

ORDINANCE NO. 0624 of 2024

AN ORDINANCE OF BRADY'S BEND TOWNSHIP, ARMSTRONG COUNTY, PENNSYLVANIA, REGULATING THE CONSTRUCTION AND RE- CONSTRUCTION OF DRIVEWAYS AND THEIR ACCESS ONTO THE PUBLIC HIGHWAYS IN BRADY'S BEND TOWNSHIP, ESTABLISHING PROCEDURES, AND SETTING FORTH PENALTIES FOR VIOLATION

SECTION 1. Purpose.

The purpose of this Ordinance is to provide for the construction and re-construction of access driveways and abutting graded areas in such a manner as to facilitate the safe and unobstructed movement of vehicular traffic, and to regulate the water run-off and drainage from said driveways and abutting graded areas.

SECTION 2. Definitions.

The following words and phrases, when used in this Ordinance, shall, for the purpose of this Ordinance, have the following meanings, except in those instances where the context clearly indicates a different meaning:

Corner Clearance - the distance, at an intersection of two (2) highways, between the near edge of the access driveway approach and the point of intersection of the pavement edges or the curblines extended.

Intermediate Island That section of the roadway right-of-way between the pavement edge or curb and the property line, which occurs between driveways

Pavement Edge - the edge of the main traveled portion of any street or highway exclusive of shoulder or berm.

Permanent Type Construction plain or reinforced concrete, bituminous concrete or macadam of required thickness.

Property Line Clearance - the distance measured along the pavement edge or curb between the property frontage boundary line and the edge of the driveway.

Radius Curb that section of curb forming an arc beginning at end of driveway and continuing to throat of driveway.

Rural Area - an area where roadways have been built to typical rural highway standards without sidewalks and curbs.

Shoulder Line - the intersection of the shoulder slope with the side slope or ditch slope.

Sidewalks - a permanent hard paved walkway, continuous for a reasonable distance and an integral part of the highway development, solely for use of pedestrians.

Stabilized Material any aggregate such as gravel, stone, slag or mixtures of such aggregates with soil, placed in such a manner as to provide a smooth, stable, all weather surface, not subject to undue raveling.

Urban Area an area where the roadways have been built to typical city street standards, including sidewalks and curbs.

Vehicle - any device in, upon or by which any person or property is or may be transported or drawn upon a public highway.

SECTION 3. Construction permit required.

On or after the passage of this Ordinance, it shall be unlawful for any person to construct or re-construct any driveway or alter the grade, line or width of any shoulder

within the right-of-way of Township roads until a permit to perform such construction or re-construction has been issued by Brady's Bend Township.

SECTION 4. Filing of plans; issuance of permit; fee

A. All persons subject to this Ordinance shall submit a written application to the designated Township Official or Employee for the necessary permit which application shall contain such information as shall reasonably be requested and required by the Supervisors, including but not limited to the following:

1. Name and address of the owner of the land to which the driveway or access provides a means of approach.

2. Name and address of the contractor responsible for the work if other than the applicant or owner.

3. All applications shall be accompanied by a plan which shows all of the proposed work in such detail to determine if it is in compliance with the Township specifications.

B. Upon receipt of the application, it shall be reviewed by the designated Township Official and or Employee as well as the Supervisors. If the application contains all of the information requested, it shall be approved and a written permit issued if the plan is deemed satisfactory to the Township. The permit shall be issued for a period not to exceed one (1) year, and any application to renew an expired permit shall be treated as a new application including the payment of a new permit fee.

Any application that is denied by the Township, shall be referred back to the applicant with instructions on how the application is deficient and what needs to be done in

order for the application and or the plan to be brought into compliance with Township requirements.

C. The applicant requesting a permit to construct or reconstruct shall pay to the Township at the time of the application the fees set forth in the then current fee schedule which shall have been adopted by resolution by the Board of Supervisors.

SECTION 5. Compliance with permit.

Once construction has sufficiently advanced for inspection, the applicant shall give notice to the Township. It shall be the duty of the Township Supervisor's or their designated Official and or Employee including the Township Engineer to inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and the attached documents and with all applicable laws, ordinances or regulations of the Township.

In the event that it shall be determined that the work does not comply with the permit, application, documents, laws, ordinances or regulations, or that there had been a false statement or misrepresentation by any applicant, the permit shall be revoked.

SECTION 6. Delegation of duty.

By motion, the Board of Supervisors may delegate authority and power under this Ordinance to the Township Roadmaster, Engineer, Zoning Officer, Codes Officer or other official they may designate. This authority shall include, but is not limited to the power to impose requirements, orders, and conditions, pursuant to this Ordinance, review permit applications and approve or reject

the same, revoke a permit once granted, or give written directions for the correction of existing conditions.

SECTION 7. Design and construction specifications .

The Board of Supervisors prior to the enforcement of this Ordinance shall draft and adopt a set of design and construction regulations that pertain the construction and re-construction of a driveway and abutting graded areas. The said regulations shall be adopted by Resolution and can be amended by the Board of Supervisors by subsequent Resolution.

SECTION 8. Penalty and Enforcement.

Any person, firm or corporation and the officers of any corporation who or which shall violate any provisions of this Ordinance or fail to comply herewith or with any of the requirements hereof or shall in any other way violate this Ordinance or any of the requirements hereof shall, upon being found liable therefore in a civil enforcement proceeding, pay a fine of not more than Six Hundred (\$600.00) Dollars and not less than Three Hundred (\$300.00) Dollars per violation plus all court costs, including reasonable attorney fees incurred by the Township. Each day a violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any premises or part thereof, where anything in violation of this Ordinance shall exist, be done or continue and any contractor, agent or person or corporation employed in connection therewith and who or which shall give assistance in the construction of any such violation shall be guilty of a separate offense and may be subject to separate fines in the amounts above provided.

SECTION 9. Severability

Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

SECTION 10. Repealer

Any Ordinance of the Township of Brady's Bend that is inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

SECTION 11. Effective date.

This Ordinance shall be effective immediately.

ORDAINED AND ENACTED by the Supervisors of the Township of Brady's Bend at 3rd a day regular meeting held this June 2024. of



**BRADY'S BEND TOWNSHIP
SUPERVISORS**

[Handwritten signature of Frank Bratkovich]

Frank Bratkovich

[Handwritten signature of Stephen DeBacco]

Stephen DeBacco

[Handwritten signature of Robert Kabay]

Robert Kabay

Sheela Mankel

ATTEST:

(SEAL)

**DESIGN AND CONSTRUCTION REGULATIONS OF BRADY'S BEND TOWNSHIP,
ARMSTRONG COUNTY, PENNSYLVANIA, ADOPTED PURSUANT TO SECTION SEVEN
OF THE DRIVEWAY ORDINANCE, ORDINANCE NO. 0624 of 2024**

Section 1. Purpose

The Purpose of these design and construction regulations is to comply with the applicable provisions of the Driveway Ordinance adopted by the Brady's Bend Township Board of Supervisors on

June 3rd, 2024

Section 2. Definitions

As used in these regulations, the following terms shall have the following meanings indicated:

Access A driveway, street, or other means of passage of vehicles between the highway and abutting property, including acceleration and deceleration lanes and such drainage structures as may be necessary for proper construction and maintenance thereof. [67 PA Code Chapter 441]

Average Daily Traffic (ADT) - The total volume of traffic during a number of whole days (more than one day) and less than one year divided by the number of days in that period.

Design Speed - The maximum safe speed that can be maintained over a section of roadway when conditions are so favorable that the design features of the road govern.

Driveway - Every entrance or exit used by vehicular traffic to or from properties abutting a highway. The term includes proposed streets, lanes, alleys, courts, and ways. [67 PA Code Chapter 441]

Egress - The exit of vehicular traffic from abutting properties to a street.

High Volume Driveway - A driveway used or expected to be used by an ADT of more than 3,000 vehicles. [67 PA Code Chapter 441]

Highways, Roads, or Streets - Any highways, roads, or streets identified on the legally adopted municipal street or highway plan or the official map that carry vehicular traffic, together with all necessary appurtenances, including bridges, rights-of-way and traffic control improvements. The term shall not include the Interstate Highway System.

Ingress The entrance of vehicular traffic to abutting properties from a street.

Interchange A grade-separated system of access to and from highways that includes directional ramps for access to and from the crossroads.

Local Road - Every public highway other than a state highway. The term includes existing streets, lanes, alleys, courts, and ways. [67 PA Code Chapter 441]

Low Volume Driveway - A driveway used or expected to be used by an ADT of more than 50 vehicles but less than or equal to 1,500 vehicles. [67 PA Code Chapter 441]

Medium Volume Driveway - A driveway used or expected to be used by an ADT of more than 1,500 vehicles but less than or equal to 3,000 vehicles. [67 PA Code Chapter 441]

Minimum Use Driveway - A residential or other driveway that is used or expected to be used by an ADT less than or equal to 50 vehicles. [67 PA Code Chapter 441]

Municipality- *Brady's Bend Township, a Second Class Township* located in Armstrong County, Pennsylvania

Outparcel A lot that is adjacent to the roadway that interrupts the frontage of another lot.

Right-of-Way - An area of land, measured from the centerline of the cartway that can be used by the public for travel and the location of utilities.

Stopping Sight Distance The distance required by a driver traveling at a given speed to stop the vehicle after an object on the roadway becomes visible to the driver.

Street Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether private or public.

Section 3. Applicability

These regulations are applicable to any and all driveway construction or re-construction that results in access to any township roads.

Section 4 Driveways

4.1 Number of Driveways

4.1.1 Only one access shall be permitted for a property.

4.1.2 An additional access or accesses may be permitted if the applicant demonstrates that an additional access or additional accesses are necessary to accommodate traffic to and from the site and it can be achieved in a safe and efficient manner.

4.1.3 The municipality shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.

4.1.4 For a property that abuts two or more roadways, the municipality may restrict access to only that roadway that can more safely and efficiently accommodate traffic.

4.1.5 If the municipality anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the municipality shall require the property owner to enter into an access covenant to restrict future access.

4.2 Intersection Corner Clearance

4.2.1 Intersection corner clearance of 50 feet shall be provided to the nearest adjacent driveway/intersection.

4.2.2 Access shall be provided to the roadway where corner clearance requirements can be achieved.

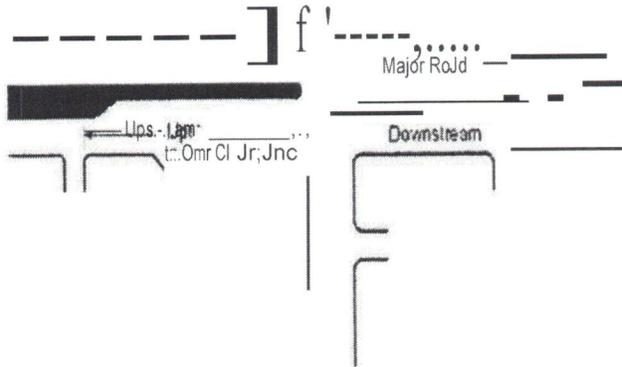
4.2.3 If the minimum driveway spacing standards cannot be achieved due to constraints, the following shall apply in all cases:

4.2.3.1 There shall be a minimum 10-foot tangent distance between the end of the intersecting roadway radius and the beginning radius of a permitted driveway.

4.2.3.2 The distance from the nearest edge of cartway of an intersecting roadway to the beginning radius of a permitted driveway shall be a minimum of 30 feet.

4.2.4 If no other reasonable access to the property is available, and no reasonable alternative is identified, the driveway shall be located the farthest possible distance from the intersecting roadway. In such cases, directional connections (i.e., right in/right out only, right in only or right out only) may be required.

4.2.5 The municipality shall require restrictions at the driveway if the municipal engineer determines that the location of the driveway and particular ingress or egress movements will create safety or operational problems.



Upstream Corner Clearance

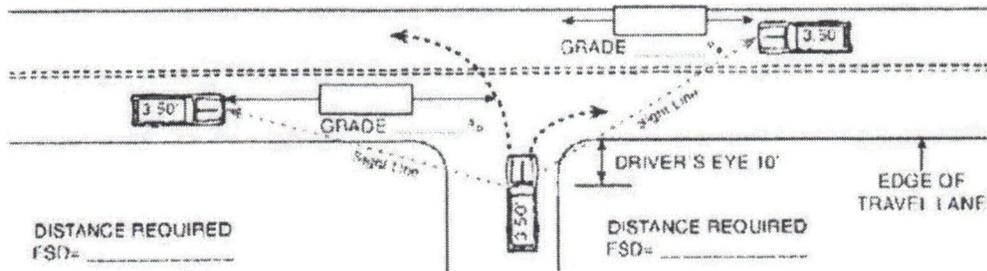
4.3 Safe Sight Distance

4.3.1 Safe sight distance shall be available for all permitted turning movements at all driveway intersections.

4.3.2 67 PA Code Chapter 441 and PennDOT Publication 282 for driveways or PennDOT Publication 70 for local roads shall be referenced to determine minimum driveway and roadway intersection safe sight distance requirements.

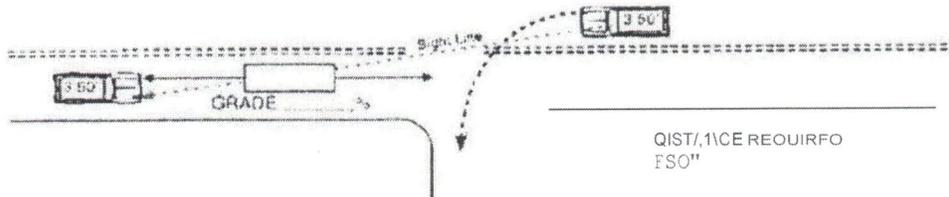
4.3.3 All driveways and intersecting roadways shall be designed and located so that the sight distance is optimized to the degree possible without jeopardizing other requirements such as intersection spacing, and at least minimum sight distance requirements are met.

Sight Distances to the left & Right of the Driveway



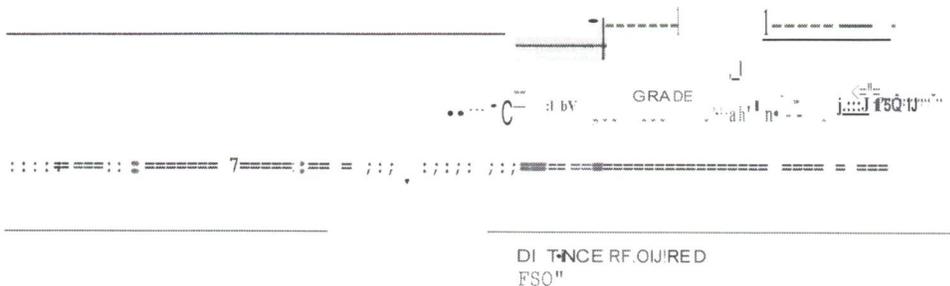
THE MAXIMUM LENGTH OF ROADWAY ALONG WHICH A DRIVER AT A DRIVEWAY LOCATION CAN CONTINUOUSLY SEE ANOTHER VEHICLE APPROACHING ON THE ROADWAY

Sight Distance to an Approaching Vehicle from a Vehicle Turning left into the Driveway



THE MAXIMUM LENGTH OF ROADWAY ALONG WHICH A DRIVER OF A VEHICLE INTENDING TO MAKE A LEFT TURN INTO A DRIVEWAY CAN CONTINUOUSLY SEE A VEHICLE APPROACHING FROM THE OPPOSITE DIRECTION.

Sight Distances Approaching the Rear of a left Turning Vehicle



THE MAXIMUM LENGTH OF ROADWAY ALONG WHICH A DRIVER ON THE ROADWAY CAN CONTINUOUSLY SEE THE REAR OF A VEHICLE WHICH IS LOCATED IN THE DRIVER'S TRAVEL LANE AND WHICH IS POSITIONED TO MAKE A LEFT TURN INTO A DRIVEWAY.

Source: TRB Access Management Manual, 2003.

Required Sight Distance Measurements for Access

4.4 Driveway Channelization

4.4.1 For high and medium volume driveways, channelization islands and medians shall be used to separate conflicting traffic movements into specified lanes to facilitate orderly movements for vehicles and pedestrians.

4.4.2 Where it is found to be necessary to restrict particular turning movements at a driveway, due to the potential disruption to the orderly flow of traffic or a result of sight distance constraints, the municipality may require a raised channelization island.

4.4.3 Raised channelization islands shall be designed with criteria consistent with the latest edition of AASHTO publication entitled A Policy on Geometric Design of Highways and Streets.

4.5 Driveway Spacing

4.5.1 Driveway spacing is measured from the end of one driveway radius to the beginning of the next driveway radius

4.5.2 Driveway spacing of 50 feet shall be provided to the nearest adjacent driveway/intersection.

4.5.3 Driveways shall be aligned with other driveways and roadways on the opposite side of the intersecting roadway in order to meet the driveway spacing requirements.

4.5.4 If these driveway spacing standards cannot be met, a system of joint or cross access driveways, frontage roads, or service roads may be required.

4.6 Joint and Cross Access

4.6.1 The municipality may require a joint driveway in order to achieve a desirable driveway spacing standard of 50 feet between adjacent driveways.

4.6.2 Adjacent non-residential properties shall provide a joint or cross access driveway to allow circulation between sites wherever feasible. The following shall apply to joint and cross access driveways:

4.6.2.1 The driveway shall have a design speed of 10 mph and have sufficient width to accommodate two-way traffic including the largest vehicle expected to frequently access the properties.

4.6.2.2 A circulation plan that may include coordinated or shared parking shall be required.

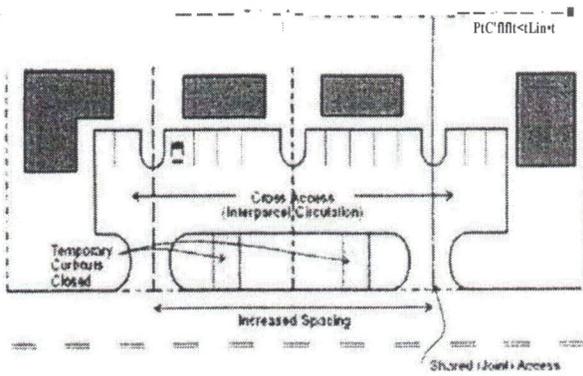
4.6.2.3 features shall be included in the design to make it visually obvious that abutting properties shall be tied in to provide cross access.

4.6.3 The property owners along a joint or cross access driveway shall:

4.6.3.1 Record an easement with the deed allowing cross access to and from other properties served by the driveway.

4.6.3.2 Record an agreement with the municipality so that future access rights along the driveway shall be granted at the discretion of the municipality and the design shall be approved by the municipal engineer.

4.6.3.3 Record a joint agreement with the deed defining the maintenance responsibilities of each of the property owners located along the driveway.



Joint Driveway and Cross Access

4.7 Access to Outparcels

4.7.1 For commercial and office developments under the same ownership and consolidated for the purposes of development or phased developments comprised of more than one building site, the municipality shall require that the development be served by an internal road that is separated from the main roadway.

4.7.2 All access to outparcels shall be internalized using the internal roadway.

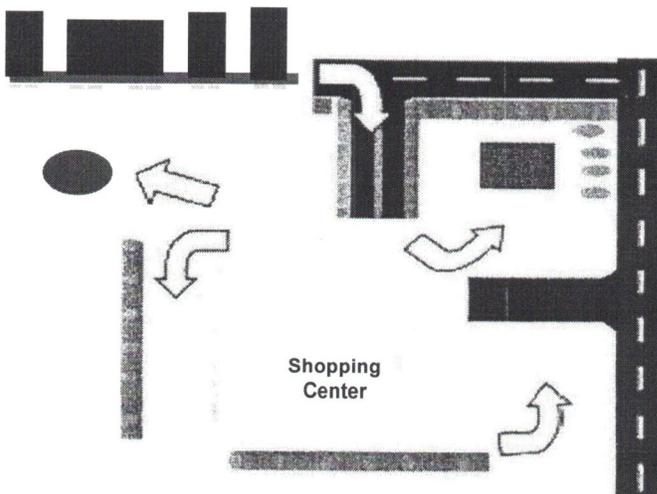
4.7.3 The driveways for outparcels shall be designed to allow safe and efficient ingress and egress movements from the internal road.

4.7.4 The internal circulation roads shall be designed to avoid excessive queuing across parking aisles.

4.7.5 The design of the internal road shall be in accordance with all other sections of this ordinance.

4.7.6 All necessary easements and agreements required under Section 4.6.3 shall be met.

4.7.7 The municipality may require an access covenant to restrict an outparcel to internal access only.



Internal Access to Outparcels

Section 5 Driveway Design Elements

5.1 Driveway Throat Length

5.1.1 For minimum use driveways, the throat length shall be a minimum of 25 feet.

5.1.2 For low volume driveways, the throat length shall be a minimum of 50 feet or as determined by a queuing analysis.

5.1.3 For medium volume driveways, the throat length shall be a minimum of 120 feet or as determined by a queuing analysis.

5.1.4 For high volume driveways, the throat length shall be a minimum of 150 feet or as determined by a queuing analysis.

5.2 Driveway Throat Width

5.2.1 For driveways without curb:

5.2.1.1 A minimum use driveway shall have a minimum width of 10 feet.

5.2.1.2 Low and medium volume driveways shall have a minimum width of 10 feet for one-way operation and a minimum width of 20 feet for two-way operation.

5.2.1.3 The design of high volume driveways shall be based on analyses to determine the number of required lanes.

5.2.2 For driveways with curb, two feet should be added to the widths contained in Section 5.2.1.1 and 5.2.1.2.

5.2.3 The municipality may require additional driveway width to provide turning lanes for adequate traffic flow and safety.

5.2.4 The municipality may require that the driveway design include a median to control turning movements. Where medians are required or permitted, the minimum width of the median shall be four feet to provide adequate clearance for signs.

5.3 Driveway Radius

5.3.1 The following criteria shall apply to driveway radii:

5.3.1.1 For minimum use driveways, the radii shall be a minimum of 15 feet.

5.3.1.2 For low volume driveways, the radii shall be a minimum of 15 feet uncurbed and 25 feet curbed.

5.3.1.3 For medium volume driveways, the radii shall be a minimum of 15 feet uncurbed and 25 feet curbed.

5.3.1.4 For high volume driveways, the design should be reviewed by PennDOT.

5.3.2 For all driveways, the radii shall be designed to **accommodate the largest vehicle expected to frequently use the driveway.**

5.3.3 Except for joint driveways, no portion of a driveway radius may be located on or along the frontage of an adjacent property.

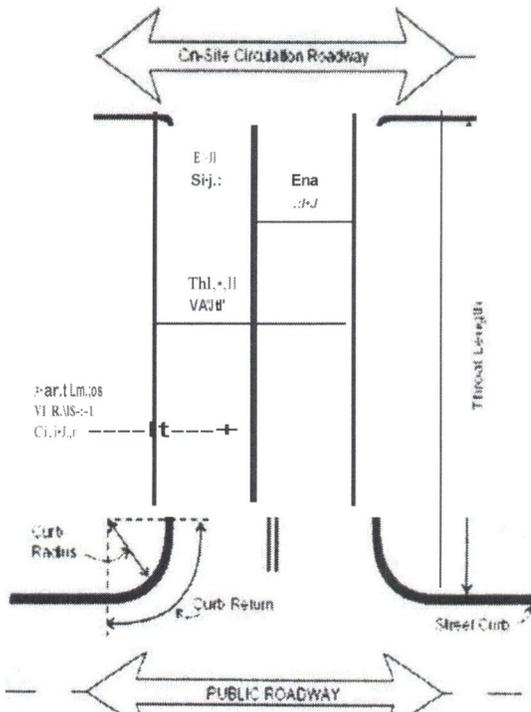


Diagram Displaying Driveway Throat Length, Width, and Radius

5.4 Driveway Profile

5.4.1 Driveway grade requirements where curb is not present on the intersecting street:

5.4.1.1 Shoulder slopes vary from four percent to six percent. When shoulders are present, the existing shoulder slope shall be maintained across the full shoulder width.

5.4.1.2 The change in grade between the cross slope of the connecting roadway or shoulder and the driveway shall not exceed eight percent.

5.4.1.3 The driveway grade shall not exceed eight percent within 10 feet of the edge of travel lane for minimum use driveways and within 40 feet for low, medium, and high volume driveways.

5.4.1.4 A 40-foot minimum vertical curve should be used for a high volume driveway.

5.4.2 Driveway grade requirements where curbs and sidewalks are present:

5.4.2.1 The difference between the cross slope of the roadway and the grade of the driveway apron may not exceed eight percent.

5.4.2.2 The driveway grade shall not exceed eight percent within 10 feet of the edge of travel lane for minimum use driveways and within 40 feet for low, medium, and high volume driveways.

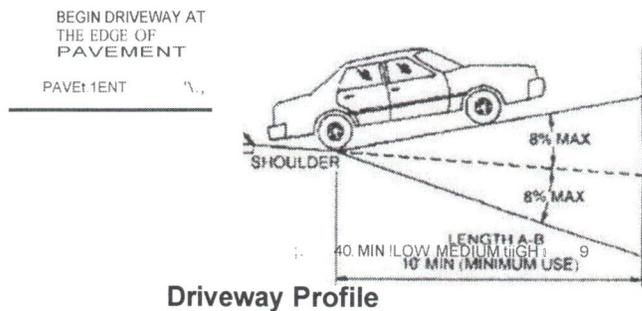
5.4.2.2 If a planted area exists between the sidewalk and curb, the following shall apply:

5.4.2.2.1 The grade of the planted area shall not exceed eight percent.

5.4.2.2.2 If the driveway grade would exceed eight percent in the area between the curb and the sidewalk, the outer edge (street side) of the sidewalk may be depressed to enable the driveway grade to stay within eight percent. A maximum sidewalk cross slope of eight percent must be maintained.

5.4.2.2.3 If the sidewalk cross slope exceeds two percent, the entire sidewalk may be depressed. The longitudinal grade of the sidewalk may not exceed six percent.

5.4.3 Although site conditions may not allow strict adherence to these guidelines in this Regulation, every effort should be made to design and construct the safest and most efficient access onto the state roadway.



Section 6 Driveway Design Exceptions

Although site conditions may not allow strict adherence to the guidelines in this ordinance, every effort should be made to design and construct the safest and most efficient access onto the state roadway. Exceptions to the design requirements in the Regulations should be reviewed by both the municipal engineer and PennDOT.

Supervisors signatures:

[Signature]
Stacy DeBar
Robert Key