles of Minimum Specifications for Delaware Township Roads and Streets are as follows: in accordance with this Ordinance, the responsibility of the Township shall be as set forth in Article XI of the Second Class Township Code, Section 1142, as amended; 53 PS 66142.

SECTION X
Entry on Lands by Supervisors

The Township Supervisors and their representatives and workmen may enter upon any land and property, and maintain marks and monuments, so far as the Supervisors deem necessary in carrying out their powers and duties under this Ordinance.

SECTION XI
Penalty for Non-Compliance with This Ordinance

The penalty for Non-Compliance with the provisions of Article XI of the Second Class Township Code, Sections 1140 and 1140.1, as amended; 53 PS 66140 and 66140.1, and the provisions of this Ordinance adopted pursuant thereto, shall be as set forth in Article XI of the Second Class Township Code, Section 1141, as amended; 53 PS 66141.

SECTION XII
Effect of Approval of Plans

No approval of plans by the Township Supervisors shall obligate or require Delaware Township to construct, reconstruct, maintain, repair or grade such roads or streets, until and unless authorized and ordered so to do by the proper court pursuant to the provisions of Article XI of the Second Class Township Code, Section 1145, as amended; 53 PS 66145.

SECTION XIII
Powers of Supervisors Preserved
SECTION VII
Security for Performance

Nothing contained in this Ordinance shall be held to restrict or No person shall build or construct any road, street, alley or drainage facilities in connection therewith, for public use and travel, in Delaware Township, Mercer County, Pennsylvania, until adequate security or a performance bond has been given to the Board of Supervisors of said Township to insure compliance with all the terms and provisions of this Ordinance. The amount of such performance bond or security shall be satisfactory to the Board of Supervisors of Delaware Township and approved by them before any construction work is commenced. Likewise, the Township Supervisors will determine the amount of such performance bond or security.

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SECTION VIII
Method of Appeals Where Supervisors Refuse Approval
In any case where the Township Supervisors shall refuse to approve any plans submitted to them in accordance with this Ordinance, any persons aggrieved by the action of the Supervisors may, within thirty days after such action, appeal therefrom as provided in Article XI of the Second Class Township Code, Section 1141, as amended; 53 PS 66141.

SECTION IX
Responsibility on Township Where Plans Not Approved
In any case where the Township Supervisors shall refuse to approve any plans submitted to them in accordance with this Ordinance, the responsibility of the Township shall be as set forth in Article XI of the Second Class Township Code, Section 1142, as amended; 53 PS 66142.

of this ordinance which shall be a lower standard for the promotion and safety of the people, the provisions of this ordinance shall be

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The penalty for Non-Compliance with the provisions of Article XI of the Second Class Township Code, Sections 1140 and 1140.1, as amended; 53 PS 66140 and 66140.1, and the provisions of this Ordinance adopted pursuant thereto, shall be as set forth in Article XI of the Second Class Township Code, Section 1144, as amended; 53 PS 66144.

APPROVED AND ADOPTED by the Township Supervisors of Delaware Township, and enacted by the Township of said Township this 1st day of August, 1967.

SECTION XII
Effect of Approval of Plans

No approval of plans by the Township Supervisors shall obligate or require Delaware Township to construct, reconstruct, maintain, repair or grade such roads or streets, until and unless authorized and ordered so to do by the proper court pursuant to the provisions of Article XI of the Second Class Township Code, Section 1145, as amended; 53 PS 66145.

SECTION XIII
Powers of State and County Preserved

Nothing contained in this Ordinance shall be held to restrict or limit the Pennsylvania Department of Highways, or the County of Mercer, in the exercise of its duties, powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted.

Note: This Ordinance was as written.

SECTION XIV
Taking Over of Roads, Streets and Alleys
Heretofore Dedicated as Public Roads

Whenever plans of dedicated roads, streets or alleys located in Delaware Township have been approved and recorded, as provided in this Ordinance, the Board of Supervisors may accept same as provided in this Ordinance and by Article XI of the Second Class Township Code, Section 1147, as amended; 53 PS 66147.

SECTION XV
Conflict of Ordinances,
Effect on Partial Invalidity

- (a) In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, land subdivision regulations, safety or health ordinance or code of the Township of Delaware, existing on the effective date of this Ordinance, the provisions which establish the higher standards for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance or code of the Township of Delaware existing on the effective date

of this ordinance which established a lower standard for the promotion and protection of the health and safety of the people, the provisions of this ordinance shall be deemed to prevail and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.

- (b) If and section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect; and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION XVI
Effective Date

This Ordinance shall take effect five days after adoption.

APPROVED AND ADOPTED by the Board of Supervisors of Delaware Township, and enacted into a Resolution and Ordinance of said Township this 1st day of August, 1967.

BOARD OF SUPERVISORS OF
DELAWARE TOWNSHIP
MERCER COUNTY
PENNSYLVANIA
Paul K. Struthers
Chairman
Arden L. Saul
I. H. Wasser

ATTEST:
Lester I. Kaufman
Township Secretary

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Note- This Ordinance was typed exactly as written.

July 22, 1987
Shari J. Ray
Secretary/Treasurer

Shari J. Ray