

CHAPTER 21

STREETS AND SIDEWALKS

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PART 1

CONNECTING PRIVATE DRIVEWAYS

§ 21-101. Definitions.

The following words shall have the meanings ascribed to them in this Section, unless the context clearly indicates otherwise:

PERSON - any natural person, association, firm, partnership or corporation.

STREET - any public street, avenue, road, square, alley, highway or other public place located within the Township of Lamar.

(Ord. 7-10-69,10/22/1969, § 1)

§ 21-102. Excavations.

It shall be unlawful for any person to open or make any excavation of any kind in any street as herein above defined within the Township of Lamar, except in and upon those portions thereof established for vehicles.

(Ord. 7-10-69,10/22/1969, § 2)

§ 21-103. Permit.

It shall be unlawful for any person to open or make any excavation of any kind in any of the streets within said Township without first securing a permit therefor as hereinafter provided.

(Ord. 7-10-69, 10/22/1969, § 3)

§ 21-104. Connecting a Private Driveway.

No person shall connect a private driveway to any street within the Township of Lamar without first securing a permit therefor, as hereinafter provided.

(Ord. 7-10-69, 10/22/1969, § 4)

§ 21-105. Application.

Any person who shall desire to make any opening or excavation in any of the streets within the Township of Lamar, or who desires to connect a private driveway with any street within the Township, shall first make application to the Township Secretary, in writing, for side intended purpose.

(Ord. 7-10-69,10/22/1969, § 5)

§ 21-106. Specifications.

Any person who shall open or excavate any improved street or who shall connect a private driveway thereto within the Township, shall do so in accordance with specifications of the Department of Highways of the Commonwealth of Pennsylvania, which are hereby adopted as specifications of the Township of Lamar.

(Ord. 7-10-69, 10/22/1969, § 6)

§ 21-107. Expenses.

All work in connection with the opening, excavation, refilling and paving shall be done by the applicant at his expense and such work shall be subject to the provisions of this Part and subject to the supervision and approval of the Township Supervisors.

(Ord. 7-10-69, 10/22/1969, § 7)

§ 21-108. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 7-10-69, 10/22/1969, § 8; as amended by Ord. 12/10/2001)

PART 2

ROAD ENCROACHMENT

§ 21-201. Definitions.

For the purpose of this Part, the following words shall have the meanings ascribed to them:

EXCAVATION - any encroachment on the roadway which disturbs the surface of the road for the purpose of installing, maintaining or removing any underground pipe, conduit or cable used for the transmission of electricity, telephone or television signals, water, sewage, natural gas, oil or other materials.

ROADWAY - the right-of-way of any public street or road within the Township (not including State highways) intended for the use of motor vehicles, whether paved or unpaved.

(Ord. 19-11-72, 11/6/1972, § 102)

§ 21-202. General Provisions.

1. **Permit Required.** This Part shall include all excavations which disturb the surface of roadways within the Township. In every case, before excavation is begun, a permit for such excavation shall be obtained from the Township roadmaster. In requesting such permit, the applicant must demonstrate that adequate plans have been made to provide for the passage of vehicles; no road shall be closed to traffic by reason of excavations by an applicant for more than 10 consecutive hours.

2. **Bond Required.** All applications shall be approved only upon receipt of bond in an amount established by the Board of Supervisors. The applicant shall be solely responsible for restoring the road to its original condition after excavation is completed. If, upon inspection by the Township roadmaster, the restoration is not acceptable, the bond may be used to repair the road.

3. **Inspection and Return of Bond.** The restoration of the road shall be inspected as soon as practicable after completion by the Township roadmaster and any deficiencies noted. The restoration shall again be inspected no less than 90 days after the restoration has been completed, and, if the roadmaster determines the restoration is acceptable, he shall notify the Supervisors to release the bond. If the restoration is not acceptable, the bond may be used to repair the road.

(Ord. 19-11-72,11/6/1972, § 103)

§ 21-203. Enforcement and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 19-11-72, 11/6/1972, § 104; as amended by Ord. 12/10/2001)