

ORDINANCE NO. 206

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING THAT NO PUBLIC STREETS OR ROADS OF THE TOWNSHIP OF SOUTH HEIDELBERG SHALL BE OPENED, CUT OR CONSTRUCTED UPON BY ANY PERSON, FIRM, CORPORATION OR UTILITY WITHOUT FIRST SECURING A PERMIT FROM THE TOWNSHIP IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED and ENACTED by the Board of Supervisors of the Township of South Heidelberg, Berks County, Pennsylvania, and it is hereby ORDAINED and ENACTED by the authority of the same as follows:

SECTION 1. Road Occupancy Permit. In accordance with the provisions of Section 67322 of Article XXIII of the Second Class Township Code, as amended, no railroad or street railway shall be constructed upon any South Heidelberg Township road, nor shall any railroad or street railway crossings, driveway connections, gas pipe, water pipe, electric conduits or other piping be laid upon or in, nor shall any telephone, telegraph, or electric light or power poles, or any coal tipples or any other obstructions be erected upon or in, any portion of a South Heidelberg Township road except under such conditions, restrictions and regulations relating to the installation and maintenance thereof specified in permits granted by the Township for such purpose.

SECTION 2. Permit Application. The application for a permit shall be on a form prescribed by the Township, and submitted to the Township in triplicate. The application shall include an acknowledgement of the General Provisions and Specifications referenced in Section 4 herein, wherein the applicant acknowledges a covenant to comply with the General Provisions and Specifications should the permit be issued to the applicant. The application shall be accompanied by a fee in accordance with the Schedule of Fees set forth by the Pennsylvania Department of Transportation, for Highway Occupancy Permits and Restoration Charges. The fee shall be payable to the Township of South Heidelberg in an amount to cover the cost of issuing the permit and of making the inspection, as set forth in Section 7 herein and required by Title 67 (Transportation), Chapter 459 of the Pennsylvania Code, as amended, the text of which can be viewed at <http://www.pacode.com/secure/data/067/chapter459/chap459toc.html>, upon the completion of the work authorized by the permit. In addition, the applicant shall submit three (3) copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street.

SECTION 3. Permit Issuance. A permit shall be issued to the applicant after all the aforementioned requirements contained in Section 2 have been filed.

SECTION 4. General Provisions and Specifications. The attached document entitled "General Provisions and Specifications relating to Occupancy of Township Highway Right-of-Way" shall be incorporated herein and be made a part of this Ordinance and sets forth the requirements for occupancy of a South Heidelberg Township Highway right-of-way. Any changes, modifications or alterations of these provisions and specifications shall and may be

