

DELAWARE TOWNSHIP

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.

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 it shall be unlawful for any person, firm or corporation to install a culvert or culverts across a private driveway or lane leading from a public road, without the sanction and approval of said Board of Supervisors as to type, size, and manner of installation.

SECTION 2

Any such culvert heretofore installed which does not adequately provide proper drainage, shall be removed or replaced upon 30 days written notice to the user or owner of said private roadway or lane, by the Township Supervisors.

SECTION 3

Said Supervisors shall prescribe the size and type of culvert to be installed, depending upon the drainage area and volume of water effected.

SECTION 4

Upon installation of culvert the user or owner of said private driveway and the lot to which the said private roadway leads shall thereafter maintain and keep open said culvert; upon neglect of the said owner or user of said private driveway or roadway, to maintain and keep open the said culvert after 10 days written notice of his default therein given by said Township Supervisors to the said user or owner of said private roadway or lane, the said Supervisors may cause said culvert or drain to be removed.

SECTION 5

Any person violating any of the provisions of this ordinance shall upon conviction thereof before any Justice of the Peace be fined not more than \$50.00 and cost of prosecution and, in default of payment of such fine and cost shall be sentenced to imprisonment for not more than 30 days.

SECTION 6

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 this 5th day of September, 1956.

President of Board of Supervisors

W. L. Blackson

Attest:

Mrs. Bernice McDougall
Secretary

Note- This ordinance was typed from the original hand written document exactly as written.

June 15, 1987
Shari J. Ray
Secretary-Treasurer

Shari J. Ray