COLLEGE TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA

ORDINANCE O-21-04

PROPOSED ORDINANCE TO AMEND THE COLLEGE TOWNSHIP  
CODE BY REPEALING AND REPLACING CHAPTER 177, STREETS AND SIDEWALKS  
TO ENACT CHAPTER 177, PUBLIC AND PRIVATE STREETS, SIDEWALKS AND PUBLIC RIGHTS-OF-WAYS.

BE IT RESOLVED AND ORDAINED, by the College Township Council, Centre County, Pennsylvania, and the authority of the same, does hereby adopt, made this 18th day of March, 2021, by amending the Code of the Township of College, Pennsylvania, with the amendment of Chapter 177 Streets and Sidewalks, as follows.

SECTION 1 STREETS AND SIDEWALKS  
Repeal Chapter 177, Streets and Sidewalks, in its entirety and replace with the following.

Chapter 177  
Streets and Sidewalks  

Part 1  
General Provisions  

§ 177-1 Title.  
This chapter shall be known and may be cited as the “College Township Streets and Sidewalk Ordinance.”

§ 177-2 Authority.  
This chapter is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania in accordance with the provisions of Article XXIII, Roads, Streets, Bridges, and Highways, § 2322 of the Second Class Township Code, 53 P.S., as amended, no structure, facility, or utility may be constructed, erected, or placed upon, below, inside, or over any portion of a Township Rights-of-way except under such conditions, restrictions and regulations relating to the installation and maintenance thereof, as may be prescribed in permits and road maintenance agreements granted by the Township for such purpose.

The Township Manager or their authorized designee shall be the principal Municipality official responsible for the administration of the Rights-of-Way, Rights-of-Way permits, and this ordinance. The Municipality may adopt and may amend from time to time, Construction Standards and other rules reasonably required to carry out the purposes of this ordinance. Any requirement not specifically covered
by this ordinance or the Construction Standards shall be determined by the Township Manager or their
designee.

§ 177-3 Definitions.
As used in this article, the following terms shall have the meanings indicated:

ACCESS
To approach, use, or enter by admittance.

APPLICATION
The process by which an applicant submits a request for permission to obstruct or construct in the Rights-
of-Way.

BIKE LANE
A portion of roadway that has been designated for preferential or exclusive use by bicyclists by pavement
markings and, if used, signs. It is intended for one-way travel, usually in the same direction as the adjacent
traffic lane, unless designed as a contra-flow lane.

BIKE PATH / BIKEWAY
A generic term for any road, street, path, or way which in some manner is specifically designated for
bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are
to be shared with other transportation modes.

CARTWAY
The portion of a street Right-of-Way designed or intended for vehicular use.

CENTER LINE
A line running parallel to and equidistant from both sides of a street.

CONSTRUCT
To excavate, repair, rehabilitate, maintain, and install sanitary sewers, water mains, fire hydrants, valves,
meters, manholes, service lines and connections, gas mains, telephone and electrical conduit and their
miscellaneous service lines and connections, video and telecommunications facilities cables, wires, lines,
wave guides, antennas, and other equipment or facilities, pedestals, and service cabinets, poles, guy wires,
storm drains, manholes, inlets, catch basins, irrigation systems, driveways, sidewalks, pavement
extensions, curbs, walks, steps, building canopies, balconies, overhead walkways, and temporary detour
pedestrian walkways on, above, or under any part of the Rights-of-Way.

CONSTRUCTION BOND
A bond, cash, letter of credit or other applicable security posted to ensure proper and complete construction
and/or restoration of a permitted facility pursuant to a permit as may be required as determined by the
Township Manager or their designee.
CONSTRUCTION STANDARDS FOR MISCELLANEOUS CONSTRUCTION, UTILITY EXCAVATION, AND RIGHTS-OF-WAY AND PAVEMENT RESTORATION (MUNICIPALITY'S CONSTRUCTION STANDARDS)
The Municipality's compilation of provisions and requirements that provide the technical specifications and details for the construction of facilities in the Municipality's Rights-of-Way and as otherwise included in the Municipality's ordinances.

CUT
The difference between a point on the original ground and a designated point of lower elevation on the final grade; an excavation.

DEDICATION
The conveyance of land or objects to some public use, made by the owner, and accepted for such use by or on behalf of the public by a municipality, school district or public authority.

DRIVEWAY
A corridor which provides motor vehicle access from a street into a lot.

EMERGENCY
A condition that poses a clear and immediate danger to life or health, or of a significant loss of property or Utility service.

ENCHROACHMENT AGREEMENT:
An agreement between two or more property owners which is drafted and recorded in a manner acceptable for recording in the office of the Recorder of Deeds of Centre County giving the encroaching party defined distance and or area of encroachment within the five (5) foot setback area from a side property line for a portion of the private driveways, parking spaces and the like as permitted in § 200-37B of the College Township Code.

ELEVATION
Height, in feet, of a point on the ground above sea level.

ENGINEER
A professional engineer licensed by the Commonwealth of Pennsylvania to practice engineering.

ENGINEER, TOWNSHIP
A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Township.

EXCAVATION
Any work in the surface or subsurface of the Rights-of-Way including but not limited to opening the Rights-of-Way, installing, servicing, repairing or modifying any facilities in or under the surface or subsurface, and restoring the surface and subsurface of the Rights-of-Way.

FACILITY
An improvement or structure, whether existing or planned, that is or would be owned and controlled by the grant or lease holder within a Township Right-of-Way. For purpose of water, gas, electric, sewer, cable, or other utility, or utility facility, in connection therewith for public use.
FENCE
A barrier intended to prevent escape or intrusion or to mark a boundary.

GOVERNING BODY
The Council of the Township of College, County of Centre, Commonwealth of Pennsylvania.

GRADING
The act of excavating and/or filling land for the purpose of changing natural slope.

IMPERVIOUS SURFACE or AREA
A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include but not be limited to roofs; additional indoor living spaces; patios; garages; storage sheds and similar structures; and any new streets or sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration.

LANDSCAPE or LANDSCAPING
Trees, shrubs and other plantings of materials that are or may grow to a height of 18 inches or more, and irrigation systems (in unpaved areas), in the Rights-of-Way.

MUNICIPALITY
The Township of College, Centre County, State College PA

NOTICE OF VIOLATION
A written warning issued by the authorized agent of Municipality for a violation or possible violation of this ordinance.

OBS ruct
To place any tangible object in a Right-of-Way so as to hinder free and open passage over, under, or through that or any part of the Rights-of-Way.

OBS T R UCTION
Anything that is or may become a tangible object that impedes or prevents passage or progress; an obstacle or blockage. Includes, but not limited to: fence, wall, planter, vegetation.

PERMIT FEE
Money charged by the Municipality to cover the costs as provided in this ordinance.

PERMIT or RIGHTS-OF-WAY PERMIT
The permit which must be obtained before a person may construct in, or obstruct in a Right-of-Way as required by this ordinance.

PERMITTEE
Any person to whom a permit to construct or obstruct a Right-of-Way has been granted by the Municipality.

PRIVATE STREET
A privately owned corridor which provides motor vehicle access to two or more lots.
PUBLIC HIGHWAY
Roads or streets of the state highway system, Township roads or other public highways as defined by the Pennsylvania Motor Vehicle Code.

RESTORATION
The process by which a constructed or obstructed Rights-of-Way is restored as specified in this ordinance.

RETAINING WALL
A wall that is built to keep the land behind it from sliding.

RIGHT-OF-WAY, RIGHTS-OF-WAY or ROW
The surface of and space above and below any real property in the Township of College in which the Township has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, bike path, shared use path or any other public place, area or property under the control of the Township, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes but excluding lands other than Streets that are owned by the Township. The phrase "in the Right(s)-of-Way" means "in, on, over, along, above and/or under the Right(s)-of-Way."

SANITARY SEWER
Different from the stormwater system, a system of underground pipes that carries sanitary waste or process wastewater to a treatment plant.

SERVICE or UTILITY SERVICE
Services provided by utilities.

SHARED ACCESS AGREEMENTS (from Ch.180)
An agreement between two or more property owners which is drafted and recorded in a manner acceptable for recording in the office of the Recorder of Deeds of Centre County to share all or a portion of the driveways, roads, parking spaces and the like as permitted in § 200-37B of the College Township Code.

SHARED USE PATH / PATHS / PATHWAYS
A bikeway physically separated from motor vehicle traffic by an open space or barrier and either within the highway Right-of-Way or within an independent Right-of-Way. Shared use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users. Most shared use paths are designed for two-way travel.

SIDEWALK / WALKWAY
The walkway in a public area lying generally parallel to the surfaced portion of the street between the edge of the traveled way, surfacing, or curb line and the outer edge of the Right-of-Way, intended for the use of pedestrians.

SIGHT DISTANCE
The minimum required corner sight distance based on engineering and traffic studies, to ensure a clear line of sight at an intersection and/or driveway.
SLOPE
The angle of the surface of the land to the plane of the horizon.

STEEP SLOPE
Land with a slope as defined by Chapter 200, Zoning.

STORMWATER BMP (Best Management Practices); SEE CHAPTER 175
Activities, facilities, designs, measures, or procedures used to manage stormwater impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge, and to otherwise meet the purposes of this chapter. Stormwater BMPs are commonly grouped into one of two broad categories or measures: "structural" or "nonstructural." In this chapter, nonstructural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff; whereas, structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands to small-scale underground treatment systems, infiltration facilities, filter strips, low-impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural stormwater BMPs are permanent appurtenances to the project site, stormwater structures, facilities, and techniques to maintain or improve the water quality of surface runoff.

STORM DRAIN
An opening leading to an underground pipe or open ditch for carrying surface runoff, separate from the sanitary sewer or wastewater system.

STREET
A strip of land or part thereof within the Right-of-Way, whether dedicated or not, that is intended or used for vehicular and pedestrian traffic. The phrase "in the (a) street(s)" means "in, on, over, along, above and/or under the (a) street(s)."

STREET TREE
A "street tree" is any tree located within or planted by or on behalf of the Township in the Township Rights-of-Way.

STRUCTURE
Any man-made object having an ascertainable stationary location on, in, or above land or water, whether or not affixed to the land.

SWALE
A natural low-lying stretch of land or minor man-made conveyance channel, which gathers or carries surface water runoff.

TRENCHLESS TECHNOLOGY
The use of directional boring, horizontal drilling and microtunneling and other techniques in the construction of underground portions of facilities which result in the least amount of disruption and damage to Rights-of-Way as possible.
UNDERGROUND FACILITIES
All lines, cables, conduits, posts, tanks and any other facilities owned or operated by persons other than the Municipality which are located wholly or partially underneath Rights-of-Way.

UTILITIES
Any water, sewer, gas, drainage, or culvert pipe and any electric power, telecommunication, signal, communication, or cable television conduit, fiber, wire, cable, or operator thereof.

UTILITY, NON-PUC-REGULATED ENTITY or ENTITY
Any corporation, company, association, joint-stock company, firm, partnership, limited liability company, or other entity; municipal, industrial development, housing, redevelopment, and other authority or corporation established pursuant to statutes of the Commonwealth of Pennsylvania; and any individual not regulated as a public utility by the Public Utility Commission.

UTILITY, PUC REGULATED UTILITY
Any entity which is operating as a public utility as defined under the Pennsylvania Public Utility Code, and is subject to regulation by the PUC, regardless of whether or not the entity has been issued a certificate of public convenience by the Pennsylvania Public Utility Commission.

VEHICLE
Any motorized means of conveyance including but not limited to, automobiles, trucks, tractors, trailers or any other type of tow-behind attachments.

Part 2
Construction and Occupancy

Article I
Planning, Design, Opening and Dedication

§ 177-4 Plans required.
No person, partnership, association or corporation shall construct, open or dedicate any Township Rights-of-Way, road, street, lane, alley, bike path or shared use path, or any stormwater facilities, water, gas, electric, sewer, cable, or other utility, or utility facility, in connection therewith for public use or travel in the Township of College without first submitting plans therefor to the Township Council or Councils’ authorized designee, and no road, street, lane, alley, bike path or shared use path, nor sewer or drainage facilities, water, gas, electric, sewer, cable, or other utility, or utility facility, in connection therewith shall be opened, laid or constructed except in strict accordance with plans approved by the Township Council.

§ 177-5 Plan design standards.
A. Such plans shall be prepared in triplicate in accordance with such rules and regulations as may be prescribed from time to time by the Township Council and shall show the profiles of such roads, streets and alleys and the course, structure and Township of any drainage facilities and shall be
complete as to lines, grades, Rights-of-Way, drainage, curbs, plot ownership, public utilities, water, sewer and gas lines, fireplugs, streetlights, street signs and any and all incidental details necessary to the complete development of the area as a residential, business or industrial area and such further details as may be required from time to time by rules and regulations adopted by the Township Council.

B. All roads and streets, where possible, shall connect with existing roads and streets or proposed roads and streets so as to form as near as possible through roads and streets and a harmonious and systematic development of the Township. The names of the roads and streets shall not conflict with the names of existing roads and streets, and all roads and streets shall be designated by the names of existing roads and streets with which they connect as extensions thereof; prior to naming of access and/or street the proposed name must be pre-approved by the Township and Centre County 911.

C. No work shall be started until one set of plans bearing the approval of Township Council or Councils’ authorized designee, as hereinafter provided shall be returned to the applicant.

D. The Right-of-Way for all roads and streets shall conform to the Township street construction standards, to be adopted by the Council from time to time.

§ 177-6 Submission of plans; public hearing.
All such plans shall be filed with the Township Secretary at least 10 days prior to the regular meeting of the Township Council at which it is desired to seek approval thereof. Before acting upon any such plans, the Township Council may, in its discretion, arrange for a public hearing after giving such notice as it may deem desirable in each case.

§ 177-7 Modification of plans; conditional approval.
The Township Council reserves the right to alter such plans and to specify any changes or modifications of any kind which it may deem necessary and to make its approval subject to any such alterations, changes or modifications.

§ 177-8 Signing of plans; filing of duplicate.
Any and all plans when so approved shall be signed by the Council, and the duplicate copy shall be filed in the office of the Secretary of the Township, where the same shall be available to public inspection.

§ 177-9 Recording of approved plan.
The action of the Township Council in approving any such plans, and such plans, shall be recorded by the person applying for such approval.

§ 177-10 Improvements to conform to specifications.
All roads and streets shown on the said plan shall be improved in accordance with the plans and specifications prescribed by this ordinance.

§ 177-11 Utility installations prior to paving.
All gas, sewer, water mains, and any other underground utilities; where water, sewer, gas, and other such utilities are available, all service connections shall be laid before the paving of the streets where water and gas are available, and all other mains and laterals, pipes and conduits and the like shall be installed before paving of the cartway where it is proposed to install any such service mains and laterals in the streets.

§ 177-12 Application for plan approval; bond or cash deposit.
All applications for the approval of such plans shall be in writing on a form to be furnished for that purpose by the Township and signed by the owners of the property, which must be filed with the Secretary of the Township, setting forth in detail the character of the improvements to be made on the property shown on the said plan, in accordance with the provisions of this ordinance, and in such application the applicant shall agree to open, lay out and improve the roads, streets, lanes or alleys and to construct all of the improvements, including sewers and drainage facilities upon the property, shown on the plan within the time or times therein specified, and agree to enter into a contract in writing prepared by the applicant to install, erect and construct the said improvements. The applicant shall furnish a bond in the amount of 110% of all uncompleted work within the Right-of-Way. The bond shall be under such conditions and form to guarantee the performance of the said contract and to secure the completion of the said improvements within the times therein specified. In lieu of a bond, the applicant may deposit cash to guarantee performance of said contract and to secure completion of the improvements upon an escrow agreement reviewed by the Township Solicitor and approved by the Township Engineer. Developer and/or their contractor are responsible for the completion of the work. Any work not completed to the standards as approved on the plan, may result in surrendering the bond to the Township for the costs incurred by the Township, including but not limited to staff time, materials, and equipment. The escrow agent for the deposits of such cash shall be designated and selected by the Township Council. Construction is to be completed in one year. Any extension of this time limit is at the opinion of and approval of Township Council or Councils’ authorized designee.

§ 177-13 Performance and Payment Guarantee.
The applicant shall provide the Township with performance and payment bonds each in the amount of 100% of the total estimated costs of work within the Township Right-of-Way(s). The bonds shall be reviewed by the Township Solicitor and Township Engineer. The Township will not accept any responsibility for maintenance of the roadway, drainage facilities or appurtenances until the same has been officially accepted by resolution.

§ 177-14 Maintenance Guarantee.
The applicant shall provide the Township with a maintenance bond or agreement guaranteeing the performance of all aspects of the newly constructed road and appurtenances for a period of 18-months from date of acceptance. The Township will not accept any responsibility for maintenance of the roadway, drainage facilities or appurtenances until the same has been officially accepted by resolution. The amount of the bond shall be 15% of all applicable costs. The applicant shall provide the Township Engineer a construction cost estimate, sealed by a professional engineer. The Township Engineer shall review and comment as necessary, and approve when deemed acceptable.

§ 177-15 Inspections.
A. All applicants shall bear all costs of inspection of all such Rights-of-Way and deposit with the Township Treasurer such sum as the Township Engineer shall determine to guarantee payment of such costs.

B. All construction shall be inspected by the Township Engineer. It is the contractor's and/or developer's responsibility to notify the Township of the construction schedule and at least 48 hours prior to commencement of the following stages of work:

1. Placement of sedimentation and erosion control plan.

2. Excavation for and placement of any utilities within a proposed Township Rights-of-Way.

3. Implementation of stormwater management plan.

4. Rough grading of street.

5. Fine grading of street (subgrade preparation).

6. Placement of subbase.

7. Placement of bituminous concrete base course and construction of curb and backfilling of curb.

8. Placement of bituminous binder course (if applicable).

9. Placement of bituminous wearing course.


C. The contractor may not, under any circumstances, proceed with subsequent stages of construction until authorization to proceed is given by the Township.

E. Final inspection of Rights-of-Way shall occur just prior to acceptance by the Township to assure it meets the standards and specifications herein.

§ 177-16 Acceptance not implied by plan approval.
No action by the Township Council shall be construed to require the Township to accept dedication of any Rights-of-Way.
Article II
Street Design Standards

§ 177-17 Interpretation of standards.
The street design standards and construction specifications herein are regarded as minimum standards and specifications. These standards were developed giving high priority to the safety and durability of future Township streets. Where the provisions of this ordinance and any other ordinance conflict, the provisions of this ordinance shall prevail. However, the Township reserves the right to require designs in excess of these standards when conditions warrant it, and also to approve alternate designs when proven to the Township Engineer that they are equal or better in design.

§ 177-18 Design standards.

A. These design standards have been developed from the following references:


(3) A Policy on Geometric Design of Rural Highways (1965), AASHO, as amended.

B. When conditions warrant designs not covered by the standards herein, the design shall conform to the standards set forth in the references. The Township Engineer will interpret and approve all design standards.

C. Streets shall be designed for a twenty-year service life. If a street is to be utilized prior to complete construction, the utilized portion must be structurally designed to support all anticipated loading without significant loss of the designed service life of the street.

D. Parking and bike lanes shall be provided where required by the Township.

E. Drainage design shall be in accordance with PennDOT DM 2 to Township Code Chapter 175, Stormwater Management, as amended. The owner shall provide the Township with completed calculations and drawings for sizing and locating of all piping and inlets, as amended.

F. Special consideration for future bus and truck routes must be taken into consideration in the design of streets for pavement thickness and width, sight distances and curb radius.

G. Intersection designs will be reviewed on a case-by-case basis for inclusion of turning lanes, medians, acceleration and deceleration lanes and traffic control devices.

§ 177-19 Table of Design Standards.
The Table of Design Standards is included as an attachment to this chapter.

§ 177-20 Neighborhood streets.
Neighborhood streets shall meet all the design standards of a local street, except for the criteria and restrictions described below:

A. Can serve only a residential use.

B. Must be a non-through street, i.e., a street that serves only the adjacent residences.

C. The minimum center line horizontal curvature shall be no less than 107 feet.

D. Sidewalks are required pursuant to §180-16

E. Sight obstructions that do not meet twenty-mile-per-hour design requirements as described by §177-18A are prohibited. Areas where obstructions would conflict with sight distance on the inside portion of horizontal curves must be shown on the plan.

F. The streets must be posted at either 15 miles per hour, or five miles per hour lower than the design speed determined by the designer.

G. There can be no straight stretches of road longer than 300 feet.

H. The developer must show that each residence can provide a minimum of two off-street parking spaces.

I. No on-street parking is allowed.

J. The development must provide an additional off-street common parking area within the development to accommodate one parking space per five (5) units.

Article III
Construction Specifications

§ 177-21 General requirements.
All construction materials, equipment, procedures and methods shall conform to the requirements of the Pennsylvania Department of Transportation Specifications, Publication 408, or latest publication, unless specifically stated otherwise in this article.

§ 177-22 Subgrade.

A. For subgrade, refer to PennDOT Specifications, Section 210, as amended.

B. Construction.

(1) For the roadbed to the established subgrade elevation, both longitudinally and in cross section, compact to the following density requirements:
(a) Subgrade shall be compacted to a minimum of 98% of maximum dry density as determined by PTM 106, as amended.

(b) Completed subgrade shall be maintained and protected in advance of the succeeding operation. Prior to placement of pavement structure, damaged or unsatisfactory areas shall be promptly and satisfactorily reshaped and recompacted or removed and replaced.

(c) All surface irregularities exceeding 1/2 inch shall be corrected by loosening the surface and removing or adding material as required. The corrected area and surrounding surface shall be compacted by rolling.

(2) The subgrade shall be inspected and approved by the Township before placing of the subbase.

§ 177-23 Subbase.

A. For subbase, refer to PennDOT Specifications, Section 350, as amended.

B. Material. Subbase material shall be Type C or better, No. 2A as specified in Penn DOT Specifications, Section 703.2, as amended.

C. Construction.

(1) Subbase shall be placed on a prepared subgrade as specified in § 177-22 of this article. Subbase material shall not be placed on soft, muddy or frozen areas. Unsatisfactory subbase conditions developing ahead of the base and paving operations shall be corrected by scarifying, reshaping and recompacting or by replacement, if directed.

(2) Subbase shall meet the same compaction and grade control requirements as stated in § 177-22 of this article. Where the material is too coarse to use the compaction method stated, determine compaction based on nonmovement of the material under the compaction equipment.

D. Subbase shall be inspected and approved by the Township before placing base material.

§ 177-24 Bituminous Base course (25mm).

A. For bituminous concrete base course (BCBC), refer to PennDOT Specifications, Section 411, as amended.

B. Material. Bituminous material shall be asphalt cement Class PG 64-22 as specified in PennDOT Specifications, Section 702, as amended. Aggregates shall conform to PennDOT Specifications, Section 411.2, as amended.
C. Construction. Construction shall meet the requirements of PennDOT Specifications, Section 411.3, as amended. Bituminous concrete base course shall be approved by the Township prior to the placing of the wearing course.

§ 177-25 Bituminous wearing course (9.5mm).

A. For 9.5mm bituminous wearing course, refer to PennDOT Specifications, Section 411, as amended.

B. Material. Material shall conform to PennDOT Specifications. Section 411.2a, b and c, as amended. Skid-resistance level shall be as required by Penn DOT Design Manual, Part 2, Publication 13, or latest publication.

D. Construction. Construction shall conform to Penn DOT Specifications, Section 411.3, as amended. A tack coat shall be applied to the surface of any pavement that has been in place for more than seven days prior to placement of subsequent course.

§ 177-26 Curb and curb gutter.

A. Plain cement concrete curb and plain cement concrete curb gutter.

(1) For plain cement concrete curb and plain cement concrete curb gutter, refer to PennDOT Specifications, Sections 630 and 641, as amended.

(2) Material. Material shall conform to PennDOT Specifications, Section 630.2, as amended, for plain cement concrete curb, and Section 641.2, as amended, for plain cement concrete curb gutter.

(3) Construction. Construction shall conform to PennDOT Specifications, Section 630.3, as amended, for plain cement concrete curb, and Section 641.3, as amended, for plain cement concrete curb gutter. Backfill (compacted) shall be placed within seven days of placement of curb.

§ 177-27 Shoulders.

A. For shoulders, refer to PennDOT Specifications, Section 653, as amended.

B. Material. Material shall conform to PennDOT Specifications, Section 653.2, as amended.

C. Construction. Construction shall conform to PennDOT Specifications, Section 653.3, as amended.

§ 177-28 Sidewalks.

A. Bituminous concrete sidewalks.

(1) Material.
(a) Bituminous material shall conform to PennDOT Specifications.

(b) Aggregate material for bed shall conform to PennDOT Specifications, Section 350.2, as amended.

(2) Construction.

(a) Compaction and preparation of subgrade shall conform to § 177-22 of this article.

(b) Placing and compaction of aggregate bedding material shall conform to § 177-23C of this article.

B. Cement concrete sidewalks.

(1) Refer to PennDOT Specifications, Section 676, as amended.

(2) Material. Material shall conform to PennDOT Specifications, Section 676.2, as amended.

(3) Construction. Construction shall conform to Section 676.3 of the PennDOT Specifications, as amended, except that aggregate for bed shall be a four-inch-deep foundation.

Article IV
Sidewalks / Maintenance Requirements

§ 177-29 It is the intent of College Township to provide for a safe and convenient sidewalk system in appropriate areas of College Township to create a pedestrian friendly environment, as per this ordinance.

A. Design standards. In addition to §180-16 and §177-29B of this ordinance; repair, reconstruction of sidewalks, and new construction of sidewalks shall be constructed and/or repaired upon one of the following conditions:

(1) Horizontal alignment. A sidewalk shall be repaired when a crack within a square or a joint between two adjacent squares has separated to a distance of one inch or greater or when the edges of a crack are chipped or broken to create surface openings of one inch or more. Where expansion or contraction joints have widened to one inch or greater, repairs shall be made in such a way to allow for expansion to occur later. If vertical movement occurs around a crack which, in the opinion of the Township Engineer, creates a tripping hazard, the square should be removed and replaced. Cracks shall be chipped out in a V-shape to sound concrete and thoroughly cleaned before repair.

(2) Vertical alignment. Repairs shall be made when a sidewalk square has risen or sunk one inch or more in relation to the remainder of the square or to an adjacent square. If a
portion of the block has risen or sunk more than one inch, measured 15 inches from the edge of the block, repairs shall be made. The square can be physically raised or lowered to be realigned with the adjacent squares. If an entire square has sunk, it may be patched with concrete bonded overlay of the entire square. The minimum thickness of this patch cannot be less than one inch. Placing a wedge of patch material over a portion of the square is not acceptable.

(3) Surface deterioration. A sidewalk square must be repaired when 25% or more of the exposed horizontal surface has chipped or crumbled, exposing aggregate and creating peaks and valleys, to a depth at any point of 1/2 inch or more below the original surface. A square must also be repaired if an area of 16 square inches or more has deteriorated or has developed a hole at least one inch deep in the surface. Deteriorated material must be removed down to sound concrete and the area thoroughly cleaned before repair.

(4) Materials. When sidewalks are reconstructed, they shall conform with §177-28 above. Repairs shall be made by first applying bonding agent and next placing patch material composed of a half-and-half mixture of Portland cement and sand, or with a commercial epoxy-type concrete patch material. Other commercial material such as vinyl modified may be approved by the Engineer.

(5) Village District. The requirement to repair sidewalks within the Village Center Zoning District as shown on the College Township Zoning Map shall be repaired pursuant to §177-29B.

B. Maintenance, repair and reconstruction of sidewalks. All property owners who abut a sidewalk available for public use shall maintain said sidewalk, keeping it free from obstruction whether such sidewalks are located in the Right-of-Way or adjacent to it as follows:

(1) In the event that the condition of any sidewalk requires maintenance, repair or the removal of obstructions therefrom as required by the regulations of this and all other chapters of the College Township Code, Council or its designee shall cause a notice to be sent in writing, to the owners of the property requiring said owners to effect such repairs, maintenance or removal of the obstruction from the sidewalks with the following conditions:

(a) Repair of sidewalks shall be made by the property owner in accordance with the provisions of this ordinance.

(b) The property owner shall be given at least 90 days to correct any deficiency in the sidewalk.

(c) The property owner shall be guilty of a separate violation of this section for every five-day period beyond the repair date that the defects go uncorrected.

(d) Fines shall be set by resolution of the College Township Council.
(2) Upon failure of any property owner to make necessary repairs required by the notice provided for hereinabove within the time fixed by this chapter, the Township is hereby authorized and empowered through its duly authorized agents, servants or employees to enter upon the premises and make the necessary repairs or remove the offending obstructions and the expense thereof shall be levied against the property and collected from the owners in the manner provided for the collection of municipal liens. Any claims entered against the owners shall be a lien upon the premises dating from the time of commencement of work.

(3) It shall be unlawful for any person to tear up, destroy, remove, deface or excavate or otherwise damage any sidewalk in the public Rights-of-Way or for those public sidewalks located adjacent to the public Rights-of-Way except in accordance with a permit duly authorized by an agent or employee of College Township. Anyone in violation of this section or subsection shall be subject to fines as set by resolution of the College Township Council.

C. Snow and ice removal from sidewalks. Property owners or occupants of said property shall be responsible for the removal of snow and/or ice from sidewalks along public Rights-of-Way abutting their property or located on said property but adjacent to the Right-of-Way within 24 hours after the same shall have ceased to fall, in the case of snow or shall have occurred, in the case of ice as follows:

(1) Responsibility for removal of snow or ice. It shall be the duty of the owners and occupiers of properties as hereinafter provided, and the owners of unoccupied lots along whose premises sidewalks have been laid, or may hereafter be laid under the authority of the Township, to cause said paved sidewalks along their respective properties to be cleared to the width of said sidewalk of snow or ice, provided the owner shall be responsible for conforming to the provisions of this section in the case of unoccupied property, or property occupied by a tenant or a property containing more than one dwelling or business unit; the occupant shall be responsible therefor in the case of property containing a single dwelling or business unit.

(2) Responsibility of owners of multiple-family dwellings and apartments. It shall be the duty of all owners of multiple-family dwellings or apartments to cause sidewalks leading from the said buildings to the street, parking lots, or other sidewalks located along the respective property to be cleared of snow or ice.

(3) Responsibility of owners of nonresidential property. It shall be the duty of all owners of nonresidential property to cause sidewalks leading from said buildings to the street, parking lots, or other sidewalks located within the property dedicated to general public use to be cleared of snow or ice.

(4) Responsibility of property owners' associations. It shall be the duty of all associations and their assigns for sidewalks which are the responsibility of the property owners' association to be cleared of snow or ice.
(5) Responsibility for dedicated streets prior to acceptance. It shall be the duty of all owners of properties to cause dedicated paved streets and/or sidewalks along the respective properties to be cleared of snow or ice, which shall continue until said streets shall have been accepted as a public Right-of-Way of the Township.

(6) Violations. Any property owner who fails to comply with this section pertaining to snow and/or ice removal within the given time period shall be considered in violation of this ordinance and subject to a fine as set by resolution of College Township Council.

(7) Removal of snow or ice by Township. In cases where a property owner continuously fails to remove snow and ice from sidewalks as required herein, the Township and/or its designees may clear or cause the same to be cleared and the costs of clearing them plus 10% administrative costs shall be collected by the Township from said property owner or occupier of the property involved, and such amount may be charged in addition to any fine or penalty already imposed in relation to the clearance of snow and ice.

§ 177-30 ADA Curb Ramps.
Any required accessible curb ramp located within a Right-of-Way or shared-use path easement shall be installed and maintained in accordance PENNDOT Publication 408, and PENNDOT Publication 72, Standards for Roadway Construction, latest edition.

Article V
Street Openings and Occupancy for Driveways and/or Utilities

§ 177-31 Permit required.
No person, applicant, authorized agent, firm or corporation shall construct without first submitting an application for permit for work within a Township Right-of-Way. All proposed work within a Right-of-Way, such as, but not limited to, open-cut, bore, and/or hole-hog; nor shall any railroad or street railway crossings nor any gas pipe, water pipe, sewer pipe, electric conduits or other piping be laid upon or in, nor shall any telephone, telegraph, telecommunications, cable system, cable facility, or electric light or power poles, or aerial facilities above surface of ground, including their underground support and foundations, or any tipples, off-loading facilities, or other obstructions and/or structures be erected upon or in, any portion of a Township Rights-of-Way; nor shall any person, firm or corporation; grade, construct, install or erect a drain, culvert, sidewalks, drive or driveway or other means of ingress or egress, or effect any discharge or passage of drainage water, onto or along a Township Rights-of-Way, except under such conditions, restrictions and regulations relating to the installation and maintenance, thereof, as may be prescribed in permits granted by the Township for such purpose.

§ 177-32 Application for permit.
Application for such permit shall be made by the owner or occupier or by his contractor or agent, in writing, on forms provided by the Township, in accordance with such rules and regulations as may be established by the Township.
A) Municipality does not accept liability. By reason of the grant of a Right-of-Way – Road Occupancy Permit, the Municipality does not assume any liability:

1) For injuries to Persons, damage to property, or loss of Service claims by parties other than the Applicant or the Municipality.

2) For claims or penalties of any sort resulting from the installation, presence, maintenance, or operation of Facilities by Applicants or activities of Applicants.

B) Application for Township Road Occupancy Permit for Residential and Commercial Driveways and Public Sidewalks, minimum requirements for an acceptable submission and review:

1) Complete Application

2) Site Plan that identifies property corners, and the following proposed and/or existing; street curbs, swale, slope, culvert-pipe, drainage ditch, public sidewalks, bike paths, shared use pathways, street trees, width, distance from both side property lines, orientation to the building, and for corner lots the distance from the edge of the driveway to street intersection radius point of curvature.

3) Impervious Coverage, work within the Right-of-Way that proposes increase or decrease of impervious lot coverage of extending driveway or other maintenance or enhancement to the proposed project shall submit a complete Impervious Surface Calculation form for review and approval of allowable lot coverage set forth in §200-12(B).

4) Applications for residential and commercial driveways that are proposed or existing within the required five (5) foot setback from a side property line must provide proof of a recorded driveway encroachment or shared driveway agreement in the submission documents.

5) Applicable permit and inspection fees (A203-13) are due on submission.

C) Application for Township Road Occupancy Permit for Utility Construction or Repairs, minimum requirements for an acceptable submission and review:

1) Complete Application

2) Site Plan, the site plan must identify the method of construction, underground or overhead, open cut, trenchless technology, such as, boring or hole-hog, the location of work in relation to the edge of the street pavement, street trees, bike path, shared use path, the Right-of-Way, and nearest intersection, location of work in relation to other underground utilities that are located in the proposed work area, public sidewalks, curbs, and location of private driveways that are within the proposed project area.

3) Applicable permit and inspection fees (A203-13) are due on submission.
§ 177-33 Costs and fees.
The cost of filing such application and of the permit to be issued thereon and the cost of any inspection
deemed necessary by the Council shall be determined according to a schedule of fees which will be
adopted by the Council by resolution, (see A203-13 Driveway, Right-of-Way permits) and all such fees
and costs shall be paid on submission.

§ 177-34 Recently constructed streets, shared use paths, and Rights-of-Way restoration.
The work to be done under the permit, and the restoration of the Rights-of-Way as required herein, must
be completed within the dates specified in the permit. In addition to its own work, the permittee is
responsible for the restoration of the general area of the work, including all disturbed sidewalk, concrete
curb, landscaping, planting and improvement materials and the permitted areas, including the paving and
its foundation, per the Construction Standards described in this ordinance.

A) If the permittee opens pavement having a bituminous concrete surface and the wearing course
is less than five-years old, the permittee shall, in addition to the restoration conditions outlined
in the permit and in this section, overlay the pavement in accordance with the following
conditions:

1) When a longitudinal opening longer than 25 lineal feet has been made in the pavement,
the permittee shall overlay the traffic lane(s) in roadways, and full widths of shared use
path which the opening was made, for the entire length of street or path that was opened,
in accordance with the Municipality's Construction Specifications.

2) When two or more transverse openings have been made within 100 lineal feet of
pavement, the permittee shall overlay traffic lanes in which the openings were made, for
the entire length of street or width of the shared use path between the openings, in
accordance with the Municipality's Construction Specifications.

3) When four or more emergency openings have been made by the same permittee within
100 lineal feet of pavement, the permittee shall overlay traffic lanes in which the
openings were made, for the entire length of street between openings, in accordance with
the Municipality's Construction Specifications.

4) If disturbed lanes adjacent to undisturbed lanes are overlaid, the edge of the disturbed
lane shall be saw cut or milled to a depth of 1 and 1/2 inch or the depth of the existing
wearing course, whichever is less, for the length of the opening to ensure a smooth joint,
with proper elevation and cross-section. A full width overlay may be authorized on
various streets instead of saw cutting or milling the disturbed lane.

B) Regardless of the age of the wearing course:

1) If more than 100 lineal feet of longitudinal or transverse openings, or both, are made in
the pavement, the Municipality may require the permittee to overlay traffic lanes or full
width of the roadway or shared use path for which the openings were made, for the entire
length of street or shared use path that was opened, if the Municipality determines that
the ride-ability or structural integrity of the pavement has been impaired by the openings.
2) If four or more openings are made by the same permittee within 100 lineal feet of pavement, the Municipality may require the permittee to restore the entire disturbed pavement between openings by milling and overlaying the entire disturbed pavement in accordance with the Municipality's Construction Specifications.

3) Permittee shall submit the proposed skid resistance level (SRL) of the overlay material.

4) If an opening in made in a bituminous concrete pavement within three feet from the edge of pavement or other longitudinal joint or opening, the surface restoration shall be extended to the edge of pavement or other longitudinal joint or opening.

5) At each end of an overlay, the permittee shall install a paving notch, by milling to provide a minimum ten-foot transition.

6) The transition areas at each end of an overlay shall follow the contour of the surrounding surface, unless otherwise directed by the Township Engineer or their designee.

7) When pavement markings on more than 100 lineal feet of street are covered or destroyed by the permitted work, including overlays, they shall be replaced in their former locations.

§ 177-35 Damage to facilities or property.
A permittee, including any person, contractor or sub-contractor working for a permittee or utility, shall avoid damage to any Rights-of-Way, facilities and/or public or private property. If any Rights-of-Way, facilities and/or public or private property are damaged by the permittee, including any contractor or affiliates working for the permittee, the permittee shall promptly repair and restore such property within ten (10) business days. The permittee is required to mark all proposed work areas with white paint and/or white flags and utilize the Pennsylvania One Call System prior to any disturbance of the Rights-of-Way and shall adhere to all other requirements of the Pennsylvania Underground Utility Line Protection Act.

§ 177-36 Modification of plans; conditional approval.
The Township may alter plans filed with an application and specify changes or modifications of any kind which it may deem necessary and make its approval of the granting of any permit subject to any alterations, changes or modifications shall require a new submission with application fees of the plans addressing the review comments.

§ 177-37 Compliance with plans.
All grading, construction, installation and erection shall be in strict compliance with the plans and specifications on the basis of which the permit is granted and must comply with Chapter 177, Article III Construction Specifications of this ordinance.

§ 177-38 Maintenance Guarantee.
All work performed under this permit will be guaranteed for 18-months. The Township reserves the right to require a performance bond for 18-months from date of acceptance. The Township will not accept any
responsibility for maintenance of the Right-of-Way, drainage facilities, street trees, or appurtenances that are the result of the work associated with the permit and submitted plans during this period.

§ 177-39 Issuance of permit.
A permit shall be issued to the applicant after all the aforementioned requirements have been filed. Permits are required to be on the job site at all times during construction activity period.

§ 177-40 Notice of completion of work.
Upon completion of the work, and all conditions of the permit have been met and/or surety or bond posted, as agreed upon by the Township, the applicant shall give written notice thereof to the Township.

§ 177-41 Inspection.
Once a permit has been issued, the permittee shall provide a minimum of a 48-hour advance notification of the actual start of construction to the Public Works Director, Township Engineer or their designee to schedule inspection.

  A) Permittee or its contractor shall be solely responsible for the safety or the construction site and operations therein. The Municipality has the to inspect and give notice to the permittee or its contractor of any unsafe condition or operations. The Municipality does not assume any liability for any unsafe conditions that it may become aware of by inspection which will be the sole responsibility of permittee.

  B) Permittee shall make the work site available to the Public Works Director, Township Engineer or their designee and to all others as authorized by law for inspection at all reasonable times during the execution and upon completion of the work.

  C) At the time of inspection, the Public Works Director, Township Engineer or their designee may order the immediate cessation of any work which poses a serious threat to the life, health, safety or well-being of the public.

  D) The Public Works Director, Township Engineer, Ordinance Enforcement Officer or their designee may issue a Notice of Violation to the permittee for any work which does not conform to this ordinance. The Notice of Violation shall provide requirements for correction of violation, any applicable penalties for continued violation, the process and procedures and right of permittee that may be applicable as required.

  E) Once construction is complete, the permittee shall schedule a final inspection by the Public Works Director, Township Engineer or their designee for the purposes of determining if the surety can be released.

§ 177-42 Inspections; rectification of defective conditions.
Upon completion of the work authorized by the permit, the Township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect within 60 days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the cost thereof, together with an additional 20% of such cost.
§ 177-43 Design standards of occupancy.
Design standards of occupancy shall be in conformance with PA Code, Title 67, Chapter 441, Access to and Occupancy of Highways by Driveways and Local Roads; Pa. Code, Title 67, Chapter 459, Occupancy of Highways by Utilities; and College Township Construction Guidelines for Occupancy of Township Road by Driveways, as adopted by College Township Council.

§ 177-44 Traffic Control during Construction.
All construction work shall be performed following the PennDOT safety guidelines, Work Zone Traffic Control Public Notice, Pub. 213, or latest publication. In addition, College Township does not consider, acknowledge, or authorize work on private property, PennDOT Right-of-Way(s) or work within any adjoining Municipality to College Township. Permittees are to secure private easements and PennDOT Highway Occupancy permits as they may apply to proposed work.

Article VI
Classification of Streets

§ 177-45 Streets classified.
Streets within the Township of College shall be classified as follows:

A. Arterial streets.

(1) Existing expressways include:

(a) The State College Bypass (U.S. 322) (Penn/DOT roadway), including entrance and exit ramps, and Warner Boulevard (PennDOT roadway) from the Oak Hall Interchange to the Harris Township boundary line, plus future additions thereto.

(b) U.S. 220, Interstate 99 entrances and exit ramps, and Park Avenue from Innovation Boulevard to the westbound ramps of U.S. 322 plus future additions thereto. (PennDOT roadway)

(2) Existing primary arterial streets include:

(a) University Drive. (PennDOT roadway)

(b) South Atherton Street. (PennDOT roadway)

(c) East College Avenue. (PennDOT roadway)

(d) Benner Pike. (PennDOT roadway)

(e) Shiloh Road, from Benner Pike northwest to the Benner Township boundary line. (PennDOT roadway)
(f) Park Avenue from State College Borough boundary line northeast to eastbound State College Bypass ramps. (PennDOT roadway)

(g) University Drive Extension. (PennDOT roadway)

(h) Whitehall Road, from University Drive extension to Campbell Road. (PennDOT roadway)

(3) Existing secondary arterial streets include:

(a) East Branch Road, from South Atherton Street to Pike Street. (PennDOT roadway)

(b) Pike Street. (College Township roadway)

(c) Porter Road. (Penn State University)

(d) Fox Hollow Road. (PennDOT roadway)

B. Collector streets. Existing collector streets include:

(1) Brush Valley Road. (College Township roadway)

(2) West Branch Road, from Township boundary line to South Atherton Street. (College Township/PennDOT roadway)

(3) Woodside Drive. (PennDOT roadway)

(4) Scenery Drive. (College Township roadway)

(5) Linden Hall Road. (PennDOT roadway)

(6) Boalsburg Road. (PennDOT roadway)

(7) Hunter Avenue. (College Township roadway)

(8) Squirrel Drive. (College Township roadway)

(9) Oak Ridge Avenue. (College Township roadway)

(10) Elmwood Street. (PennDOT roadway)

(11) Mary Street, from Pike to Berry Streets. (College Township roadway)

(12) Berry Street, from Mary Street to Mt. Nittany Road. (College Township roadway)

(13) Mt. Nittany Road, from Berry to Thompson Streets. (College Township roadway)
(14) Struble Road, from East College Avenue to First Avenue. (College Township roadway)

(15) Houserville Road. (College Township roadway)

(16) Trout Road. (College Township roadway)

(17) Shiloh Road, from Benner Pike to East College Avenue. (College Township roadway)

(18) Puddintown Road. (College Township roadway)

(19) Orchard Road. (College Township roadway)

(20) Gerald Street. (College Township roadway)

(21) Rock Road. (College Township roadway)

(22) Walker Drive. (College Township roadway)

(23) Decibel Road, from East College Avenue to Carolean Industrial Drive. (College Township roadway)

(24) Carolean Industrial Drive. (College Township roadway)

(25) Stewart Drive. (College Township roadway)

(26) Dreibelbis Street. (College Township roadway)

(27) Brandywine Drive. (College Township roadway)

(28) Rolling Ridge. (College Township roadway)

(29) Windmere Drive. (College Township roadway)

(30) Balmoral Way from Puddintown Road south to Walker Drive. (College Township roadway)

(31) Innovation Boulevard. (College Township roadway)

C. Local streets. Existing local streets include all streets not herein defined as arterial, collector or neighborhood streets. (College Township roadway(s))

D. Neighborhood streets.

(1) Gaslight Circle. (College Township roadway)
§ 177-46 Manner of classifying new streets.
All new streets shall be classified by the Council in accordance with the definitions provided in the College Township subdivision regulations.

§ 177-47 Changes in classification.
The Council may change, by resolution, the classifications of the streets listed above to another classification if their functions change due to changes in traffic patterns and volumes, construction of new streets or similar circumstances, provided that such changes are in accordance with the definitions provided in the College Township subdivision regulations.

Article VII
Deposits, Obstructions into and/or on Streets, Alleys, Public Sidewalks, Rights-of-Way and Highways; Damage by Vehicles

§ 177-48 Litter or Deposits prohibited.
From and after the effective date of this article, it shall be unlawful for any person, firm, corporation or other legal entity to drop, throw or deposit upon any Township Rights-of-Way or permit the same to be so placed, dropped or deposited, from any person, equipment, or any vehicle under their control; any sweepings, grass clippings, snow, ashes, mud, dirt, manure, refuse, rubbish, household waste, glass, metal or any other dangerous or detrimental substance.

§ 177-49 Removal of deposits required.
Any person, firm, corporation or other legal entity who shall drop or permit to be dropped or thrown, or deposited from any person, or any vehicle or equipment under their control, upon any such Township Rights-of-Way; sweepings, grass clippings, snow, ashes, mud, dirt, manure, refuse, rubbish, household waste, glass, metal or any other dangerous or detrimental substance, shall immediately remove the same from such Township Rights-of-Way or cause it to be removed promptly.

§ 177-50 Structures Prohibited.
No zoning permit, building permit, or Right-of-Way permit shall be issued for any structure located in a Right-of-Way or easement for an existing or future road or street. Except mailboxes and wood post placed in accordance with mailbox informative, Guidelines for Mailbox Placement and Care.

§ 177-51 Street Trees.
Any tree located within or planted by or on behalf of the Township in the street Rights-of-Way is the property of College Township. Refer to Chapter § 113 Public and Private Trees for rules regarding trimming or removal of a street tree.

§ 177-52 Projecting Obstructions to be Removed.
All property owners of premises adjoining any such Rights-of-Way, as hereinabove referred to, shall immediately eliminate any obstructions projecting upon such Rights-of-Way to a height of 14-feet from the surface of said Rights-of-Way. This shall be deemed to include, but not limited to, shrubs, brush,
ornamental grasses, trees, or other obstructions, which project from such adjoining property over and upon and within the limits of such Rights-of-Way. Maintaining required sight distances and curb radius. [67 Pa. Code § 441.8. Driveway design requirements, as amended.]

§ 177-53 Use of certain vehicles prohibited.
From and after the effective date of this article, it shall also be unlawful for any person, firm, corporation or other legal entity to operate or cause to be operated or permitted to be operated upon any bituminous paved Township road in College Township any vehicle having other than rubber tires or wheels which, in the determination of the Township Public Works Director, Township Engineer, Township Manager or their designee that cause or may cause damage to the said paved bituminous Township road.

Part 3
Violations, Notices and Penalties

§ 177-54 Notice of violations and penalties and payment
The terms of this ordinance will effectively be carried out and enforced by the Township Manager, Public Works Director, Ordinance Enforcement Officer, or their authorized designee. All persons, both the owner and occupant, applicant and/or authorized agent, partnership, association or corporation are responsible for compliance with this chapter. Upon the discovery of any violation under the terms of this Ordinance, the Municipality shall, through its authorized agents, give notice to the owner of a violation hereunder either by personal delivery to such owner, by United States mail directed to last known address of such person or persons, as shown in the real estate registry records of the Municipality, or by leaving the same on the premises where such violation occurs. If such person shall, within seven (7) days after the delivery, mailing or leaving of such notice, remit payment to College Township as set by Council in §A203, Fees and Penalties, the same will constitute full satisfaction for the violation noted in said notice.

§ 177-55 Violations and penalties.
Any person, firm, corporation or utility which shall violate any of the provisions of this ordinance or any of the terms or conditions of any permit issued pursuant thereto, including any regulations applicable thereto, shall, upon conviction thereof, be sentenced to pay a fine as described herein:

A) Snow and ice removal. Any property owner who fails to comply with the section pertaining to snow and/or ice removal within the given time period shall be considered in violation of this ordinance and subject to a fine as set by resolution of College Township Council. Each day said owner or other party by lease shall neglect or refuse to remove said snow, ice, structure or other obstructions, as provided by this ordinance, shall be a separate offense.

B) Removal of snow or ice by Township. In cases where a property owner continuously fails to remove snow and ice from sidewalks as required herein, the Township and/or its designees may clear or cause the same to be cleared and the costs of clearing them plus 10% administrative costs shall be collected by the Township from said property owner or occupier of the property involved, and such amount may be charged in addition to any fine or penalty already imposed in relation to the clearance of snow and ice.
C) Repeat violations. If two (2) or more violations are issued for the same property during the winter season, the second and subsequent violations’ payment shall be increased per violation, as set by Council in §A203, Fees and Penalties. The failure of such person to make payment, as foreseen, within seven (7) days, shall render such owner subject to the penalties provided under §177-55(A). Nothing contained in this section shall, in any way, negate the provisions of this ordinance regarding separate offenses for every day any violation occurs.

D) Penalties on neglect or refusal of the owner to remove said snow, ice or other deposits. Upon conviction of such neglect or refusal to remove said snow, ice or other deposit, a property owner or other party by lease shall pay a fine of not less than $50 and not more than $500, to be collected as now provided by law. Each day said owner or other party by lease shall neglect or refuse to remove said snow, ice or other deposit as provided by this ordinance shall be a separate offense.

E) Unauthorized/unpermitted structures within the Right-of-Way. Any property owner who fails to remove any unauthorized or unpermitted structure shall be considered in violation of this ordinance and subject to a fine as set by resolution of College Township Council. Each day said owner or other party by lease shall neglect or refuse to remove said snow, ice, structure or other obstructions, as provided by this ordinance, shall be a separate offense.

F) Township Authorized to Remove Obstructions. Whenever any owner of any property shall refuse or neglect to clear the said Rights-of-Way, as provided within Article VII of this Chapter 177 Streets & Sidewalks hereof, the Township Public Works Director and/or Township Manager may clear or cause the same to be cleared, and the cost of clearing them, with 10% additional, shall be collected by the Municipality from the said owner of the property. Such amount may be charged in addition to any fine or penalty imposed under this ordinance.

G) Other provisions of this ordinance. Any person, firm, corporation or utility which shall violate any of the provisions of this ordinance or any of the terms or conditions of any permit issued pursuant thereto, including any regulations applicable thereto, shall, upon conviction thereof, be sentenced to pay a fine of not more than $500 and costs of prosecution, and in default of payment of such fine(s) and costs, to imprisonment for not more than 30 days. Each day's continuance of a violation shall constitute a separate offense.

H) Failure to Remit Payment. Whenever the owner of a violation, as provided within this ordinance, fails to comply with terms of the violation(s) upon conviction thereof before a District Magistrate in a summary proceedings, shall be sentenced to pay a fine(s) of not less than $65 nor more than $500, and in default of payment of such fine(s), together with the costs, is subject to imprisonment at the Centre County Jail for a period not to exceed 10 days. Each person so charged with a summary offense shall have the Right of an appeal as provided by law.

Attachments: 177a Table of Design Stds
177b Guidelines for Mailbox Placement and Care
SECTION 2 SERVERABILITY

If any sentence or clause, section, or part of this ordinance is found to be unconstitutional, illegal or invalid, such findings shall not affect or impair any of the remaining parts of this ordinance. It is hereby declared to be the intent that this ordinance would have been adopted had such part not been included.

SECTION 3 EFFECTIVE DATE

This ordinance shall take effect five (5) days after enactment.

ENACTED AND ORDAINED, this 18th day of March of 2021, by the College Township Council, Centre County, Pennsylvania.

ATTEST:

Adam T. Brumbaugh
Secretary/Manager

COLLEGE TOWNSHIP COUNCIL:

L. Eric Bernier
Council Chair