

MILLCREEK TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA

ORDINANCE NO. MARCH 6, 1984 - A

AN ORDINANCE PROVIDING STANDARDS FOR THE APPROVAL UNDER SECTION 16.06 OF THE MILLCREEK TOWNSHIP ZONING ORDINANCE OF PRIVATE STREETS ALREADY EXISTING OR TO BE CONSTRUCTED WITHIN MILLCREEK TOWNSHIP.

BE IT ORDAINED AND ENACTED BY THE AUTHORITY OF THE BOARD OF SUPERVISORS OF MILLCREEK TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA AND IT IS HEREBY ORDAINED AND ENACTED, as follows:

Section 1. Definitions. - As used in this Ordinance, except where the context clearly indicates otherwise, the following words or phrases shall have the meanings indicated below:

1. Improvement - any manmade physical addition or change to the land including, but not limited to, structures, grading, paving, mining, dredging, filling, excavating, drilling operations and utilities such as, but not limited to, electric,

water, sewer, storm water facilities, gutters and drains.

2. Private Street - a legally established right-of-way other than a public street which provides primary vehicular access to a lot or lots and which has not been accepted by Millcreek Township, Lebanon County, as a Township Road.
3. Right-of-Way - the total width of any land reserved for a street, alley, pedestrian way, or for any other public or private use including, but not limited to, providing space for public utilities and shade trees.

Section 2. Private streets proposed to serve lots, which are presently unimproved, which existed prior to the effective date of this Ordinance, and which are not adjacent to a public street, shall be approved by the Board of Supervisors of Millcreek Township only if all of the following requirements have first been satisfied:

1. The health, safety, welfare, uninterrupted transportation of the general citizenry, and conservation of property located within the Township will not be adversely affected by the use of the street to serve one or more improved lots.

2. The street shall provide safe and convenient access for servicing, fire protection, ambulance service, and off-street parking required by the Millcreek Township Zoning Ordinance.
3. The street must have a 50-foot wide right-of-way providing access to a public street and the same must appear on a survey prepared by a registered surveyor. Said survey must be submitted to the Board of Supervisors before the private street will be considered for approval.
4. The survey required by the immediately preceding paragraph must include plans, certified by a registered engineer, showing that the proposed private street meets all storm water management, erosion and sedimentation, and road occupancy requirements of the Lebanon County Conservation District and Millcreek Township, Lebanon County.
5. The proposed street shall be consistent with the pattern of existing streets and those found on official maps, county and state road plans, and natural environmental features.
6. To ensure reasonable access for emergency services from public roadways with Millcreek Township,

no private streets shall be approved unless such private streets have an all-weather access road constructed and maintained from a public road to the dwelling constructed to meet or to exceed the following minimum criteria:

- A. All topsoil shall have been removed.
- B. The street shall have an eighteen (18) foot width cartway extending twenty (20) feet from the public street right-of-way to provide safe entrance.
- C. An all-weather surface shall be provided to a minimum width of twelve (12) feet and shall consist of at least four (4) inches of compressed select granular material as defined in the current publication 408, PennDOT Specifications, or of materials, or combinations of material, approved as equal.
- D. Minimum clear cartway, shall be twelve (12) feet wide and sixteen (16) feet high.
- E. Minimum horizontal radius of curvature shall be fifty-five (55) feet.
- F. Maximum grades shall be fifteen (15) percent.
- G. Intersections of vertical profile tangents shall be rounded by vertical curves with a

minimum length of twenty (20) feet when the difference of the grades of the intersecting tangents exceeds eight (8) percent.

- H. Drainage pipes shall be certified by the supplier to meet specification requirements as described in publication 408, PennDOT. The certification must be furnished to the Township upon completion of installation.
- I. Drainage structures, other than pipe, must be built and maintained to standards that will safely sustain, as a minimum, an H15-44 loading (American Association of State Highway and Transportation Officials Specifications). A copy of the design, bearing a signed approval of a registered professional civil engineer, and a statement by the owner, certifying that the structure was built within reasonably close conformity to the design and specifications must be supplied to Millcreek Township upon completion of construction.
- J. Streams and waterways may be crossed only as a last resort after all required permits are obtained.

Section 3. No private street shall be approved hereunder until the same has been constructed according to the applicable standards set forth in this Ordinance.

Section 4. All improvements constructed to the standards set forth in this Ordinance for the purpose of obtaining approval of a private street or streets hereunder, shall, after approval of said street or streets hereunder, be at all times maintained, by the owner or owners of the lot or lots served by said street or streets, and kept in a condition which complies with the standards set forth in this Ordinance.

Section 5. Any person who violates any provision of this Ordinance shall, upon conviction thereof, in a summary proceeding, be sentenced to pay a fine of not more than One Thousand (1000.00) Dollars and the cost of prosecution. Each additional day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

Section 6. In addition to or in lieu of the penalties provided in Section 5, violations of this Ordinance may be abated by the Township proceeding against the violator in a court of equity to obtain injunctive relief.

Section 7. Despite any approval of any private street by Millcreek Township under this Ordinance, the Township of Millcreek shall have absolutely no obligation whatsoever to

accept public dedication of such street as a public road at any time.

Section 8. This Ordinance sets forth the standards for the approval of private streets pursuant to Section 16.06 of the Millcreek Township Zoning Ordinance.

Section 9. If any section of this Ordinance or part thereof shall be found to be invalid for any reason, such decision shall not effect the validity of the Ordinance as a whole, or any section thereof other than the sections so declared to be invalid.

Section 10. This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED this 8th day of March, 1989.

ATTEST:

Millcreek Township
Board of Supervisors

Raymond S. Milroy
Secretary

Raymond S. Milroy
Chairman