

PART 3

CURB CUTS AND DRIVEWAY CONSTRUCTION

§21-301. Driveway.

As utilized in this Part, "driveway" shall include any cartway or roadway which begins on a Borough street or State highway within the Borough of Philipsburg and which terminates on the adjacent private property at a garage, carport or area utilized to park motor vehicles.

(Ord. 954, 6/13/1994, §1)

§21-302. [Reserved]²

§21-303. Width of Driveways.

All private driveways hereafter constructed across any pavement shall be of a width not less than eight feet.

(Ord. 954, 6/13/1994, §3; as amended by A.O.)

§21-304. Permit Required.

Before any private driveway may be constructed across a sidewalk and before any curb cut may be made, a permit shall be obtained from the Borough of Philipsburg. All driveways shall be laid according to specifications furnished by the Borough at the time the permit is granted.

(Ord. 954, 6/13/1994, §4)

§21-305. Fee.

The fee for a driveway or curb cut permit shall be in an amount as established, from time to time, by resolution of Borough Council.³

(Ord. 954, 6/13/1994, §5; as amended by A.O.)

² Editor's Note: Former §2 of Ord. 954, Driveway Qualification, was repealed by the A.O.

³ Editor's Note: The current fee resolution is on file in the office of the Borough Secretary.

STREETS AND SIDEWALKS

§21-306. Sidewalks Crossing Driveways.

Where a sidewalk crosses the driveway, such sidewalk shall meet ADA requirements. The balance of the pavement shall remain the same height and grade as before the construction of the driveway.

(Ord. 954, 6/13/1994, §6; as amended by A.O.)

§21-307. Rectification of Improper Work.

In case any person shall construct a driveway or a curb cut and shall not conform to the requirements of this Part, the Borough may order such person, firm or corporation to remove the improper work and replace the same in compliance with this Part. Notice to remove and replace improper work shall be given by registered or certified mail and shall state that the person, firm or corporation shall have 15 days from receipt of the notice to comply herewith. Upon noncompliance, the Borough may do or cause the requested repairs to be done and may levy the costs of its work on such owner as a property lien to be collected in any manner provided by law.

(Ord. 954, 6/13/1994, §7)

§21-308. Penalties.

Any person, firm or corporation who shall fail to obtain a permit before constructing a private driveway or making a curb cut shall, upon conviction thereof, 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 30 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. 954, 6/13/1994, §8; as amended by A.O.)